

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,

Petitioner,

v.

Case No. 2019-051649  
CILB

JACK Y. ABUTBOL,

Respondent.

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FINAL ORDER ON WAIVER

The Department of Business and Professional Regulation (hereinafter “Petitioner”) issues this Final Order against Jack Y. Abutbol (hereinafter “Respondent”) as follows:

1. An Administrative Complaint was filed in this case on February 13, 2020, alleging that Respondent violated certain provisions of chapter(s) 455 and 489 Florida Statutes. A copy of the Administrative Complaint is attached hereto as Exhibit A.

2. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter were mailed to Respondent via Certified and regular U.S. Mail on February 14, 2020. Proof of mailing by Certified and regular U.S. Mail is attached hereto as Exhibit B.

3. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and cover letter were served on Respondent via Certified U.S. Mail. Proof of service by Certified U.S. Mail is attached hereto as Exhibit C.

4. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and cover letter were served on Respondent on February 20, 2020. The USPS tracking slip is attached hereto as Exhibit D.

5. The Election of Rights form, Explanation of Rights, and cover letter informed

Respondent that a written response to the Administrative Complaint, including the right to request a hearing, was due within 21 days of actual service of the Administrative Complaint. See section 120.569(1), Florida Statutes, and rule 28-106.111, Florida Administrative Code.

6. Petitioner made all reasonable efforts to provide actual notice to Respondent.

7. Petitioner informed Respondent that the failure to file a timely response to the Administrative Complaint shall be deemed a waiver of the right to a hearing.

8. Respondent has not filed a timely response to the Administrative Complaint. Respondent has not submitted any evidence or made any allegations that would support the application of the doctrine of equitable tolling. A copy of the verification of waiver is attached hereto as Exhibit E.

Having considered the Administrative Complaint, the evidence of Petitioner's reasonable attempts to provide actual notice to Respondent, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED:

9. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.

10. Respondent has had previous violation(s) of chapter(s) 455 and 489 Florida Statutes, which resulted in the issuance of Final Order(s), in Department Case Number(s) 2018-058309.

11. Respondent must pay a total administrative fine of \$10,000.00 pursuant to the penalty/disciplinary guidelines of rule 61-5.007, Florida Administrative Code


12. Pursuant to section 455.227(3)(a), Florida Statutes, which provides that "the department... may assess costs related to the investigation and prosecution of the case, excluding

costs associated with an attorney's time," Respondent must pay costs of \$221.20.

13. Payment of the fine and costs by check or money order issued to the Department of Business and Professional Regulation must be received by the Department of Business and Professional Regulation, Revenue Unit, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 within 30 calendar days of the effective date of this Final Order. **Your case number(s) must be clearly referenced when making payment.**

14. This Final Order is effective on the date it is filed with the Agency Clerk of the Department of Business and Professional Regulation as indicated on the first page of this Final Order.

DONE AND ORDERED this 15 day of June, 2020.

  
\_\_\_\_\_  
Halsey Beshears, Secretary  
Department of Business and  
Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202

NOTICE OF RIGHT TO APPEAL

Unless expressly waived, any party adversely affected by this Final Order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within 30 days of the effective date of this order, in accordance with Florida Rule of Appellate Procedure 9.110, and section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Final Order on Waiver was provided to Jack Y. Abutbol at 3400 NE 192 St., Unit 1608,ventura, FL 33180, by regular U.S. Mail this 19<sup>th</sup> day of June, 2020.

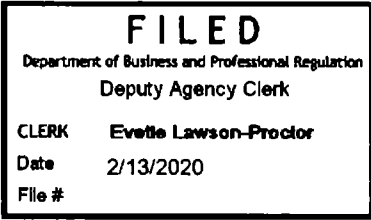


OFFICE OF THE AGENCY CLERK

Copy(s) Furnished to:

Daniel A. David - ULA

Respondent



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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JACK ABUTBOL,

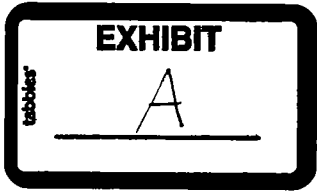
Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation (“Petitioner”) files this Administrative Complaint against Jack Abutbol (“Respondent”) and alleges:

1. Petitioner is the state agency charged with regulating the practice of construction contracting pursuant to section 20.165, Florida Statutes, and chapters 455 and 489, Florida Statutes.
2. Petitioner has jurisdiction over the unlicensed practice of construction contracting pursuant to sections 455.227, 455.228, 489 13, and 489.127(1)(c) Florida Statutes.
3. At no time material hereto was Respondent duly registered or certified to engage in the practice of construction contracting pursuant to chapter 489, Florida Statutes.
4. At no time material hereto was Green Home Improvements LLC an entity properly qualified under the provisions of chapter 489, Florida Statutes
5. Respondent’s last known address is 3400 NE 192 St., Unit 1608, Aventura, FL 33180.
6. On or about August 10, 2018 Respondent, D/B/A Green Home Improvements LLC, offered contracted, or performed regulated construction contracting services, including but



not limited to plumbing and demolition of walls and ceilings at 1937 Mayo Street, Hollywood, FL 33020.

7. Respondent presented as his own the license number of “Dove Furer” #CGC1507284 and #CCC1328855 who is licensed in the state of Florida.

8. Respondent offered, contracted, or performed the regulated services at issue for compensation.

#### COUNT I

9. Petitioner realleges and incorporates by reference the allegations set forth in paragraphs one through eight as though fully set forth herein.

10. Section 489.13(1), Florida Statutes, provides “any person performing an activity requiring licensure under [chapter 489, part I, Florida Statutes] as a construction contractor is guilty of unlicensed contracting if he or she does not hold a valid active certificate or registration authorizing him or her to perform such activity...”

11. Based upon the foregoing, Respondent violated section 489.13(1), Florida Statutes, by performing an activity requiring licensure under chapter 489, part I, Florida Statutes, as a construction contractor without the requisite license.

#### COUNT II

12. Petitioner realleges and incorporates by reference the allegations set forth in paragraphs one through eight as though fully set forth herein.

13. Section 489.127(1)(c), Florida Statutes, provides “no person shall present as his or her own the certificate or registration of another.

14. Section 455.227(1)(q), Florida Statutes, provides “violating . . the applicable professional practice act . .” shall constitute grounds for which disciplinary actions may be taken.

15. Based upon the foregoing, Respondent violated section 455.227(1)(q), Florida Statutes, by presenting as his own the license of another in violation of section 489.127(1)(c), Florida Statutes.

WHEREFORE, Petitioner requests that a Final Order be entered imposing one or more of the following. an administrative fine, assessment of costs related to the investigation, and/or any other relief the Department is authorized to impose pursuant to chapters 455 and 489, Florida Statutes, and the rules promulgated thereunder.

(SIGNATURE PAGE FOLLOWS)

Signed this 31<sup>st</sup> day of January, 2020.

HALSHEY BESHEARS, Secretary  
Department of Business and  
Professional Regulation

By: /s/ Daniel A. David  
Daniel David  
Florida Bar No. 0650412  
Assistant General Counsel  
Office of the General Counsel  
Unlicensed Activity  
Department of Business and  
Professional Regulation  
2601 Blair Stone Road  
Tallahassee, FL 32399-2202  
Ph: (850) 488-0062

PC Found: 1/31/20  
By: DBPR



### NOTICE OF RIGHTS

Please be advised that mediation under section 120.573, Florida Statutes, is not available for administrative disputes involving this type of agency action.

Please be advised that Respondent has the right to request a hearing to be conducted in accordance with sections 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoenas and subpoenas duces tecum issued on his or her behalf if a hearing is requested. Any request for an administrative proceeding to challenge or contest the charges contained in the administrative complaint must conform to Rule 28-106.2015, *Florida Administrative Code*. Rule 28-106.111, *Florida Administrative Code*, provides in part that if Respondent fails to request a hearing within 21 days of receipt of an agency pleading, Respondent waives the right to request a hearing on the facts alleged

### NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to section 455 227(3)(a), Florida Statutes, the Board, or the Department when there is no Board, may assess costs related to the investigation and prosecution of the case excluding costs associated with an attorney's time, against Respondent in addition to any other discipline imposed

7019 0700 0001 4840 1240

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Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Postmark  
Here

Jack Yizhak Abutbol  
2019-051658, 2019-051649 CON UL  
3400 NE 192 St, Unit 1608  
Aventura, FL 33180

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\_\_\_\_\_

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EXHIBIT  
B

FEB 14 2020

Jack Yizhak Abutbol  
2019-051658, 2019-051649 CON UL  
3400 NE 192 St, Unit 1608  
Aventura, FL 33180

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Administrative  
Complaint**

Jack Yizhak Abutbol  
2019-051658, 2019-051649 CON UL  
3400 NE 192 St, Unit 1608  
Aventura, FL 33180

2. Article Number (transfer from service label)  
7019 0700 0001 4840 1240

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X



Agent

Addressee

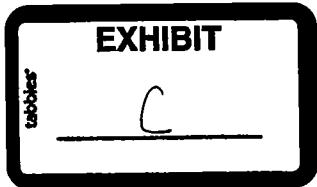
B. Received by (Printed Name)

C. Date of Delivery

D. Is this a Restricted Article?  Yes  No

**RECEIVED**  
  
MAR 25 2020  
  
DBPR  
Service of Process Unit

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |



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**Tracking Number:** 70190700000148401240

[Remove X](#)

Your item was delivered to the front desk, reception area, or mail room at 11:53 am on February 20, 2020 in MIAMI, FL 33180.

 **Delivered**

February 20, 2020 at 11:53 am  
Delivered, Front Desk/Reception/Mail Room  
MIAMI, FL 33180

[Feedback](#)

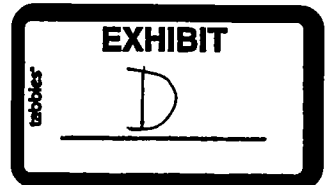
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## Tracking History

February 20, 2020, 11:53 am  
Delivered, Front Desk/Reception/Mail Room  
MIAMI, FL 33180

Your item was delivered to the front desk, reception area, or mail room at 11.53 am on February 20, 2020 in MIAMI, FL 33180.

February 19, 2020, 12:57 pm  
Departed USPS Regional Facility  
OPA LOCKA FL DISTRIBUTION CENTER



February 19, 2020, 9:08 am  
Arrived at USPS Regional Facility  
OPA LOCKA FL DISTRIBUTION CENTER

February 14, 2020, 11:23 pm  
Departed USPS Regional Facility  
TALLAHASSEE FL DISTRIBUTION CENTER

February 14, 2020, 10:06 pm  
Arrived at USPS Regional Facility  
TALLAHASSEE FL DISTRIBUTION CENTER

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**Product Information**



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**See Less** ^

Feedback

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs**

Halsey Beshears, Secretary

Ron DeSantis, Governor

**MEMORANDUM**

**TO:** File  
**FROM:** Service of Process Unit  
**SUBJECT:** Verification of Waiver  
**DATE:** March 16, 2020

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Please be advised as of this day no response has been received in the SOP Unit regarding the following case(s) The file(s) is being returned to Legal today

Name  
ABUTBOL, JACK YIZHAK

Case No.  
2019051649

