

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

DBPR Case No.: 2019-040611

SALENIA ROSE BROWN,

Respondent.

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FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), issues this Final Order against Salenia Rose Brown (“Respondent”) and states as follows:

1. An Administrative Complaint was filed in this case on January 30, 2020, alleging that Respondent violated section 550.0251(6), and 551.112, Florida Statutes. A copy of the Administrative Complaint is attached hereto as “Exhibit 1”.

2. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter were served on Respondent via certified mail on March 9, 2020. Proof of service is attached hereto as “Exhibit 2.”

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 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.

5. Respondent has not filed a timely response to the Administrative Complaint.

6. 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 proof of service, 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 is PERMANENTLY EXCLUDED from all pari-mutuel facilities in the State of Florida.

9. This Final Order is effective on the date it is filed with the Agency Clerk of the Department of Business and Professional Regulation.

DONE and ORDERED this 22 day of June, 2020.



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**LOUIS TROMBETTA, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business and  
Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035  
Telephone: (850) 488-9130

NOTICE OF RIGHT TO APPEAL

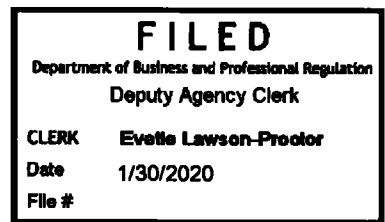
Any party to this proceeding has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: AGC.Filing@myfloridalicense.com), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) in the Office of the Agency Clerk within thirty (30) days after the date this Order is filed with the Clerk.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Final Order on Waiver was furnished by U.S. Mail on 24<sup>th</sup> day of June, 2020 to:

**Salenia Rose Brown**  
4890 Southwest 22nd Street  
West Park, Florida 33023

  
\_\_\_\_\_  
AGENCY CLERK'S OFFICE



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING**

**DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,**

**Petitioner,**

**DBPR Case No.: 2019-040611**

**v.**

**SALENIA ROSE BROWN,**

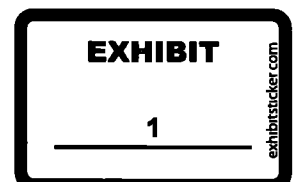
**Respondent.**

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**ADMINISTRATIVE COMPLAINT**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Salenia Rose Brown ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent's address was reported as 2214 Greene Street, Building 87, Apartment 2, Hollywood, Florida 33020.
3. At all times material hereto, Dania Entertainment Center, LLC ("Dania Jai-Alai") was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about May 29, 2019, Respondent was a patron of Dania Jai-Alai.
5. On or about May 29, 2019, Respondent was ejected from Dania Jai-Alai.
6. Respondent had previously received a 6 month trespass warning from Dania Jai-Alai on May 6, 2019.



7. Respondent had previously received a permanent trespass warning from Dania Jai-Alai on May 9, 2019.

8. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in the state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

9. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the division may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

10. Based on the foregoing, Respondent violated section 550.0251(6) and 551.112, Florida Statutes and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities in the State of Florida based on her ejection from Dania Jai-Alai on May 29, 2019.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order permanently excluding Respondent from all licensed pari-mutuel facilities in the State of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2019-040611 is signed this 29th day of January, 2020.

/s/ Darrell Garvey  
**DARRELL GARVEY**  
Assistant General Counsel  
Florida Bar No. 1018554  
Darrell.Garvey@MyFloridaLicense.com

/s/ Megan S. Silver  
**MEGAN S. SILVER**  
Chief Attorney  
Florida Bar No. 115518  
Megan.Silver@MyFloridaLicense.com

Office of the General Counsel  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035  
Telephone: (850) 717-1585  
Facsimile: (850) 921-1311

### **NOTICE OF RIGHTS TO REQUEST A HEARING**

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right 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 your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, *Florida Administrative Code*. Pursuant to Rule 28-106.111, *Florida Administrative Code*, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

<b>SENDER: COMPLETE THIS SECTION</b>		<b>RECIPIENT: THIS SECTION IS OPTIONAL</b>	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the top if space permits.</p>		<p>Signature: <i>[Handwritten Signature]</i></p> <p>Printed Name: <i>[Handwritten Name]</i></p> <p>C. State of Delivery: <i>[Handwritten State]</i></p>	
<p>1. Article Description</p> <p>2020 APR 9 10 25 AM          Salento Rose Bro          2214 Greene Street Bldg. 87 Apt. 2          DIVISION OF          PARKMOUNTAIN WATERING          23920          2019-040611 PMW</p> <p>9500 9402 5277 9164 3995 13</p>		<p>Delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Other delivery address below: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes</p> <p>4890 5000 22 ST          WEST PARK FL          33023          MAR - 9 2020</p>	
<p>2. Article Number (transfer from service label)</p> <p>7019 0140 0000 6235 6651</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input type="checkbox"/> Certified Mail  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Registered Mail Insured  <input type="checkbox"/> Registered Mail  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
PS Form 3811, July 2015 PSN 7530-02-000-9009		Domestic Return Receipt	

**EXHIBIT**

2

exhibitsticker.com



U.S. Postal Service™  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)

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- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

4/31/20

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Total P&F

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Sent To

Street #

City, St

**Salenia Rose Brown**  
2214 Greene Street, Bldg. 87, Apt. 2  
Hollywood, Florida 33020  
2019-040611 PMW

7019 0140 0000 6235 6651