

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

Petitioner,

v.

Case No. 2019-020136
CILB

ALPHONSO HOPKINS,

Respondent.

_____ /

FINAL ORDER ON WAIVER

The Department of Business and Professional Regulation (hereinafter "Petitioner") issues this Final Order against Alphonso Hopkins (hereinafter "Respondent") as follows:

1. An Administrative Complaint was filed in this case on or about December 20, 2019 alleging that Respondent violated certain provisions of chapter 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 January 9, 2020. Proof of mailing by Certified and regular U.S. Mail is attached hereto as Exhibit B.

3. Notice of Certified Mail was left with an individual at Respondent's address on January 10, 2020. This is attached here to as Exhibit C. However, the regular US mail containing the above never came back. Where notice of Certified Mail is left with Respondent and the regular US Mail does not come back, notice sufficient to satisfy due process has been achieved.

4. 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.

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

6. 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.

7. 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.

8. Verification of Waiver is attached hereto as Exhibit D.

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 violations of chapter 489, Florida Statutes, which resulted in the issuance of Final Orders, in Department Case Numbers 2014-031105 and 2008-067700.

11. Respondent must pay a total administrative fine of \$5,000.00 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 \$139.50.

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 3 day of March, 2020.



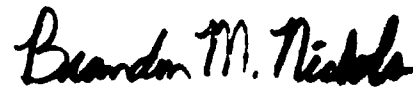
Halsey Beshears, Secretary
Department of Business and
Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-2202

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 Alphonso Hopkins, 1635 Post Plant Road, Quincy, FL 32352 by regular U.S. Mail this 9th day of March, 2020.

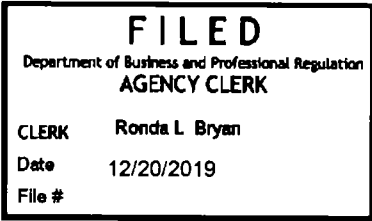


OFFICE OF THE AGENCY CLERK

Copy(s) Furnished to:

Daniel A. David, Assistant General Counsel - ULA

Respondent



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

Petitioner,

v.

Case No. 2019-020136
CILB

ALPHONSO HOPKINS,

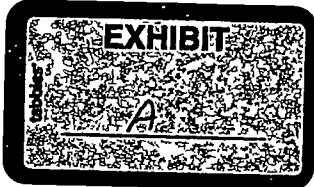
Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation (“Petitioner”) files this Administrative Complaint against Alphonso Hopkins (“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 489.105(q) 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. Respondent’s last known address is 341 Wille Bradley Drive, Quincy, FL 32351.
5. On or about December 31, 2018, Respondent, offered, contracted, or performed regulated construction contracting services, including but not limited to removal of siding and stucco from exterior walls at 7415 Marsh Road, Grand Ridge, FL.
6. Respondent offered, contracted, or performed the regulated services at issue for compensation



7. 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...”

8. 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.

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 25th day of September, 2019.

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: 9/25/19
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

7006 0810 0005 9843 5057

US Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Administrative
Postage
Complaint
Certified Fee

Return Receipt Fee
(Endorsement Required)

JAN 09 2020 Postmark Here

Restricted Delivery Fee
(Endorsement Required)

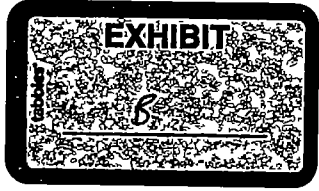
Total

Sent To

Alphonso Hopkins
2019-020136 CON UL
1635 Post Plant Road,
Quincy, Florida 32352

Street,
or PO
City, &

Form 3820, June 2008



2601 Blair Stone Road
Tallahassee, Florida 32399
www.MyFloridaLicense.com

Administrative Complaint

JAN 09 2020

Alphonso Hopkins
2019-020136 CON UL
1635 Post Plant Road,
Quincy, Florida 32352

USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

Tracking Number: 70060810000598435057

[Remove X](#)

Your item was delivered to an individual at the address at 11:55 am on January 10, 2020 in QUINCY, FL 32352.

Delivered

January 10, 2020 at 11:55 am
Delivered, Left with Individual
QUINCY, FL 32352

[Get Updates](#) 

Feedback

Text & Email Updates



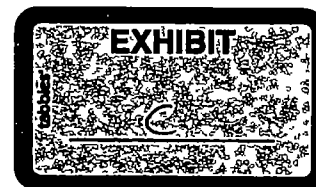
Tracking History



January 10, 2020, 11:55 am
Delivered, Left with Individual
QUINCY, FL 32352

Your item was delivered to an individual at the address at 11 55 am on January 10, 2020 in QUINCY, FL 32352

January 9, 2020, 11:23 pm
Departed USPS Regional Facility
TALLAHASSEE FL DISTRIBUTION CENTER



January 9, 2020, 11:17 pm
Arrived at USPS Regional Facility
TALLAHASSEE FL DISTRIBUTION CENTER

Product Information



See Less ^

Can't find what you're looking for?

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

FAQs

Feedback

Halsey Beshears, Secretary

Ron DeSantis, Governor

MEMORANDUM

TO: File
FROM: Service of Process Unit
SUBJECT: Verification of Waiver
DATE: February 03, 2020

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
HOPKINS, ALPHONSO

Case No
2019020136

