



Interoffice Memorandum

FACILITIES MANAGEMENT AGENDA ITEM 1

**DATE:** February 2, 2022

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

**THROUGH:** Anne Kulikowski., Director  
Administrative Services Department

A handwritten signature in black ink, appearing to read "AK", written over a horizontal line.

**FROM:** Rich Steiger, Manager  
Facilities Management Division

A handwritten signature in black ink, appearing to read "Rich Steiger", written over a horizontal line.

**CONTACT PERSON:** Rich Steiger, Manager

**DIVISION:** Facilities Management  
Phone: (407) 836-7473

**ACTION REQUESTED:** Approval and execution of Administrative Complaint Case Number 2022002760 – License Number 5495 License Type 2101 - Elevator  
Approval of Settlement Option 1: Accept the conditions of the Stipulation and Consent Order as written including the fine of \$250.00

**ITEMS:** Administrative Complaint Case Number 2022002760 – License Number 5495 License Type 2101 - Elevator

**BUDGET:** Account No.: 0001-043-1717-3810

**APPROVALS:** Facilities Management Division

**REMARKS:** On June 8, 2020, State Inspector Christopher Macduff inspected Elevator number 5495 at Sheriff Central Complex located at 2500 West Colonial Drive, Orlando FL 32804. At this inspection there were eight violations identified for correction. The elevator was re-inspected on January 10, 2022 and three of the eight violations noted during the previous inspection had not been corrected. Therefore, the County was issued an Administrative Complaint for failure to correct the violations within 90 days of the original inspection. Facilities Management is working with the current elevator maintenance contractor to ensure elevator number 5495 is up to code and compliant.

## READ CAREFULLY – LEGAL ACTION ENCLOSED

January 19, 2022

ORANGE COUNTY SHERIFF BLDG  
2010 E MICHIGAN STREET  
ORLANDO, FL 32806

**Re: Administrative Complaint Case Number:** 2022002760  
License Number: 5495 License Type: 2101 - Elevator

Dear ORANGE COUNTY SHERIFF BLDG:

The Administrative Complaint enclosed with this letter contains the formal charges against ORANGE COUNTY SHERIFF BLDG, 2500 W COLONIAL DR, ORLANDO, FL 328048089. The Division recommends disciplinary action against you which action may include fines, refusal to license, license suspension or license revocation.

**To preserve your legal rights, you must complete and return the Election of Rights form to your settlement officer within 21 days** from the date you receive the Administrative Complaint.

- **Choose either to accept the settlement offer or request a hearing. You may select only one option.**
- The options are explained on the enclosed **Explanation of Rights** page.
- The violation(s) alleged is listed in Exhibit A.
- Penalties are based on the presence of the violation at the time of the inspection. Correction of the violation after the inspection date does not resolve this administrative complaint.

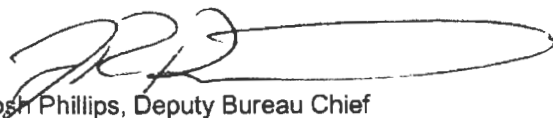
**The settlement officer** for this case is Daniela Radneva, Telephone number 850.717.1280, fax 850.922.6208, Email: Daniela.Radneva@myfloridalicense.com

**Contact the settlement officer** if you have questions about the administrative complaint, the administrative complaint process; **your inspector is not authorized to discuss this legal action with you.**

Settlement officers are not authorized to provide legal advice. Consult an attorney if you do not understand your options. **The Division does not provide translation services. It is your responsibility to secure any necessary translation services.** Personal or certified mail delivery of these documents is legal service, and notice that the Division may assess penalties against you.

**Failure to return a completed Election of Rights within 21 days is a waiver of your right to a hearing** and may result in a Final Order containing **penalties higher than the settlement conditions offered.** You are encouraged to keep a copy of the administrative complaint for your records.

Sincerely,



Josh Phillips, Deputy Bureau Chief

Case Number: 2022002760  
License Type: 2101  
File Number: 102580  
License Number: 5495  
Respondent: ORANGE COUNTY SHERIFF BLDG

Form revised 08.01.16

**State of Florida**  
**Department of Business and Professional Regulation**  
**Division of Hotels and Restaurants**

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION

Petitioner,

vs.

ORANGE COUNTY SHERIFF BLDG  
Respondent.

License Number: 5495  
File Number: 102580  
License Type: 2101  
Case Number: 2022002760

**Administrative Complaint**

The DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF HOTELS AND RESTAURANTS, ("Petitioner"), files this Administrative Complaint against ORANGE COUNTY SHERIFF BLDG, ("Respondent"), and says:

1. Petitioner is the state agency charged with regulating the operation, installation, maintenance, and inspection of elevators, pursuant to Section 20.165 and Chapter 399, Florida Statutes.
2. Respondent is, and has been at all times material hereto, subject to the jurisdiction of the Division of Hotels and Restaurants. The respondent's business address of record is 2500 W COLONIAL DR, ORLANDO, FL 328048089. The mailing address of record is ORANGE COUNTY SHERIFF BLDG at 2010 E MICHIGAN STREET, ORLANDO, FL 32806.
3. Investigation revealed violations of the provisions of Chapter 399, Florida Statutes, and / or the rules promulgated thereto governing the operation, installation, maintenance, and inspection of elevators. The violation(s) found and applicable law are described in Exhibit "A", attached hereto and incorporated by reference. Inspection documents are attached as Exhibit "B", incorporated herein by reference.

WHEREFORE, Petitioner respectfully requests entry of an Order imposing one or more of the following penalties: administrative fine not to exceed \$1,000 per offense; suspension, revocation, and/or any other relief authorized by Chapter 399, Florida Statutes, or the rules promulgated thereto.

Signed January 19, 2022

  
Josh Phillips, Deputy Bureau Chief  
By delegation of the Director, or designee  
Division of Hotels & Restaurants  
Department of Business & Professional Regulation

COUNSEL FOR THE DEPARTMENT:  
Department of Business & Professional Regulation  
2601 Blair Stone Road  
Tallahassee, FL 32399-2202  
[dhrl.legal@myfloridalicense.com](mailto:dhrl.legal@myfloridalicense.com)  
Fax: 850.617.4430

**Certified Article Number**

9414 7266 9904 2185 3515 90

**SENDER'S RECORD**

**Certificate Of Service**

**BY CERTIFIED U.S. MAIL, ARTICLE NUMBER:**

I HEREBY CERTIFY that a true and correct copy of the foregoing ADMINISTRATIVE COMPLAINT has been hand served by me on this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Division Employee's Signature

\_\_\_\_\_  
Title

Received by: \_\_\_\_\_

\_\_\_\_\_  
Operator's Signature

\_\_\_\_\_  
Title

Case Number: 2022002760  
License Type: 2101  
File Number: 102580  
License Number: 5495  
Respondent: ORANGE COUNTY SHERIFF BLDG

Form revised 08.01.16

## Exhibit A

Certificate Number: 5495  
License Type: 2101  
Case Number: 2022002760

It is alleged the Respondent was in violation of Florida Statute 399 (FS) in the following particulars.

399.105 (4) An elevator owner who fails to comply with an order to correct issued under s. 399.061(4) within 90 days after its issuance is subject, in addition to any other penalty provided by law, to an administrative fine in an amount not to exceed \$1,000.

Respondent is the owner of the elevator issued certificate number 5495, located at 2500 W. Colonial Dr., Orlando, FL.

On June 8, 2020, State Inspector Christopher Macduff inspected the elevator. There were eight violations noted. The violations were:

1. Visual acknowledgement for two-way communication not working.
2. No alteration code data plate.
3. Code data plate incorrect.
4. Relief valve not sealed.
5. Maintenance records not available to elevator personnel.
6. No instructions for reporting trouble calls posted on the controller.
7. Test tag for 4/17/2019 shows no test of 8.6.5.14.2. , 8.6.5.14.3(a). , 8.6.5.14.3(g), per A17.1 2013.
8. Horizontal slide hoistway door clearance between panel and other doors, frames, and sill exceeds 0.375 inch.

Respondent was issued an Order to Correct these violations within 90 days.

On January 10, 2022, State Inspector Christopher Macduff reinspected the elevator. Three out of eight violations noted during the previous inspection had not been corrected. The violations were:

1. Visual acknowledgement for two-way communication not working.
5. Maintenance records not available to elevator personnel.
8. Horizontal slide hoistway door clearance between panel and other doors, frames, and sill exceeds 0.375 inch.

Respondent failed to comply with the Order to Correct by failing to correct these violations within 90 days.

## Exhibit B

Inspection document(s) are attached as Exhibit "B", and incorporated herein by reference.



**Division of Hotels and Restaurants  
Bureau of Elevator Safety**

2601 Blair Stone Rd, Tallahassee, FL 32399

Phone: 850.487.1395 • Fax: 850.922.6208 • Email: [dh.elevators@myfloridallcense.com](mailto:dh.elevators@myfloridallcense.com)

**Callback Report**

**FAIL - FOLLOW-UP INSPECTION REQUIRED:**

Inspector determined violations from previous inspection still exist, but do not present an imminent threat to public safety.

Previous inspection cited violations, thus constituting an Order to Correct as outlined in s. 399.061(4), Florida Statutes. Violations cited were not corrected within 90 days in accordance with s. 399.105(4), Florida Statutes.

Time Extended. Violations cited must be corrected by date noted on inspection form.

Inspection Date:	Jun 08, 2020 10:07 - Jun 08, 2020 11:59	License Expiration:	August 1, 2020
License Number:	5495 Rank: ELEV	Inspection Reason:	Elevator Industry Oversight / Audit
Owner Name:	ORANGE COUNTY SHERIFF BLDG	Business Name:	ORANGE COUNTY SHERIFF BLDG
Location Address:	2500 W COLONIAL DR ORLANDO FL 328048089	License Type:	Elevator
		Telephone Number:	
		Initial Warning Date:	2019-05-09
		Reinspection on or After:	September 6, 2020 at 8:00:00 AM EDT

**Inspector Comments:** Maintenance records not code compliant. Emergency phone not able to give location

This report has been provided in printed form as requested by the person in charge at the time of inspection.

**TIME EXTENDED**

**106-08-01 Observed**

- From initial inspection : Visual acknowledgement for two-way communication not working.
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*

**214-02-01 Observed**

- From initial inspection : No alteration code data plate.
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*

**214-03-01 Observed**

- From initial inspection : Code data plate incorrect. Describe: wrong year and not code compliant
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*

**231-01-01 Observed**

- From initial inspection : Relief valve not sealed.
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*

**241-01-01 Observed**

- From initial inspection : Maintenance records not available to elevator personnel.
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*

**241-06-01 Observed**

- From initial inspection : Other:no instructions for reporting trouble calls posted on the controller
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*

**260-07-01 Observed**

- From initial inspection : Other:test tag for 4/17/2019 shows no test of 8.6.5.14.2. , 8.6.5.14.3(a). , 8.6.5.14.3(g). Per A17.1 2013
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*

**402-08-01 Observed**

- From initial inspection : Horizontal slide hoistway door clearance between panel and other doors, frames, and sill exceeds 0.375 inch. (ASME A17.1-1955 and later)
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*

**COMPLIED**



**Division of Hotels and Restaurants  
Bureau of Elevator Safety**

2601 Blair Stone Rd, Tallahassee, FL 32399

Phone: 850.487.1395 • Fax: 850.922.6208 • Email: [thr.elevators@myfloridalicense.com](mailto:thr.elevators@myfloridalicense.com)

**106-03-01 Observed**

- From initial inspection : Car emergency signal not working when power removed. Alarm not working
- From follow-up inspection 2020-06-08: **\*\*Complied\*\***

**241-02-01 Observed**

- From initial inspection : Maintenance records not complete. Describe:callback records shall comply with A17.1 2013 8.6.1.4.2
- From follow-up inspection 2020-06-08: **\*\*Complied\*\***

**261-01-01 Observed**

- From initial inspection : No instructions for locating maintenance control program.
- From follow-up inspection 2020-06-08: **\*\*Complied\*\***

**301-03-01 Observed**

- From initial inspection : Other: oil stored on car top
- From follow-up inspection 2020-06-08: **\*\*Complied\*\***

Signature of Recipient

Juan Urbina

Life Safety

Jun 08, 2020 11:12

Inspector Signature

Christopher Macduff

Bureau of Elevator Safety Inspection

321889-7139

Jun 08, 2020 11:11



**Division of Hotels and Restaurants  
Bureau of Elevator Safety**

2601 Blair Stone Rd, Tallahassee, FL 32399

Phone: 850.487.1395 • Fax: 850.922.6208 • Email: [dh.elevators@myfloridalicense.com](mailto:dh.elevators@myfloridalicense.com)

**Callback Report**

**FAIL - FOLLOW-UP INSPECTION REQUIRED:**

Inspector determined violations from previous inspection still exist, but do not present an imminent threat to public safety.

If violations are cited, this report constitutes an Order to Correct as outlined in s. 399.061(4), Florida Statutes.

Violations cited must be corrected within 90 days in accordance with s. 399.105(4), Florida Statutes.

**ORDER TO CORRECT:** Violations cited must be corrected by date noted on inspection form.

Issuance of an Administrative Complaint is recommended. Issuance of an administrative complaint does not remove owner responsibility to correct violations.

Inspection Date:	Jan 10, 2022 11:31 - Jan 10, 2022 12:30	License Expiration:	August 1, 2022
License Number:	5495 Rank: ELEV	Inspection Reason:	Elevator Industry Oversight / Audit
Owner Name:	ORANGE COUNTY SHERIFF BLDG	Business Name:	ORANGE COUNTY SHERIFF BLDG
Location Address:	2500 W COLONIAL DR ORLANDO FL 328048089	License Type:	Elevator
		Telephone Number:	
		Initial Warning Date:	2019-05-09
		Reinspection on or After:	April 10, 2022 at 8:00:00 AM EDT

**Inspector Comments:** No code compliant maintenance records available

This report has been provided electronically as requested by the person in charge at the time of inspection.

**ADMINISTRATIVE COMPLAINTS**

**106-08-01 Observed**

- From initial inspection : Visual acknowledgement for two-way communication not working.
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*
- From follow-up inspection 2022-01-10: \*\*Admin Complaint\*\*

**241-01-01 Observed**

- From initial inspection : Maintenance records not available to elevator personnel.
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*
- From follow-up inspection 2022-01-10: \*\*Admin Complaint\*\*

**402-08-01 Observed**

- From initial inspection : Horizontal slide hoistway door clearance between panel and other doors, frames, and sill exceeds 0.375 inch. (ASME A17 1-1955 and later)
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*
- From follow-up inspection 2022-01-10: \*\*Admin Complaint\*\*

**COMPLIED**

**214-02-01 Observed**

- From initial inspection : No alteration code data plate.
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*
- From follow-up inspection 2022-01-10: \*\*Complied\*\*

**214-03-01 Observed**

- From initial inspection : Code data plate incorrect. Describe: wrong year and not code compliant
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*
- From follow-up inspection 2022-01-10: \*\*Complied\*\*

**231-01-01 Observed**

- From initial inspection : Relief valve not sealed.
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*
- From follow-up inspection 2022-01-10: \*\*Complied\*\*



**Division of Hotels and Restaurants  
Bureau of Elevator Safety**

2601 Blair Stone Rd, Tallahassee, FL 32399

Phone: 850.487.1395 • Fax: 850.922.6208 • Email: [dh.elevators@myfloridalicense.com](mailto:dh.elevators@myfloridalicense.com)

**241-06-01 Observed**

- From initial inspection : Other:no instructions for reporting trouble calls posted on the controller
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*
- From follow-up inspection 2022-01-10: \*\*Complied\*\*

**260-07-01 Observed**

- From initial inspection : Other:test tag for 4/17/2019 shows no test of 8.6.5.14.2. , 8.6.5.14.3(a). , 8.6.5.14.3(g). Per A17 1 2013
- From follow-up inspection 2020-06-08: \*\*Time Extended\*\*
- From follow-up inspection 2022-01-10: \*\*Complied\*\*

Signature of Recipient

Stephen Rouch

Operations

Jan 10, 2022 12:26

Inspector Signature

Christopher Macduff

Senior Inspector

321-689-7139

Jan 10, 2022 12:23



State of Florida  
Department of Business and Professional Regulation  
Division of Hotels and Restaurants

## Explanation of Rights

In order to preserve your legal rights in this matter, you must complete and return the Election of Rights stating whether you accept the settlement offer or request a hearing. You can only select **ONE** of the three options on the **Election of Rights** form. The form must be properly completed, signed and **received** by the settlement officer within twenty-one (21) days after the date you **are served** the Administrative Complaint. If the Division **does not receive** your Election of Rights within twenty-one (21) days after the date of service, it will be considered a **waiver** of your right to elect any form of hearing, the settlement offer will be withdrawn and a Final Order on Waiver will be issued imposing a fine.

The **Election of Rights** is a **legally binding** document. Please read the Administrative Complaint before choosing one of the three options. The settlement officer for the case is Daniela Radneva, Telephone number 850.717.1280, fax 850.922.6208, Email: Daniela.Radneva@myfloridalicense.com. **Settlement officers are not authorized to provide legal advice.** Consult an attorney if you do not understand your options. **The division does not provide translation services**, it is your responsibility to provide any necessary translation services.

The three options are:

1. **Accept the Settlement Offer as written:** Check option one (1) if you **agree to settle this matter** by accepting the terms in the enclosed **Stipulation and Consent Order**. The **reduced fine** offered is the lowest dollar amount allowed as the settlement penalty for your violation(s) and is not negotiable. The Division does not allow changes to the terms of the **Stipulation and Consent Order** and will reject any Stipulation and Consent Order that has been changed or altered. **No payment is due at this time.** The division will send you a notice with payment instructions when the order is approved by the division director and officially filed by the Agency Clerk.
2. **Request an Informal Hearing:** Check option two (2) if you **do not dispute** any material facts alleged in the Administrative Complaint. You will be given a hearing pursuant to Section 120.57(2), Florida Statutes, and have the opportunity to present written and oral evidence in mitigation of the penalty. **If you request a hearing, the reduced settlement offer will be withdrawn.** If a dispute over a material fact arises, the informal hearing will be terminated and your case will be referred for an evidentiary hearing to be scheduled for a later date.
3. **Request a Formal Hearing:** Check option three (3) if you **dispute one or more** material facts alleged in Exhibit A of the Administrative Complaint. This is considered a petition for an evidentiary administrative hearing before an administrative law judge pursuant to Section 120.569(2)(a), Florida Statutes, and requires the Division of Hotels and Restaurants to send the case to the Division of Administrative Hearings (DOAH). **In order to be granted a formal hearing, you must provide a written statement of the alleged material facts** that you are disputing within the Administrative Complaint (pursuant to Rule 28-106.2015(5)(c), F.A.C.). Use the spaces provided on the **Election of Rights** form and attach any necessary additional pages to list all of the material facts.

State of Florida  
Department of Business and Professional Regulation  
Division of Hotels and Restaurants

Election of Rights

Respondent: ORANGE COUNTY SHERIFF BLDG

Case No: 2022002760

**CHECK ONLY ONE (1) of the three boxes below:**

**SETTLEMENT OPTION:** Handled by the settlement officer named at the bottom of this form.

- ☒ **1. Settlement:** I accept the conditions of the Stipulation and Consent Order as written including the fine of \$250.00. If the Division Director rejects the Stipulation and Consent Order, I request an informal hearing as defined below.

**HEARING OPTIONS:** Handled through the Office of General Counsel in Tallahassee, Florida.

- ☐ **2. Informal Hearing:** I do not accept the settlement offer. Before any penalty and fines are imposed, I request a hearing to submit evidence in mitigation according to Section 120.57(2) Florida Statutes. I do not dispute the allegations listed in Exhibit A of the Administrative Complaint.
- ☐ **3. Formal Hearing:** I do not accept the settlement offer. I dispute one or more alleged violations listed in Exhibit A of the Administrative Complaint. I request a hearing according to Sections 120.569(2)(a) and 120.57(1), Florida Statutes before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following violations alleged in Exhibit A of the Administrative Complaint (attach extra pages if needed):

(Disputed violation/s)

This is a **legally binding document**. Seek legal counsel before signing if you do not fully understand the terms. By signing this document, you represent that you are **authorized** to act on behalf of the Respondent and accept responsibility for compliance with any Final Order resulting from this action.

Byron Brooks  
Signature (Respondent, Qualified Representative or Attorney)

24 Feb 22  
Date Signed

\_\_\_\_\_  
Date Received

Byron Brooks, County Administrator  
Print Name and Title

2010 E. Michigan St. Orlando, FL 32806  
Mailing Address (where notices should be sent) City State Zip

407-836-7473 richard.steiger@ocfl.net  
Telephone number (to be used for contact) Fax E-mail

2010 E. Michigan St. Orlando, FL 32806  
Business Location Address

If you do not return the completed and signed Election of Rights **within 21 days** of receipt, the Division may issue a **Final Order on Waiver including a fine**. Failure to return the form on time is considered a waiver of your right to a hearing and a rejection of the settlement offer. Mediation is not available for this agency action according to Section 120.573, Florida Statutes.

**Within 21 days, email, fax or mail this completed and signed form to:**

Division of Hotels and Restaurants, Bureau of Elevator Safety, Attn: Daniela Radneva, Settlement Officer  
2601 Blair Stone Road, Tallahassee, FL 32399-1013

Fax 850.922.6208, Phone 850.717.1280, Daniela.Radneva@myfloridalicense.com

Case Number: 2022002760  
License Type: 2101  
File Number: 102580  
License Number: 5495  
Respondent: ORANGE COUNTY SHERIFF BLDG

Form revised 08.01.16





State of Florida  
Department of Business and Professional Regulation  
Division of Hotels and Restaurants

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION

Petitioner,

vs.

ORANGE COUNTY SHERIFF BLDG  
Respondent.

\_\_\_\_\_ /

Case Number: 2022002760

License Number: 5495

License Type: 2101

File Number: 102580

**Stipulation and Consent Order**

ORANGE COUNTY SHERIFF BLDG ("Respondent"), and the DEPARTMENT OF BUSINESS and PROFESSIONAL REGULATION, DIVISION OF HOTELS AND RESTAURANTS ("Petitioner"), agree to the terms of the following joint Stipulation as final agency action in this matter.

**Preliminary Statement**

The Division of Hotels and Restaurants, Department of Business and Professional Regulation, is a state agency as defined by section 120.52, Florida Statutes, and is the administrative body charged with the registration, authorization, and regulation of entities inspecting, installing, operating, maintaining or repairing conveyances pursuant to section 20.165 and Chapter 399, Florida Statutes.

**Stipulated Facts**

1. At all times material hereto, Respondent operated an elevator and was subject to the jurisdiction of the Division of Hotels and Restaurants.
2. Respondent was charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapter 399, Florida Statutes, and/or the rules promulgated thereto. A correct copy of the charging document is attached hereto and incorporated herein by reference as Exhibit "A."
3. Respondent neither admits nor denies the allegations of fact contained in Administrative Complaint attached as Exhibit "A".

**Stipulated Conclusions of Law**

1. Respondent is subject to the provisions of Chapter 399, Florida Statutes, the Florida Administrative Code rules promulgated thereto, and to the jurisdiction of the Division of Hotels and Restaurants, Department of Business and Professional Regulation.
2. If proven, the allegations contained in the attached charging document would constitute violations of Chapter 399, Florida Statutes, and/or the rules promulgated thereto.
3. Respondent understands and agrees that this Stipulation and Consent Order constitutes disciplinary action and that the Final Order incorporating this stipulation constitutes a disciplinary Final Order within the meaning of Chapter 399, Florida Statutes, and/or the rules promulgated thereto.

### **Stipulated Disposition**

Respondent and Petitioner agree to the following terms of disposition:

1. Respondent agrees to pay a fine of **\$250.00** to the Division of Hotels and Restaurants within thirty (30) days of the filing of the Final Order incorporating this stipulation. **Fine payments are not due until the order is approved. The division will send payment notice and instructions with a copy of the approved order. Fine payment must be made to the "Division of Hotels and Restaurants" and mailed to Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, FL, 32399-0783.**
2. Accepting the terms of this stipulation will not preclude additional proceedings by the Department for acts or omission not addressed in the Administrative Complaint attached as Exhibit "A" herein.
3. Respondent acknowledges that this proposed Stipulation is subject to the approval of the Director of the Division and therefore it will have no force and effect until signed by the Director. To execute this stipulation, Respondent must choose option 1 on the "Election of Rights" form and **fax the form within twenty-one (21) days to fax 850.922.6208 or mail the form to Division of Hotels and Restaurants, Bureau of Elevator Safety 2601 Blair Stone Road, Tallahassee, FL 32399-1013.** Respondent's failure to do so will be construed as Respondent's rejection of the terms herein, and the stipulation will be considered withdrawn.
4. Division may initiate additional administrative proceedings against Respondent for failure to comply with any or all of the terms contained in this stipulation, including but not limited to payment of the fine and/or correction of violations.
5. Respondent waives all further administrative procedures in this matter and waives all right to seek judicial review or otherwise challenge or contest the Final Order incorporating this Stipulation.
6. Respondent waives the right to seek any attorney's fees or costs from Petitioner relative to this disciplinary proceeding.

### **Final Order**

Having reviewed the terms of this stipulated settlement and concurring that those terms constitute appropriate settlement of this matter, the Division of Hotels and Restaurants, by and through its Division Director, APPROVES the foregoing Stipulation.

It is ORDERED that the foregoing Stipulation is adopted and incorporated into this Order. This Final Order shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Steven von Bodungen, Director  
Division of Hotels and Restaurants  
Department of Business & Professional Regulation  
State of Florida

### **Certificate of Service**

I HEREBY CERTIFY that a true and correct copy of the foregoing ORDER has been furnished to ORANGE COUNTY SHERIFF BLDG, at 2500 W COLONIAL DR, ORLANDO, FL 328048089  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Department of Business & Professional Regulation  
Division of Hotels and Restaurants  
2601 Blair Stone Road  
Tallahassee, FL 32399-1013