

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

Petitioner,

v.

Case No. 2018-044655
CILB

TROY STEED,

Respondent.

_____ /

FINAL ORDER ON WAIVER

The Department of Business and Professional Regulation (hereinafter “Petitioner”) issues this Final Order against Troy Steed (hereinafter “Respondent”) as follows:

1. An Administrative Complaint was filed in this case on or about August 16, 2019 alleging that Respondent violated certain provisions of chapters 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 personally served on Respondent by the investigator on November 14, 2019. Proof of service is attached hereto as Exhibit B.

3. 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.

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

5. 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.

6. 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.

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:

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

8. Respondent must pay a total administrative fine of \$3,000.00 pursuant to the penalty/disciplinary guidelines of rule 61-5.007, Florida Administrative Code.

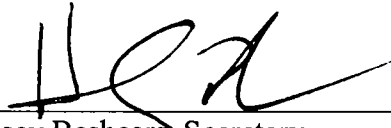
9. Pursuant to section 455.227(3)(a), Florida Statutes, which provides that "the department... may assess costs related to the investigation and prosecution of the case excluding costs associated with an attorney's time." Respondent must pay costs of \$539.08.

10. 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.**

11. 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.

(SIGNATURE LINE ON NEXT PAGE)

DONE AND ORDERED this 13 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 Troy Steed, 1919 Wells Road, Orange Park, Florida 32073 by regular U S. Mail this 15th day of April, 2020.

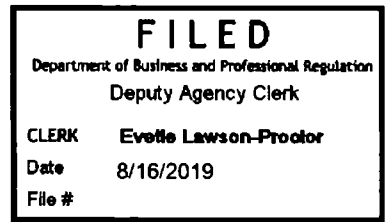
Brandon M. Nichols

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

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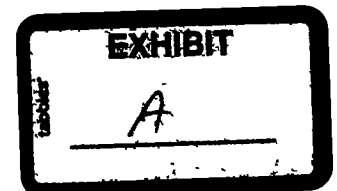
TROY STEED,

Respondent.

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation (“Petitioner”) files this Administrative Complaint against Troy Steed (“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, and 489.13, 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 Steed’s Painting & Waterproofing LLC an entity properly qualified under the provisions of chapter 489, Florida Statutes
5. Respondent’s last known address is 1460 Loblolly Court, Orange Park, FL 32073.
6. On or about November 11, 2017 Respondent, D/B/A Steed’s Painting & Waterproofing LLC, offered, contracted, or performed regulated construction contracting services, including but not limited to, removal and replacement of doors, windows, sink, facets,



and installation of drywall at 1503 Carbondale Drive North, Jacksonville, FL 32208. Respondent offered, contracted, or performed the regulated services at issue for compensation.

8. 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...”

9. 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 14th day of February, 2019.

HALSEY BESHEARS, Secretary
Department of Business and
Professional Regulation

By: Daniel A. David
Daniel A. 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: 2/14/19
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.

AFFIDAVIT OF SERVICE OR DILIGENT SEARCH

PETITIONER

VS.

TROY JASON STEED
RESPONDENT

CASE NO. 2018044655

Comes now, affiant, who first being duly sworn, deposes and states that:

Affiant is an investigator/inspector employed by the Department of Business and Professional Regulation, State of Florida.


On (DATE) 11/14/2019, AFFIANT made a diligent effort to locate Respondent, to serve: XX administrative complaint and related papers; ___ order compelling examination(s); ___ subpoena(s); ___ final order; ___ notice to cease and desist; ___ ERO/ESO/SSO and related papers. (Check appropriate block)

(Check applicable answer)

XX Affiant made personal service on respondent at (Location) 1919 Wells Road, Orange Park, FL 32073 on (Date) 11/14/2019 ___ respondent was personally known to affiant or XX respondent identified himself. (Check appropriate block)

___ Affiant made service on (name) _____ at respondent's usual place of abode at _____ on (date) _____ and said person was over the age of 15 residing there as of the aforementioned date.

___ Affiant was unable to make service after searching for respondent at: (a) all addresses for respondent shown in the Department of Business and Professional Regulation's investigation of the case; (b) all official addresses for respondent shown in his/her licensing records of the Department; (c) local telephone company for the last area respondent was known to frequent; (d) Division of Driver Licenses; (e) utilities (electric, cable, etc.); and (f) any others:



Signature of Affiant

State of Florida
County of DUVAL

Before me, appeared JARED SPONG
XX Who is personally known to me.
___ Whose identity I proved on the basis of _____
And who acknowledges that his/her signature appears above.

Sworn to or affirmed by affiant before me this 15TH day of NOVEMBER 2019



Notary Public-State of Florida

Type or Print Name

PHONE: 850 488 6603



RAINA REAGAN
MY COMMISSION # FF 830280
EXPIRES: November 30, 2019
Bonded Thru Budget Notary Services

My Commission Expires

2601 BLAIR STONE ROAD
TALLAHASSEE, FL 32399-0782

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