

FILED

FEB 02 2021

Chief Financial Officer
Docketed by



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

DEPARTMENT OF FINANCIAL
SERVICES, DIVISION OF WORKERS'
COMPENSATION,

Petitioner,

v.

Case No.: 18-362-D5-WC

S&H REPAIR AND REMODELING, INC.,

Respondent.

FINAL ORDER

THIS CAUSE came before me for final action on S&H Repair and Remodeling, Inc.'s ("Respondent") request for administrative review ("petition") challenging a Stop-Work Order and a 2nd Amended Order of Penalty Assessment.

FINDINGS OF FACT

1. On September 12, 2018, the Department of Financial Services, Division of Workers' Compensation ("Department"), served Respondent a Stop-Work Order and Order of Penalty Assessment ("Stop-Work Order").
2. On February 27, 2019, the Department served Respondent an Amended Order of Penalty Assessment. The Amended Order of Penalty Assessment assessed a total penalty of \$48,013.96.
3. On April 18, 2019, the Department received Respondent's petition.

4. On July 17, 2020, the Department served Respondent a 2nd Amended Order of Penalty Assessment. The 2nd Amended Order of Penalty Assessment assessed a total penalty of \$73,069.68.

5. On November 19, 2020, the Department referred the petition to the Division of Administrative Hearings (“DOAH”).

6. On January 21, 2021, DOAH entered an order deeming matters admitted and relinquishing jurisdiction to the Department. A true and correct copy of the order is attached hereto as exhibit “1.”

7. The factual allegations contained in the Stop-Work Order, and the 2nd 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 2nd Amended Order of Penalty Assessment.

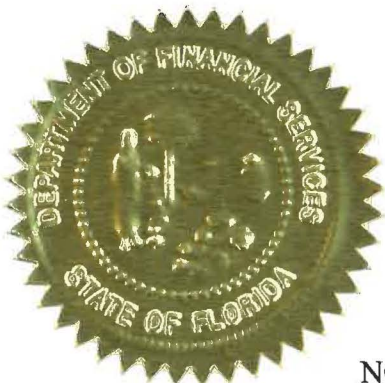
Accordingly:


a. Respondent shall immediately execute a payment agreement or pay the penalty of \$73,069.68 in full to the Department for deposit into the Workers’ Compensation Administration Trust Fund.

b. Respondent shall immediately cease all business operations in the State of Florida until such time as the Department issues an order releasing the Stop-Work Order and the 2nd Amended Order of Penalty Assessment. The Department shall not issue an order releasing the Stop-Work Order and the 2nd Amended Order of Penalty Assessment until Respondent has come into compliance with the coverage requirements of chapter 440, Florida Statutes, and has

paid the total penalty of \$73,069.68 to the Department.

DONE and ORDERED this 2nd day of February, 2021.




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 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 DFSAgencyClerk@myfloridacfo.com.

COPY FURNISHED TO:

S&H REPAIR AND REMODELING, INC.
200 178TH DRIVE, UNIT 711
NORTH MIAMI BEACH, FLORIDA 33160

 **MAILED**
02.02.2021
J. Johnson