

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BOARD

FLORIDA DEPARTMENT OF
BUSINESS AND PROFESSIONAL REGULATION,
DIVISION OF REAL ESTATE,

Petitioner,

v.

DOAH CASE NO.: 20-4792PL
DBPR CASE NO.: 2019-048803
LICENSE NO.: RD 6606

STACY L. FRETINA,

Respondent.

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FINAL ORDER

THIS CAUSE came before the Florida Real Estate Appraisal Board (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, at a duly noticed public telephonic meeting on April 12, 2021, for the purpose of considering the Administrative Law Judge's Recommended Order, which is attached hereto as Exhibit A, in the above-styled cause. Petitioner was represented by Delhon Braaten, Assistant General Counsel. Respondent was present with her counsel of record, Daniel Villazon, Attorney at Law.

Upon review of the Recommended Order and after a review of the complete record in this case, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

2. There is competent substantial evidence in the record to support the findings of fact.

CONCLUSIONS OF LAW

3. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 475, Florida Statutes.

4. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference. The Board finds Respondent guilty of Counts 1 and 2 of the Administrative Complaint and not guilty of Count 3 of the Administrative Complaint.

PENALTY

Upon a complete review of the record in this case, the Board ACCEPTS the penalty recommendation of the Administrative Law Judge of: paying of an administrative fine of one thousand five hundred dollars (\$1,500) and the administrative costs of one thousand dollars (\$1,000), both payable within **12 months** of the filing date of this Final Order; placing Respondent on probation for a period of 12 months; requiring attendance, virtually or in person, at 3 complete Board meetings within the probationary period; and completing four (4) corrective education courses, specifically, *“Appraiser Self-Protection: Documentation and Record Keeping”*; *“Report Certifications. What am I Signing and Why?”*; *“Residential Report Writing vs. Form Filling”*; and *“Scope of Work: Appraisals and Inspections”*. The Board voted that the probation could terminate early upon completion of all of the listed probation requirements and payment of the fine and costs.

The fine and costs shall be paid to: Department of Business and Professional Regulation, Division of Real Estate, 400 West Robinson St., N801, Orlando, Florida 32801.

WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

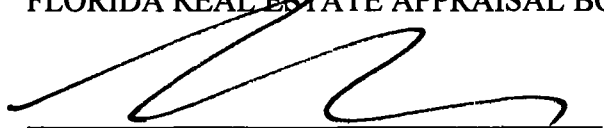
The Board finds that Respondent violated Section 475.624(4), Florida Statutes, by failing to comply with Florida Administrative Code Rule 61J1-9.001, by failing to comply with

the Uniform Standards of Professional Appraisal Practice rules and a violation of Section 455.227(1)(m), Florida Statutes; imposes a \$1,500 fine and \$1,000 administrative costs to be paid within 12 months; places Respondent's license on probation for 12 months; completing the 4 specified corrective education courses, and attends 3 full meetings of the Board. The probation will terminate early if Respondent completes the continuing education courses, attends 3 board meetings and pays the imposed fine and costs.

This Final Order shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 11th day of May, 2021.

FLORIDA REAL ESTATE APPRAISAL BOARD



Allison Carmine McDonald, Executive Director
on behalf of the Florida Real Estate Appraisal Board

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF THE FILING DATE OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to **Stacy Fretina** by sending same via electronic mail to her counsel of record, **Daniel Villazon**,

DVillazon@yahoo.com; by US Mail to: **Yolonda Y. Green**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by electronic mail to: **Al Cheneler**, Chief Attorney, Division of Real Estate, Al.Cheneler@myfloridalicense.com; and **Deborah B. Loucks**, Senior Assistant Attorney General, Office of the Attorney General, deborah.loucks@myfloridalegal.com; on May 20th, 2021.

By: Brandon M. Nichols
For: Agency Clerk's Office