

FILED	
Department of Business and Professional Regulation	
Senior Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	5/29/2020
File #	2020-03084

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

Petitioner,

v.

Case No. 2019-028756
CILB

WILLIAM WALTER MATHIS, JR.,

Respondent.

_____ /

FINAL ORDER ON WAIVER

The Department of Business and Professional Regulation (hereinafter “Petitioner”) issues this Final Order against William Walter Mathis, Jr., (hereinafter “Respondent”) as follows:

1. An Administrative Complaint was filed in this case on March 9, 2020, 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 March 10, 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 prior to March 25, 2020. Proof of service by Certified U.S. Mail is attached hereto as Exhibit C.

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. On or about April 27, 2020, Respondent responded to the Administrative Complaint by returning his Election of Rights and selecting option 3, indicating he waives his right to any form of hearing. A copy of the Election of Rights 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:

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

9. 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.


10. 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 \$456.60.

11. 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 within 30 calendar days of the effective date of this Final Order. **Your case number(s) must be clearly referenced when making payment.**

12. 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 14 day of May, 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 Respondent at 5260 John David Road, St. Cloud, Florida 34771, by regular U.S.

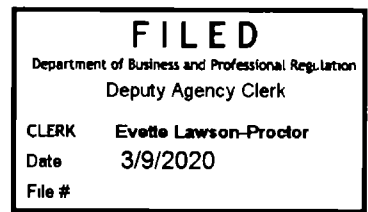
Mail this 29th day of May, 2020.



OFFICE OF THE AGENCY CLERK

Copy Furnished to:

Tom Thomas, Deputy General Counsel



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

Petitioner,

v

Case No 2019-028756
CILB

WILLIAM WALTER MATHIS, JR ,

Respondent

_____ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation (“Petitioner”) files this Administrative Complaint against William Walter Mathis, Jr (“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

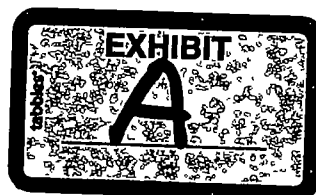
2 Petitioner has jurisdiction over the unlicensed practice of construction contracting pursuant to sections 455 227, 455 228, and 489 13, Florida Statutes

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 WJM Building Resources, Inc an entity properly qualified under the provisions of chapter 489, Florida Statutes

5 Respondent’s last known address is 5260 John David Road, St Cloud, Florida 34771

6 On or about May 16, 2016, Subject contracted with GeoQuip, Inc to perform regulated construction contracting services, including but not limited to, roofing services



7 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 3rd day of March, 2020

HALSEY BESHEARS, Secretary
Department of Business and
Professional Regulation

By /s/ Tom Thomas
Tom Thomas
Deputy General Counsel
Florida Bar No 0865710
Office of the General Counsel
Department of Business and
Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399-2202
(850) 488-0062 Telephone
Tom Thomas@myfloridalicense.com

PC Found March 3rd, 2020
By DBPR

TGT

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 4773 5216

U.S. Postal ServiceSM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

MAR 10 2020

Postmark
Here

Postage \$ _____

Total Postage \$ _____

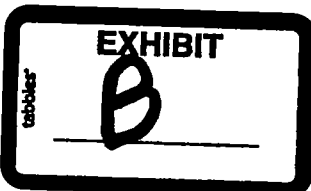
Sent To William Walter Mathis Jr

Street and 2019-028756 CON UL

City, State, 5260 John David Rd

Saint Cloud, FL 34771

PS Form 3800, April 2015 PSN 7530-02-000-9017 See Reverse for Instructions





SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Administrative Complaint</p> <p style="text-align: center;">William Walter Mathis Jr 2019-028756 CON UL 5260 John David Rd Saint Cloud, FL 34771</p> <p>2. Article Number (Transfer from service label) 7019 0700 0001 4773 5216</p>	<p>D. Is delivery address different from the address on the mailpiece? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: center;">RECEIVED MAR 25 2020 DBPR Service of Process Unit</p> <p>3. Service type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

ELECTION OF RIGHTS

DBPR v. William Walter Mathis Jr

Case No 2019-028756

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option (1) I do not dispute the allegations of material fact in the Administrative Complaint I wish to submit oral and written evidence in mitigation at a hearing pursuant to section 120 57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed

Option (2) I do dispute the allegations of material fact in the Administrative Complaint This is a petition for a hearing involving disputed material facts pursuant to sections 120 569(2)(a) and 120 57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed)

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120 569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department

Option (3) I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing I request that a Final Order imposing a penalty and fines be entered in this case

THIS IS A LEGALLY BINDING DOCUMENT SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS

William W. Mathis Jr.
PRINTED NAME

ATTORNEY OR QUALIFIED REPRESENTATIVE

5240 John David Rd
Street Address

Street Address (where service shall be made)

St Cloud, FL 34771
City State Zip

City State Zip

407-579-4025
Telephone Number Facsimile Number (if any)

Telephone Number Facsimile Number (if any)

wjmbuilding@earthlink.net
E-mail

E-mail

WJ 4/18/2020
Signature Date

Signature Date

THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE DEPARTMENT WITHIN 21 DAYS AND MAILED TO:



ATTN: Service of Process Unit
Office of the General Counsel
Department of Business and Professional Regulation
2601 Blair Stone Road, Tallahassee, FL 32399-2202
Telephone: 850.488.0062 Fax: 850.488.5700

