FILED

SEP 25 2019

Chief Financial Officer
Docketed by: J Johnson

CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

DEPARTMENT OF FINANCIAL SERVICES, DIVISION OF WORKERS' COMPENSATION,

Petitioner,

v.

DFS Case No.: 17-341-D4-WC
DOAH Case No.: 18-5782

JHC BUILDERS, LLC,

Respondent.

_____/

FINAL ORDER

THIS CAUSE came before me for final action on JHC Builders, LLC's ("Respondent") request for administrative review ("petition") challenging a Stop-Work Order and Order of Penalty Assessment ("Stop-Work Order") and a 2nd Amended Order of Penalty Assessment.

FINDINGS OF FACT

1. On November 3, 2017, the Department of Financial Services, Division of Workers' Compensation ("Department"), served Respondent the Stop-Work Order.

2. On December 22, 2017, the Department served Respondent an Amended Order of Penalty Assessment. The Amended Order of Penalty Assessment assessed a total penalty of $97,515.06.

3. On March 12, 2018, the Department and Respondent executed an Agreed Order of Conditional Release from Stop-Work Order ("Conditional Release"), wherein Respondent agreed to pay the Department the penalty assessed against Respondent.

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4. On March 12, 2018, the Department served Respondent a 2nd Amended Order of Penalty Assessment. The 2nd Amended Order of Penalty Assessment assessed a total penalty of $40,692.08.

5. On February 26, 2019, Respondent withdrew the petition.

6. On March 22, 2019, the Department served Respondent a 3rd Amended Order of Penalty Assessment. The 3rd Amended Order of Penalty Assessment assessed a total penalty of $36,362.68. Respondent did not challenge the 3rd Amended Order of Penalty Assessment.

7. The factual allegations contained in the Stop-Work Order and the 3rd Amended Order of Penalty Assessment are hereby adopted as the Department's findings of fact in this case.

CONCLUSIONS OF LAW

8. Based upon the findings of fact adopted herein, the Department concludes Respondent violated the specific statutes and rules as alleged in the Stop-Work Order and the 3rd Amended Order of Penalty Assessment.

JHC Builders, LLC, remains subject to the Conditional Release until the total penalty of $36,362.68 is paid in full to the Department.

DONE and ORDERED this 25th day of September, 2019.

E. Tanner Holloman, Director
Division of Workers' Compensation

NOTICE OF RIGHT TO APPEAL

A party adversely affected by this final order may seek judicial review as provided in section 120.68, Florida Statutes, and Florida Rule of Appellate Procedure 9.190. Judicial review is initiated by filing a notice of appeal with the Agency Clerk, and a copy of the notice of appeal, accompanied by the filing fee, with the appropriate district court of appeal. The notice of appeal must conform to the requirements of Florida Rule of Appellate Procedure 9.110(d), and must be filed (i.e., received by the Agency Clerk) within thirty days of rendition of this final order.

Filing with the Department's Agency Clerk may be accomplished via U.S. Mail, express overnight delivery, hand delivery, facsimile transmission, or electronic mail. The address for overnight delivery or hand delivery is Julie Jones, DFS Agency Clerk, Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 2399-0390. The facsimile number is (850) 488-0697. The email address is Julie.Jones@myfloridacfo.com.

COPY FURNISHED TO:

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