

FILED

APR 04 2022

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.

Case No.: 17-315-D5-WC
DOAH Case No. 22-0198

FERROM CONSTRUCTION CORP,

Respondent.

FINAL ORDER

THIS CAUSE came before me for final action on Ferrom Construction Corp's ("Employer") request for administrative review ("petition") challenging a Stop-Work Order and 2nd Amended Order of Penalty Assessment.

FINDINGS OF FACT

1. On July 19, 2017, the Department of Financial Services, Division of Workers' Compensation ("Department"), served Employer a Stop-Work Order and Order of Penalty Assessment.
2. July 19, 2017 agreed order of conditional release.
3. On February 8, 2018, the Department served Employer an Amended Order of Penalty Assessment. The Amended Order of Penalty Assessment assessed a penalty of \$113,798.80.

4. On April 26, 2018, the Department served Employer a 2nd Amended Order of Penalty Assessment. The 2nd Amended Order of Penalty Assessment assessed a penalty of \$200,183.46.

5. On May 15, 2018, the Department received Employer's petition.

6. On January 18, 2022, the Department served Employer a 3rd Amended Order of Penalty Assessment. The 3rd Amended Order of Penalty Assessment assessed a penalty of \$133,193.46.

7. On January 19, 2022, the Department referred the petition to the Division of Administrative Hearings ("DOAH").

8. On March 12, 2022, the 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".

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

CONCLUSIONS OF LAW

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

Accordingly:

a. Employer remains subject to the conditional release until the entire penalty of \$133,193.46 is paid.

DONE AND ORDERED on this 4th day of April, 2022.





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 32399-0390. The facsimile number is (850) 488-0697. The email address is DFSAgencyClerk@myfloridacfo.com

COPIES FURNISHED TO:

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MAILED
Date: 04.04.2022
J. Johnson