

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

FILED  
2010 APR 28 A 11:21  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

CAMEKCO WEBB,

HUD Case No. 04-09-1383-8

Petitioner,

FCHR Case No. 2010H0032

v.

DOAH Case No. 09-6379

THE COMMUNITY MERCY CENTER,

FCHR Order No. 10-038

Respondent.

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

**Preliminary Matters**

Petitioner Camekco Webb filed a housing discrimination complaint pursuant to the Fair Housing Act, Sections 760.20 - 760.37, Florida Statutes (2007), alleging that Respondent, The Community Mercy Center, committed discriminatory housing practices on the basis of Petitioner's race (Black) in circumstances surrounding Petitioner's lease of an apartment from Respondent.

The allegations set forth in the complaint were investigated, and, on November 9, 2009, the Executive Director issued a determination finding that there was no reasonable cause to believe that a discriminatory housing practice had occurred.

Petitioner filed a Petition for Relief from a Discriminatory Housing Practice and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

An evidentiary hearing was held in Lake City, Florida, on January 8, 2010, before Administrative Law Judge Suzanne F. Hood.

Judge Hood issued a Recommended Order of dismissal, dated February 3, 2010.

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. In the absence of a transcript of the proceeding before the Administrative Law Judge, the Recommended Order is the only evidence for the Commission to consider. See National Industries, Inc. v. Commission on Human Relations, et al., 527 So. 2d 894, at 897, 898 (Fla. 5th DCA 1988). Accord, Hall v. Villages of West Oaks HOA, FCHR Order No. 08-007 (January 14, 2008), Beach-

Gutierrez v. Bay Medical Center, FCHR Order No. 05-011 (January 19, 2005), and Waaser v. Streit's Motorsports, FCHR Order No. 04-157 (November 30, 2004).

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 of the parties filed exceptions to the Administrative Law Judge's Recommended Order.

Dismissal


The Petition for Relief and Housing Discrimination Complaint 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 27<sup>th</sup> day of April, 2010.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Gilbert M. Singer, Panel Chairperson;  
Commissioner Lizzette Gamero; and  
Commissioner Patty Ball Thomas

Filed this 27<sup>th</sup> day of April, 2010,  
in Tallahassee, Florida.

  
Violet Crawford, Clerk  
Commission on Human Relations  
2009 Apalachee Parkway, Suite 200  
Tallahassee, FL 32301  
(850) 488-7082

Copies furnished to:

Camekco Webb  
910 Southeast 6<sup>th</sup> Street  
Lake City, FL 32054

The Community Mercy Center  
c/o Lloyd Peterson, Jr., Esq.  
905 Southwest Baya Drive  
Lake City, FL 32025

Suzanne F. Hood, 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 27<sup>th</sup> day of April, 2010.

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