

12-10-04

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

LESTER KNOTT,

EEOC Case No. 15DA301242

Petitioner,

FCHR Case No. 23-03805

v.

AT

DOAH Case No. 04-1376

SFD  
CLOS

NATIONSRENT, INC.,

FCHR Order No. 05-007

Respondent.

05 FEB - 1 AM 10:02  
DIVISION OF ADMINISTRATIVE HEARINGS  
FILED

**FINAL ORDER DISMISSING PETITION FOR  
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

Preliminary Matters

Petitioner Lester Knott filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2001), alleging that Respondent NationsRent, Inc., committed unlawful employment practices on the basis of Petitioner's race (Black) by harassing Petitioner, subjecting Petitioner to different terms and conditions of employment than white employees, and by terminating Petitioner.

The allegations set forth in the complaint were investigated, and, on April 8, 2004, the Executive Director issued his determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

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

An evidentiary hearing was held on November 3-4, 2004, in Pensacola, Florida, before Administrative Law Judge Stephen F. Dean.

Judge Dean issued a Recommended Order of dismissal, dated December 10, 2004.

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 not 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

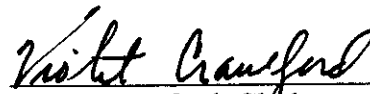
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 31<sup>st</sup> day of January, 2005.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Roosevelt Paige, Panel Chairperson;  
Commissioner Gayle Cannon; and  
Commissioner Dominique B. Saliba, M.D.

Filed this 31<sup>st</sup> day of January, 2005,  
in Tallahassee, Florida.



Violet Crawford, Clerk  
Commission on Human Relations  
2009 Apalachee Parkway, Suite 100  
Tallahassee, FL 32301  
(850) 488-708

NOTICE TO COMPLAINANT / PETITIONER

As your complaint was filed under Title VII of the Civil Rights Act of 1964, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), you have the right to request EEOC to review this Commission's final agency action. To secure a "substantial weight review" by EEOC, you must request it in writing within 15 days of your receipt of this Order. Send your request to Miami District Office (EEOC), One Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27th Floor, Miami, FL 33131.

Copies furnished to:

Lester J. Knott  
6312 Mockingbird Lane  
Pensacola, FL 32503

NationsRent, Inc.  
c/o Steven A. Siegel, Esq.  
Fisher & Phillips, LLP  
450 East Las Olas Boulevard, Suite 800  
Fort Lauderdale, FL 33301

Stephen F. Dean, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 31<sup>st</sup> day of January, 2005.

By: *Violet Crawford*  
Clerk of the Commission  
Florida Commission on Human Relations