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**IN THE DISTRICT COURT OF APPEAL
FIFTH DISTRICT
STATE OF FLORIDA**

**DEP'T OF BUS. & PROF'L
REGULATION, DIVISION OF
REAL ESTATE,**

Appellant,

v.

CASE NO.: 5D13-2266

L.T. No.: 2011-018510

THERESIA MARIE HELTON,

Appellee.

**THE DEP'T OF BUS. & PROF'L REGULATION'S APPENDIX TO THE
UNOPPOSED MOTIONS TO DISMISS APPEAL AS MOOT AND FOR
EXPEDITED RULING**

**Garnett W. Chisenhall
Fla. Bar No. 0184373
Chief Appellate Counsel
Dep't of Bus. & Prof'l Regulation
1940 North Monroe Street, Suite 42
Tallahassee, Florida 32399-2202
(850) 717-1191; Fax (850) 414-6749
Garnett.Chisenhall@myfloridalicense.com**

Attorney for Appellant

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TAB #1

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE COMMISSION

FILED	
Department of Business and Professional Regulation	
Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	3/11/2014
File #	2014-01641

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

Petitioner,

vs.

Case No. 13-2042PL
FDBPR Case No. 2011-050921

THERESIA HELTON,

Respondent.

FINAL ORDER

THIS CAUSE came on to be heard before the Florida Real Estate Commission ("Commission") pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on February 18, 2014, in Orlando, Orange County, Florida, for the purpose of considering Administrative Law Judge J. LAWRENCE JOHNSTON's Recommended Order in the above styled case. A copy of said Recommended Order is attached hereto and incorporated herein as Exhibit "A."

Respondent was present, but was not represented by counsel. The Petitioner was represented by Christina Arzillo, Esquire, for the Department of Business and Professional Regulation, Division of Real Estate, Tallahassee, Leon County, Florida. The

Commission was represented by Tom Barnhart, Special Counsel, Office of the Attorney General, Tallahassee, Leon County, Florida.

After a review of the complete record in this matter, including consideration of the Administrative Law Judge's Recommended Order and the arguments of each party, the Commission makes the following findings of fact and conclusions of law:

Findings of Fact

1. The Administrative Law Judge's findings of fact as set forth in Exhibit "A" are approved, adopted, and incorporated herein by reference.

2. There is competent, substantial evidence to support the Administrative Law Judge's findings of fact as adopted by the Commission.

Conclusions of Law

3. The Commission has jurisdiction of this matter pursuant to Sections 120.569 and 120.57(1), Florida Statutes, Chapter 475, Part I, Florida Statutes, and Chapter 61J2 of the Florida Administrative Code.

4. The Administrative Law Judge's conclusions of law as set forth in Exhibit "A" are approved, adopted, and incorporated herein by reference.

5. There is competent, substantial evidence to support the Administrative Law Judge's conclusions of law in Exhibit "A" as amended and adopted by the Commission.

DISPOSITION

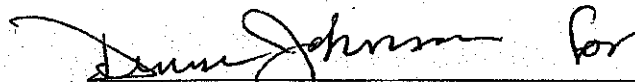
6. The Administrative Law Judge's Recommendation is approved and adopted by the Commission in its entirety.

WHEREFORE, IT IS HEREBY ORDERED and ADJUDGED that:

Any and all licenses held by Respondent are REVOKED and Respondent is assessed \$825.00 in costs for violating Counts I through V of the Administrative Complaint filed in this case.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE and ORDERED this 4th day of March, 2014, by the Florida Real Estate Commission.


by Juana C. Watkins, Director
Division of Real Estate

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 IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to J. Lawrence Johnston, Administrative Law Judge, Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; Theresia Helton, 124 Payne Court, Naples, Florida 34112; Theresia Helton, 4100 Corporate Square, #133, Naples, Florida 34104; Daniel Villazon, Esquire, 5728 Major Boulevard, Suite 535, Orlando, Florida 32819; and by inter-office mail to Christina Arzillo, Esquire, 400 West Robinson Street, Suite N801, Orlando, Florida 32801 on this 11th day of March, 2014.

Brandon M. Nicks

Respectfully submitted on this the 14th day of April 2014.

Garnett W. Chisenhall

Garnett W. Chisenhall

Fla. Bar No. 0184373

Chief Appellate Counsel

Dep't of Bus. & Prof'l Regulation

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Garnett.Chisenhall@dbpr.state.fl.us

CERTIFICATE OF SERVICE

I CERTIFY that a copy hereof has been furnished by electronic mail to Daniel Villazon, Esquire; 5728 Major Boulevard, Suite 535; Orlando, Florida 32819 via dvillazon@yahoo.com on this the 14th day of April 2014.

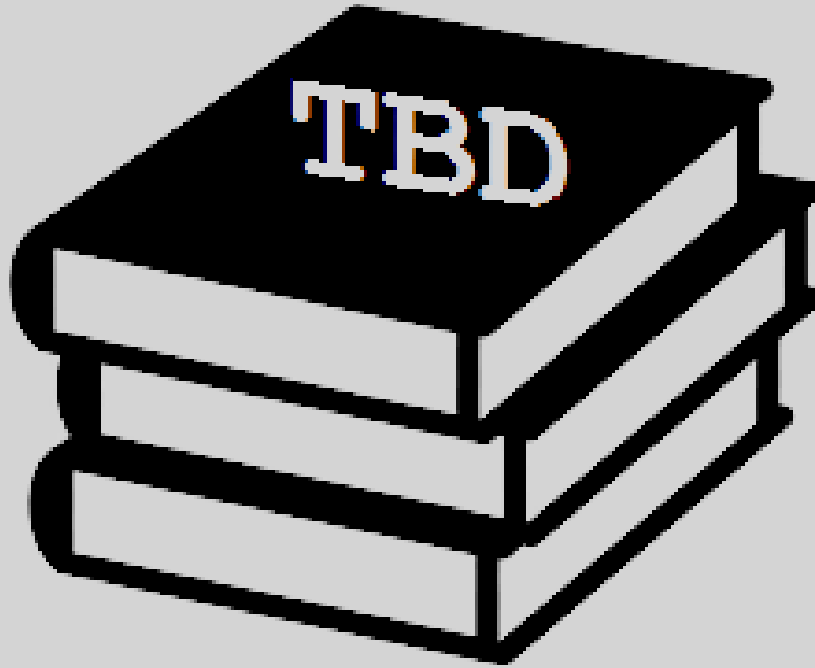
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