

**FLORIDA DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES**

YURI MATOS,

Petitioner,

vs.

**IBERCARIBE TOUR, LLC, AND
HARTFORD FIRE INSURANCE
COMPANY, AS SURETY**

Respondents.

DOAH CASE NO: 22-0204
Case No: 2109-35041
Agency Clerk No: B36279
Claim Amount: \$4,256.45

DIVISION OF
ADMINISTRATIVE HEARINGS

2022 JUL 28 PM 3:35

FILED

FINAL ORDER

THIS CAUSE, arising under the Florida Sellers of Travel Act, (the Act), Sections 559.926-559.939, Florida Statutes (F.S.), came before the Commissioner of Agriculture of the State of Florida for consideration and final agency action.

I. PRELIMINARY STATEMENT

The Petitioner, Yuri Matos (Petitioner) in the above-captioned matter, filed a complaint against the Ibercaribe Tour, LLC (Respondent) totaling \$4,256.45. Copies of the claim and supporting evidence thereto were mailed by the Florida Department of Agriculture and Consumer Services (Department) to the Respondent and Hartford Fire Insurance Company (Surety), by UPS Ground, on December 13, 2021. Deliveries of the notices to the Respondent and Surety were confirmed by signatures on December 14, 2021. The Respondent responded to the claim and requested a hearing. The Surety did not contest the matter or request a hearing.

The Department referred this matter to the Division of Administrative Hearings (DOAH) for an administrative hearing in accordance with the provisions of Section 120.57(1), F.S. A

hearing was held on February 14, 2022, and the Administrative Law Judge (ALJ) entered a Recommended Order on April 20, 2022, a copy of which is attached hereto. Neither party filed written exceptions.

The Record consists of all notices, pleadings, motions, intermediate rulings, evidence admitted and matters officially recognized, proposed findings, stipulations of the parties, and the Recommended Order.

II. FINDINGS OF FACT

The Commissioner of Agriculture adopts in toto the findings of fact made by the ALJ in the Recommended Order, attached hereto.

III. CONCLUSIONS OF LAW

The Commissioner of Agriculture adopts in toto the conclusions of law made by the ALJ in the Recommended Order, attached hereto.

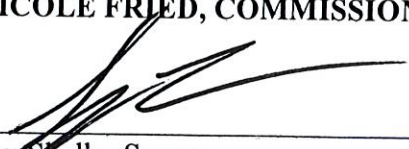
Upon consideration of the foregoing, review of the record, and being otherwise fully advised in the premises,

IT IS ORDERED AND ADJUDGED that:

The Respondent, Ibercaribe Tour, LLC, shall pay the Petitioner, Yuri Matos, the amount of \$4,256.45, to be paid within fifteen (15) days from the date this order becomes final. In the event that the Respondent does not comply with this order within fifteen (15) days from the date it becomes final, Hartford Fire Insurance Company, as the Surety for the Respondent, is hereby ordered to provide payment under the conditions and provisions of the bond, to NICOLE FRIED, COMMISSIONER OF AGRICULTURE, as Obligee on the bond. Should responsibility for payment evolve to the Surety, Hartford Fire Insurance Company will be notified by this office.

Done and Ordered this 19th day of July, 2022.

NICOLE FRIED, COMMISSIONER


By: Shelby Scarpa
Assistant Commissioner of Agriculture
Florida Department of Agriculture and Consumer Services

NOTICE OF RIGHT TO JUDICIAL REVIEW

Any party to these proceedings adversely affected by this Final Order is entitled to seek judicial review of this Final Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Judicial review proceedings must be instituted by filing a Notice of Appeal with the Department's Agency Clerk, 407 South Calhoun Street, Suite 509, Tallahassee, Florida, 32399-0800, within thirty (30) days of rendition of this order. A copy of the Notice of Appeal must be filed with the Clerk of the appropriate District Court of Appeal accompanied by any filing fees prescribed by law.

Rendered, this 19th day of July, 2022.


Agency Clerk

Copies Furnished to:

Judge Hetal Desai Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060

Yuri Matos, 1417 N Semoran Blvd Ste 102, Orlando, FL 32807

Ibercaribe Tour, LLC, 80 NW 22nd Ave, Miami, FL 33125

Hartford Fire Insurance Company, Attn.: Bond Department, 200 Colonial Center Parkway
5th Floor, Lake Mary, FL 32746