

writing to the Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Tallahassee, FL 32399-0862. DOCKET NO. 050694-SU.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Construction Industry Licensing Board hereby gives notice that it has received an Amended Petition for Declaratory Statement, which was filed by the Deputy Clerk on October 18, 2005, and submitted by Deborah S. Platz, Esq., counsel for Evap Tech, Inc. ("Petitioner"). Petitioner seeks the Board's interpretation of Chapter 489, Florida Statutes, with regards to licensing requirements for the installation and repair of its proprietary water cooling tower designs. The Board will consider the Petition at its meeting to be held on November 11, 2005, in Cocoa Beach, Florida 32931.

Copies of the Petition may be obtained by writing: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039.

The Florida Real Estate Commission hereby gives notice that it has received a Petition for Declaratory Statement filed on October 12, 2005, by Timothy A. Smith, Esquire, on behalf of Southridge Partners I, a New York Limited Partnership. The petition seeks a determination from the Florida Real Estate Commission on whether the services that the general partner provides in selling the limited partnership's real property is a service: (1) of real estate that requires a real estate license under Sections 475.01(1)(a) and (2), F.S., for which compensation based on a percentage of the sales price of the real property will constitute a violation of real estate license law in the State of Florida.

Copies of the petition may be obtained from: Lori Crawford, Regulatory Supervisor Consultant, The Florida Real Estate Commission, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF HEALTH**

The Board of Optometry hereby gives notice that it has issued a Final Order on the Petition for Declaratory Statement filed on October 2, 2003 on behalf of Jennifer Loar, O.D. The Notice of Petition for Declaratory Statement was published in Vol. 29, No. 42, of the October 17, 2003, Florida Administrative

Weekly. The petition inquired as to whether or not a Florida-licensed optometrist in private practice may enter into a written lease agreement with a corporation which provides for rent to be based on a percentage of revenue from exam fees. The Board of Optometry considered the Petition at its meeting held on April 6, 2005 in Ft. Lauderdale, Florida. The Board's Final Order, filed on September 19, 2005, determined that the proposed arrangement for the lease contract between the Petitioner and the corporation would violate Rule 64B13-3.008, Florida Administrative Code, which is entitled "Corporate, Lay, and Unlicensed Practice of Optometry Prohibited."

A copy of the Board's Order may be obtained by contacting Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**