

**BOARD OF EMPLOYEE LEASING COMPANIES
GENERAL BUSINESS MEETING MINUTES
THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
1940 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32399**

**FEBRUARY 17, 2015
1:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at approximately 1:00 P.M. EST by Mr. Abram Finkelstein, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Abram Finkelstein, Chair
John Jones, Vice Chair
Eric Arfons
Scott Buchanan
Philip Stamatyades

MEMBER ABSENT

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Mary Ellen Clark, Board Counsel, Office of Attorney General
John Cary, Chief Attorney, Professions, DBPR
Joseph Whealdon, Prosecuting Attorney, DBPR
Daniel Brackett, Prosecuting Attorney, DBPR
Tenasha Riley, Government Analyst I, DBPR

OTHERS PRESENT

Greg Mills, Department of Financial Services
Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Kunkel, Miller & Hament, P.A.
Torben Madson, Kunkel Miller & Hament, P.A.
Marjorie Seltzer
Michael Lorts
James Baiers
Kim Higgins
Larry Leon Roberts
David Otto
Richard Doran
Elizabeth Shaw
George Attmore

The meeting was opened with a roll call and a quorum was established.

III. THE PLEDGE OF ALLEGIANCE

Mr. Finkelstein led all in the Pledge of Allegiance.

IV. REVIEW AND APPROVAL OF THE SEPTEMBER 18-19, 2014 GENERAL BUSINESS MEETING MINUTES

MOTION: Mr. Buchanan moved to approve the minutes.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

V. REVIEW AND APPROVAL OF THE NOVEMBER 14, 2014 GENERAL BUSINESS MEETING MINUTES

MOTION: Mr. Finkelstein moved to approve the minutes.
SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

VI. REVIEW AND APPROVAL OF THE JANUARY 21, 2015 TELEPHONE CONFERENCE CALL MEETING MINUTES

MOTION: Mr. Arfons moved to approve the minutes.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

VII. DISCIPLINARY PROCEEDINGS – Office of the General Counsel

A. MOTION FOR WAIVER OF RIGHTS AND FINAL ORDER

1. **Kelly Lynn Mowrey** **Case Number: 2013-015476**
PCP: Reeves and DiMascio – November 13, 2013

Mr. Whealdon advised that he was pulling this case from the agenda and would present it at a later meeting.

B. HEARINGS IN WHICH THERE ARE NO DISPUTED ISSUES OF MATERIAL FACT

1. **Professional Payroll Solutions, Inc.** **Case Number: 2013-028117**
PCP: Jones and Seltzer – September 18, 2014

Mr. Whealdon presented the case explaining it stems from violations involving failure to submit the 2012 and 2013 Annual Reports, failure to timely submit the 2012 4th quarter, 2013 1st, 2nd, 3rd, and 4th quarter, and 2014 1st quarter reports, failure to submit the 2012 and 2013 Annual Assessment Fees, and failure to renew its company license.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$2,000, costs of 35.78 and revocation of the company license.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

Mr. Tack asked if the board would consider approving the change of ownership application for Professional Payroll Solutions that has been pending for a while due to this matter.

The board agreed to discuss the change of ownership application for Professional Payroll Solutions.

***** REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLIACATION *****

- **Professional Payroll Solutions, Inc. – EL 329**

Mr. Tack presented the change of ownership application.

MOTION: Mr. Finkelstein moved to approve the change of ownership application.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

2. Richard K. Reiling

Case Number: 2013-028120

PCP: Jones and Seltzer – September 18, 2014

Mr. Whealdon presented the case explaining it stems from violations involving failure to submit the 2012 and 2013 Annual Reports, failure to timely submit the 2012 4th quarter, 2013 1st, 2nd, 3rd, and 4th quarter, and 2014 1st quarter reports, failure to submit the 2012 and 2013 Annual Assessment Fees, and failure to renew his controlling person license.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$2,000, costs of 35.78 and revocation of the controlling person license.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

3. Leasing Resources of America, Inc.

Case Number: 2014-014294

4. Leasing Resources of America 3, Inc.

Case Number: 2014-014281

5. Leasing Resources of America 4, Inc.

Case Number: 2013-048100

6. John Walker Hardin

Case Number: 2013-048103

PCP: Jones and Seltzer – September 18, 2014

Mr. Whealdon presented the cases explaining they stem from violations involving failure to maintain positive net working capital on the 2012 Annual Report and failure to pay reemployment taxes, penalties and interest, and fees.

MOTION: Mr. Arfons moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$10,000, costs of \$144.10, with joint and several liabilities for the payment of fines and costs and the licenses placed on probation upon entry of the Final Order for a period of two years.

SECOND: Mr. Stamatyades seconded the motion and it passed unanimously.

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| 7. | TS Employment, Inc. | Case Number: 2014-022456 |
| 8. | Robert Cassera | Case Number: 2014-022473 |
| 9. | STS Group, Inc. | Case Number: 2014-028968 |
| 10. | Robert Cassera | Case Number: 2014-028970 |

PCP: Seltzer and DiMascio – November 13, 2014

Mr. Whealdon advised that he was pulling these cases from the agenda and would present them at a later meeting.

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| 11. | EA Advantage, LLC | Case Number: 2014-025727 |
| 12. | Nylen Lee Allphin | Case Number: 2014-025732 |

PCP: Seltzer and DiMascio – November 13, 2014

Mr. Whealdon advised that he was pulling these cases from the agenda due to problems with the person signing the Election of Rights form.

B. SETTLEMENT STIPULATIONS

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| 1. | Solantic Corporation | Case Number: 2013-027719 |
| 2. | Solantic Corporation | Case Number: 2014-036248 |
| 3. | George Attmore | Case Number: 2013-027716 |
| 4. | George Attmore | Case Number: 2014-036253 |

PCP: Reeves and DiMascio – April 29, 2014

Mr. Whealdon presented the cases explaining they stem from violations involving failure to timely submit the 2012 and 2013 Annual Financial Statements, failure to timely submit the 2012 2nd, 3rd, and 4th quarter reports, failure to timely submit the 2012 Annual Assessment, failure to timely submit the 2013 1st quarter report, having a negative net working capital reflected on the 2013 2nd and 3rd and 4th quarter reports.

Mr. Whealdon stated the settlement stipulation provides for imposition of an administrative fine of \$15,000, costs of \$215.25, with joint and several liabilities for payment of the fine and costs and voluntary relinquishment of the company and controlling person licenses.

MOTION: Mr. Jones moved to adopt the terms of the settlement stipulation as the final order of the board.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

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| 5. | Access Point, LLC | Case Number: 2014-017399 |
| 6. | AP Veritas HR, LLC | Case Number: 2014-017401 |
| 7. | AP Veritas, LLC | Case Number: 2014-017402 |

PCP: Seltzer and DiMascio – November 13, 2014

Mr. Whealdon presented the cases explaining they stem from violations involving failure to timely submit the 2013 2nd quarter report, failure to timely submit the 2013 Annual Financial Statement, having a negative net working capital reflected on the 2013 3rd quarter report, and failure to timely submit its 2013 3rd quarter report.

Mr. Whealdon stated the settlement stipulation provides for imposition of an administrative fine of \$1,200, costs of \$102.79, with joint and several liabilities for payment of the fine and costs.

MOTION: Mr. Jones moved to adopt the terms of the settlement stipulation as the final order of the board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

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| 8. | William C. Manasco | Case Number: 2014-017404 |
| 9. | Gregory J. Packer | Case Number: 2014-017406 |

PCP: Seltzer and DiMascio – November 13, 2014

Mr. Whealdon presented the cases explaining they stem from violations involving failure to timely submit the 2013 2nd quarter report, failure to timely submit the 2013 Annual Financial Statement, having a negative net working capital reflected on the 2013 3rd quarter report, and failure to timely submit its 2013 3rd quarter report.

Mr. Whealdon stated the settlement stipulation provides for imposition of an administrative fine of \$1,200, costs of \$67.36, with joint and several liabilities for payment of the fine and costs.

MOTION: Mr. Finkelstein moved to adopt the terms of the settlement stipulation as the final order of the board.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

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| 10. | Payday, Inc. | Case Number: 2014-023886 |
| 11. | Payday, Inc. II | Case Number: 2014-023895 |
| 12. | Payday, Inc. III | Case Number: 2014-023902 |
| 13. | Robert W. Kimball | Case Number: 2014-023907 |

PCP: Seltzer and DiMascio – November 13, 2014

Mr. Whealdon presented the cases explaining they stem from violations involving failure to timely submit the 2013 Annual Financial Statement.

Mr. Whealdon stated the settlement stipulation provides for imposition of an administrative fine of \$3,500, costs of \$84.64, with joint and several liabilities for payment of the fine and costs.

MOTION: Mr. Jones moved to adopt the terms of the settlement stipulation as the final order of the board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

C. VOLUNTARY RELINQUISHMENT OF LICENSE

1. **Sarah M. Peel** **Case Number: 2011-058399**
PCP: Dockery and Seltzer – May 16, 2012
2. **Sarah M. Peel** **Case Number: 2012-028741**
PCP: Reeves and DiMascio – June 5, 2013

Mr. Whealdon presented the cases explaining they stem from violations including failure to timely submit the 2010 1st, 2nd, 3rd, 4th, 2011 1st, 2nd, 3rd, and 4th quarterly reports, failure to timely submit the 2010 and 2011 Annual Financial Statements, and failure to timely submit the annual assessment for 2012.

Mr. Whealdon stated that the Subject would cease operations as a controlling person within 30 days of the acceptance of the voluntary relinquishment and has executed a Voluntary Relinquishment with no right of reapplication.

Ms. Peel was not present, but was represented by Mr. Richard Doran, Esquire.

Questions were asked of Mr. Doran and after discussion, the following motions were made.

MOTION: Mr. Finkelstein moved to accept the voluntary relinquishment.

SECOND: Mr. Arfons seconded the motion and it passed. Mr. Buchanan and Mr. Jones voted in opposition.

3. **21st Century Concepts, LLC** **Case Number: 2012-026433**
PCP: Reeves and DiMascio – June 5, 2013
4. **Administrative Concepts 2010, Inc.** **Case Number: 2011-058407**
PCP: Dockery and Seltzer – May 16, 2012
5. **Administrative Concepts 2000 Corporation** **Case Number: 2012-028740**
6. **Administrative Concepts 2003, Inc.** **Case Number: 2012-026906**
7. **Administrative Concepts Corporation** **Case Number: 2012-020944**
PCP: Reeves and DiMascio – June 5, 2013
8. **21st Century Concepts, LLC** **Case Number: 2011-058406**
9. **Simple Employer Solutions** **Case Number: 2011-045744**
PCP: Dockery and Seltzer – May 16, 2012

Mr. Whealdon presented the cases explaining they stem from violations including failure to maintain positive net worth and working capital for the 2011 4th quarter report, failure to timely submit the 2011 4th quarter report, 2012 1st, 2nd, 3rd, and 4th quarter reports, and 2013 1st quarterly report, failure to submit the 2011 and 2012 Annual Financial Statements, and failure to submit the annual assessment for 2012.

Mr. Whealdon stated that the Subject would cease operations as an employee leasing company within 30 days of the acceptance of the voluntary relinquishment and has executed a Voluntary Relinquishment with no right of reapplication.

MOTION: Mr. Jones moved to accept the voluntary relinquishment.
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

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| 10. | Regency Outsourcing, Inc. | Case Number: 2013-001040 |
| | <i>PCP: Reeves and DiMascio – April 29, 2014</i> | |
| 11. | Regency Outsourcing, Inc. | Case Number: 2013-021635 |
| 12. | Regency Outsourcing, Inc. | Case Number: 2014-023288 |
| | <i>PCP: N/A</i> | |

Mr. Whealdon presented the cases explaining they stem from violations including failure to timely submit the 2012 2nd, 3rd, and 4th quarter reports, failure to timely submit the 2012 Annual Financial Statement, and failure to submit the 2013 1st quarter report.

Mr. Whealdon stated that the Subject would cease operations as an employee leasing company within 30 days of the acceptance of the voluntary relinquishment and has executed a Voluntary Relinquishment with no right of reapplication.

Mr. Jones asked if a fine and/or cost would be imposed.

Mr. Whealdon stated that those terms were not included in the agreement provided.

MOTION: Mr. Jones moved to reject the voluntary relinquishment.
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Jones offered a counter-stipulation which consisted of all the terms in the original stipulated agreement, with the addition of an administrative fine of \$1500 and costs of \$171.52.
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

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| 13. | Marthe Doris Dizon | Case Number: 2013-001032 |
| | <i>PCP: Reeves and DiMascio – April 29, 2014</i> | |
| 14. | Marthe Doris Dizon | Case Number: 2014-007230 |
| | <i>PCP: Reeves and DiMascio – April 29, 2014</i> | |
| 15. | Marthe Doris Dizon | Case Number: 2014-023290 |
| | <i>PCP: N/A</i> | |

Mr. Whealdon presented the cases explaining they stem from violations including failure to timely submit the 2012 2nd, 3rd, and 4th quarter reports, failure to timely submit the 2012 Annual Financial Statement, and failure to submit the 2013 1st quarter report.

Mr. Whealdon stated that the Subject would cease operations as an employee leasing company within 30 days of the acceptance of the voluntary relinquishment and has executed a Voluntary Relinquishment with no right of reapplication.

Mr. Jones asked if a fine and/or cost would be imposed.

Mr. Whealdon stated that those terms were not included in the agreement provided.

MOTION: Mr. Arfons moved to reject the voluntary relinquishment.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

MOTION: Mr. Jones offered a counter-stipulation which consisted of all the terms in the original stipulated agreement, with the addition of an administrative fine of \$1500 and costs of \$130.29.
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

16. Smart Tek Service Solutions Corp. Case Number: 2013-015456
PCP: Reeves and DiMascio – November 13, 2013

Mr. Whealdon advised that he was pulling this case from the agenda and would present it at a later meeting.

The board recessed for the day at 4:41 p.m. to re-convene the next day at 9:00 a.m.

**BOARD OF EMPLOYEE LEASING COMPANIES
GENERAL BUSINESS MEETING MINUTES
THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
1940 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32399**

**FEBRUARY 18, 2015
9:00 A.M.**

I. CALL TO ORDER

The meeting was called to order at approximately 9:23 A.M. EST by Mr. Abram Finkelstein, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Abram Finkelstein, Chair
John Jones, Vice Chair
Eric Arfons
Scott Buchanan
Philip Stamatyades

MEMBER ABSENT

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Mary Ellen Clark, Board Counsel, Office of Attorney General
John Cary, Chief Attorney, Professions, DBPR
Joseph Whealdon, Prosecuting Attorney, DBPR
Daniel Brackett, Prosecuting Attorney, DBPR
Tenasha Riley, Government Analyst I, DBPR

OTHERS PRESENT

Tim Vaccaro, Deputy Secretary of Professional Regulation, DBPR
William Spicola, General Counsel, DBPR
Brian Duff, DBPR
Antonee Hobbs, DBPR
Richard Law, Law, Reed, Crona and Munore, P.A.
Greg Mills, Department of Financial Services
Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Kunkel, Miller & Hament, P.A.
David Otto

The meeting was opened with a roll call and a quorum was established.

III. THE PLEDGE OF ALLEGIANCE

Mr. Finkelstein led all in the Pledge of Allegiance.

IV. DISCIPLINARY PROCEEDINGS – Office of the General Counsel

A. HEARINGS IN WHICH THERE ARE NO DISPUTED ISSUES OF MATERIAL FACT

1. **Administrative Employer Services, Inc.** **Case Number: 2014-038816**
PCP: Seltzer and Stamatyades – February 17, 2015
2. **Administrative Employer Services, Inc.** **Case Number: 2014-014703**
PCP: Jones and Seltzer – September 18, 2014

Mr. Whealdon presented the case explaining they stem from violations involving the submission of combined financial statements without Board-approved cross guarantees, aiding AES-Apex Employer Solutions in the performance of employee leasing activities, failure to maintain positive net worth and positive working capital, failure to timely submit notification within thirty days of a change of ownership, and failure to include certificates of insurance for leased employees with its 2014 1st quarter report.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$1875, costs of 86.67 and reprimand of the company license.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

3. **AES Management, Inc.** **Case Number: 2014-014705**
PCP: Jones and Seltzer – September 18, 2014
4. **AES Management, Inc.** **Case Number: 2014-038829**
PCP: Seltzer and Stamatyades – February 17, 2015

Mr. Whealdon presented the case explaining they stem from violations involving the submission of combined financial statements without Board-approved cross guarantees, aiding AES-Apex Employer Solutions in the performance of employee leasing activities, failure to maintain positive net worth and positive working capital, failure to timely submit notification within thirty days of a change of ownership, and failure to include certificates of insurance for leased employees with its 2014 1st quarter report.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$1875, costs of 72.80 and reprimand of the company license.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

5. **AES Management, Inc.** **Case Number: 2014-014705**

6. AES Management, Inc.

Case Number: 2014-038829

PCP: Seltzer and Stamatyades – February 17, 2015

Mr. Whealdon presented the case explaining they stem from violations involving the submission of combined financial statements without Board-approved cross guarantees, aiding AES-Apex Employer Solutions in the performance of employee leasing activities, failure to maintain positive net worth and positive working capital, failure to timely submit notification within thirty days of a change of ownership, and failure to include certificates of insurance for leased employees with its 2014 1st quarter report.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$1875, costs of 72.80 and reprimand of the company license.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

7. AES Select HR Services, LLC

Case Number: 2014-014707

PCP: Jones and Seltzer – September 18, 2014

8. AES Select HR Services, LLC

Case Number: 2014-038835

PCP: Seltzer and Stamatyades – February 17, 2015

Mr. Whealdon presented the case explaining they stem from violations involving the submission of combined financial statements without Board-approved cross guarantees, aiding AES-Apex Employer Solutions in the performance of employee leasing activities, failure to maintain positive net worth and positive working capital, failure to timely submit notification within thirty days of a change of ownership, and failure to include certificates of insurance for leased employees with its 2014 1st quarter report.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$1875, costs of 78.84 and reprimand of the company license.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

9. AES Select PEO Services, LLC

Case Number: 2014-014708

10. AES Select PEO Services, LLC

Case Number: 2014-038842

Mr. Whealdon presented the case explaining they stem from violations involving the submission of combined financial statements without Board-approved cross guarantees, aiding AES-Apex Employer Solutions in the performance of employee leasing activities, failure to maintain positive net worth and positive working capital, failure to timely submit notification within thirty days of a change of ownership, and failure to include certificates of insurance for leased employees with its 2014 1st quarter report.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$1875, costs of 78.84 and reprimand of the company license.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

11. David Otto

Case Number: 2014-014697

12. David Otto

Case Number: 2014-038821

Mr. Whealdon presented the case explaining they stem from violations involving the submission of combined financial statements without Board-approved cross guarantees, aiding AES-Apex Employer Solutions in the performance of employee leasing activities, failure to maintain positive net worth and positive working capital, failure to timely submit notification within thirty days of a change of ownership, and failure to include certificates of insurance for leased employees with its 2014 1st quarter report.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Arfons moved to impose an administrative fine of \$7500 costs of 78.84 and reprimand of the controlling person license.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

13. Mirage Consulting Inc. of TX
14. Mirage Consulting, Inc. of TX

Case Number: 2013-041260
Case Number: 2014-008189

PCP: Seltzer and Stamatyades – February 17, 2015

Mr. Whealdon presented the case explaining it stems from violations involving failure to timely submit the 2012 and 2013 Annual Financial Statements, failure to submit the 2013 1st, 2nd, 3rd, and 4th quarter reports and 201 1st quarter report, failure to timely submit the 2013 Annual Financial Statement, failure to renew its license, failure to submit the 2013 Annual Assessment, submission of combined 2013 Annual Financial Reports with non-licensed employee leasing companies, and having a negative net working capital reflected on the 2014 2nd quarter report.

MOTION: Mr. Finkelstein moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein moved to impose an administrative fine of \$7500, costs of 100.27 and probation of the Respondent's license, EL 261 for a period of one year commencing of the date the Final Order is filed..

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

B. VOLUNTARY RELINQUISHMENT OF LICENSE

1. Georgia Falzone
2. Georgia Falzone

Case Number: 2013-041269
Case Number: 2014-008228

PCP: N/A

Mr. Whealdon presented the cases explaining they stem from violations including failure to timely submit the 2013 1st, 2nd, 3rd, and 4th quarter reports, failure to timely submit the 2013 Annual Financial Statement, failure to renew her controlling person license, failure to submit the 2013 Annual Assessment, and submission of combined 2013 Annual Financial Reports with non-licensed employee leasing companies.

Mr. Whealdon stated that the Subject would cease operations as controlling person within 30 days of the acceptance of the voluntary relinquishment and has executed a Voluntary Relinquishment with no right of reapplication.

MOTION: Mr. Finkelstein moved to accept the voluntary relinquishment.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

3. Maria Silamianos
4. Maria Silamianos

Case Number: 2013-041256
Case Number: 2014-008194

PCP: N/A

Mr. Whealdon presented the cases explaining they stem from violations including failure to timely submit the 2013 1st, 2nd, 3rd, and 4th quarter reports, failure to timely submit the 2013 Annual

Financial Statement, failure to renew her controlling person license, failure to submit the 2013 Annual Assessment, and submission of combined 2013 Annual Financial Reports with non-licensed employee leasing companies.

Mr. Whealdon stated that the Subject would cease operations as controlling person within 30 days of the acceptance of the voluntary relinquishment and has executed a Voluntary Relinquishment with no right of reapplication.

MOTION: Mr. Finkelstein moved to accept the voluntary relinquishment.
SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

V. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS

A. Arch Resources Group, LLC (EL Applicant) Muniz Fausto, Controlling Person Applicant

Mr. Finkelstein presented the company application for Arch Resources Group, LLC stating the IRS 8821 form needed to be revised, the financial statements are not in compliance, and the contract needs to be corrected so that Section (5)(a) reflected the proper statutory language.

Mr. Jones also noted that a full credit report for Mr. Fausto was required.

After further discussion, the board tabled discussion of these applications until a future meeting at which time the applicants or a representative would be able to appear before the board.

B. Urban Employee Management III, Inc. (GM Applicant) C. Urban Employee Management IV, Inc. (GM Applicant) Donna J. Garrett, CO 1115

Mr. Finkelstein presented the group member applications for Urban Employee Management III, and IV, Inc.

MOTION: Mr. Jones moved to approve the applications.
SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

VI. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS

- A. Oasis Outsourcing, Inc. – GL 42
Oasis HR Solutions, Inc. – GM 452
Oasis HR Solutions II, Inc. – GM 451
Oasis Outsourcing Advantage, Inc. – GM 450
Oasis Outsourcing II, Inc. – GM 91**
- B. Oasis Outsourcing V, Inc. – GL 54
Oasis Outsourcing VI, Inc. – GM 109
Oasis Outsourcing VII, Inc. – GM 213**

Oasis Outsourcing VIII, Inc. – GM 110
Oasis Outsourcing Benefits II, Inc. – GM 241

Mr. Finkelstein presented the change of ownership applications.

MOTION: Mr. Arfons moved to approve the application.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

C. Mirage Consulting Inc. of TX – EL 361
(CP Relinquishment – Maria Silamianos, CO 924)

Mr. Finkelstein presented the change of ownership for the Mirage Consulting Inc. of TX and the controlling person relinquishment for Maria Silamianos.

MOTION: Mr. Finkelstein moved to accept the change of ownership and controlling person.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

VII. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY NAME CHANGES

- A. Paychex Business Solutions, Inc. – GL 7**
TO: Paychex Business Solutions, LLC
- B. PBS of Central Florida, Inc.**
TO: PBS of Central Florida, LLC – GM 14
- C. PBS of America, Inc. – GM 46**
TO: PBS of America, LLC
- D. Paychex PEO I, Inc. – GM 45**
TO: Paychex PEO I, LLC
- E. Paychex PEO II, Inc. – GM 456**
TO: Paychex PEO II, LLC

Mr. Finkelstein presented the name change applications.

MOTION: Mr. Jones moved to approve the name change applications.
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

VIII. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENTS

- A. Ann S. Miller, CO 739**
Staffing & Payroll Alternative, Inc. – EL 319

Mr. Finkelstein presented the controlling person relinquishment of Ms. Ann S. Miller.

MOTION: Mr. Jones moved to accept the controlling person relinquishment.
SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

IX. DISCUSSIONS

A. Rule 61G7-5.0033 – Consolidated and Combined Financial Statements

- **FAPEO language proposal**
- **Previous board information**

Mr. Law addressed the board stating that the current board rules follows GAAP, but the proposal that Mr. Miller wants of including non-licensed entities in combined financial statements is not GAAP.

He advised that there is no way to determine net worth and net working capital in combined financials.

Mr. Law further stated that combination was an election and not a requirement.

Mr. Finkelstein stated that there was a flaw in the Board's rule that contradicts with the Statutes.

Ms. Clark asked Mr. Miller why couldn't the driving forces that wanted to see this change submit a Petition for a Variance or Waiver.

After a very lengthy discussion, the board directed Mr. Miller to draft some language that would address all of their concerns, and bring them back to the board at the next telephone conference call meeting.

B. ESAC Discussion

Mr. Wilson addressed the board stating that his area was looking at the 3rd quarter as the initial monitoring of ESAC compliance.

He advised that of the 40 ESAC accredited companies, only 29 have given permission for ESAC to share their information with the state of Florida.

X. REPORTS

A. Office of the Attorney General – Mary Ellen Clark

- **February 2015 Rules Report**

Ms. Clark stated that the rules report was included in the agenda materials.

She advised that Rule 61G7-10.001, FAC would become effective February 18, 2015 and that Rule 61G7-5.0033, FAC had been noticed for rule development.

B. Office of the General Counsel – Joseph Whealdon

- **Prosecuting Attorney's Report**

Mr. Whealdon advised that there were 52 public and 66 private cases in the General Counsel's office that were being processed.

Mr. Cary introduced Mr. Daniel Brackett as the new prosecuting attorney as Mr. Whealdon had received a promotion. He explained that with this change, the board would now have a full-time Senior Attorney.

C. Executive Director – Richard Morrison

- Financial Report – Operating Account – 12/31/2014
- Financial Report – Unlicensed Activity Account – 12/31/2014
- Financial Projections through 2019
- Monthly Enforcement Report
- Rule 61G7-5.002, F.A.C. - Annual Assessment on Gross Florida Payroll

Mr. Morrison gave a synopsis of the financial reports contained in the agenda materials. He advised that the board was still in a deficit but he wanted to propose a suggestion that would take the board out of a deficit.

Mr. Morrison introduced a proposed change to the language in Rule 61G7-5.002, F.A.C. He is suggesting a 50% increase in the annual assessment amounts to help offset the deficiency in the board's operating accounts.

After a very lengthy discussion, the following motion was made.

MOTION: Mr. Jones moved to notice Rule 61G7-5.002 for rule development and approve the proposed language to increase the annual assessment fees.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

Ms. Clark asked if these changes would have an adverse impact on small business or be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after implementation.

MOTION: Mr. Jones moved that the proposed changes to Rule 61G7-10.005, F.A.C. would have an adverse impact on small business or be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after implementation.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

Ms. Clark advised that a SERC was prepared in advance and that she would need to board to vote on the SERC.

MOTION: Mr. Finkelstein moved to approve the SERC as provided in the agenda materials.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

D. Chairperson – Abram Finkelstein

No Report.

XI. ELECTION OF OFFICERS

Mr. Finkelstein advised that this business would be handled at the September 2015 meeting.

XII. OLD BUSINESS

None

XIII. NEW BUSINESS

None

XIV. PUBLIC COMMENTS

NONE

XV. ADJOURNMENT

MOTION: Mr. Arfons moved to adjourn the meeting at 12:50 p.m.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

Transcripts and/or recordings of the meeting can be obtained upon request.