

7-2-02

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

AT

02 OCT 11 PM 2:13

CHARLES TIEN,

HUD Case no. 04-01-1453-8

Petitioner,

FCHR Case no. 21-90611H

v.

DOAH Case no. 02-0551

rem-cws

AL SOTO and THE CONTINENTAL GROUP

FCHR Order no. 02-058

Respondent.

**FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM A DISCRIMINATORY HOUSING PRACTICE**

Petitioner, CHARLES TIEN, filed a complaint of discrimination pursuant to Florida Fair Housing Act, Sections 760.20-760.37, Florida Statutes (2001), alleging that Respondent, AL SOTO and THE CONTINENTAL GROUP committed an unlawful act of housing discrimination on the basis of his national origin.

The allegations set forth in the complaint were investigated, and, on January 25, 2002, the Executive Director issued his determination finding that there was no reasonable cause to believe that a discriminatory housing practice had occurred.

Petitioner filed a Petition for Relief from an Unlawful Act of Housing Discrimination, and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

An evidentiary hearing was held in Miami, Florida, on April 16, 2002, before Administrative Law Judge Robert E. Meale.

Judge Meale issued a Recommended Order of Dismissal dated July 2, 2002.

The Commission panel designated below considered the record of this matter and determined the action to be taken on the Recommended Order.

Findings of Fact

A transcript of the proceeding before the Administrative Law Judge was filed with the Commission.

We adopt the Administrative Law Judge's findings of fact.

Conclusions of Law

We find the Administrative Law Judge's application of the law to the facts to result in a correct disposition of the matter.

We adopt the Administrative Law Judge's conclusions of law.

Exceptions

Neither party filed exceptions to the Administrative Law Judge's recommended order.

Dismissal

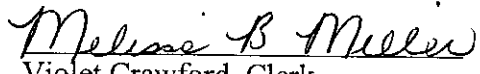
The Request for Relief and Complaint of Discrimination are DISMISSED with prejudice.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 9th day of October, 2002.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS

Commissioner Rita Craig, Panel Chairperson
Commissioner Roosevelt Paige
Commissioner Billy Whitefox Stall

Filed this 9th day of October, 2002
in Tallahassee, Florida.


Violet Crawford, Clerk
Commission on Human Relations
2009 Apalachee Parkway, Suite 100
Tallahassee, Florida 32301
(850) 488-7082

Copies furnished to:

Charles Tien
2451 Brickell Avenue, Unit 6P
Miami, FL 33129

Lisa Berg, Esquire
STEARNS WEAVER
150 West Flagler Street, Suite 2200
Miami, FL 33130

Administrative Law Judge Robert E. Meale

Jim Tait, Legal Advisor for Commission Panel