

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

LUIS W. LEBRON,

2011 JUN -7 A 11: 33

HUD Case No. 04-10-0999-8

Petitioner,

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

FCHR Case No. 2010H0356

v.

DOAH Case No. 10-9040

CYPRESS WATERFORD ASSOCIATES,  
ET AL., AND EQUITY RESIDENTIAL  
MANAGEMENT,

FCHR Order No. 11-049

Respondents.

\_\_\_\_\_  
LUIS W. LEBRON,

HUD Case No. 04-10-1552-8

Petitioner,

FCHR Case No. 2011H0052

v.

DOAH Case No. 10-10305

POLO'S EAST APARTMENT, ET AL.,

FCHR Order No. 11-049

Respondents.  
\_\_\_\_\_

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

This matter is before the Commission for consideration of the Recommended Order of Dismissal, dated April 1, 2011, issued in the above-styled consolidated cases by Administrative Law Judge William F. Quattlebaum.

Findings of Fact and Conclusions of Law

Judge Quattlebaum's order reflects that Petitioner failed to appear at the scheduled administrative hearing in the consolidated cases. Specifically, Judge Quattlebaum's order states that based on Petitioner's failure to appear, "the Petitioner has failed to establish the allegations that a discriminatory housing practice occurred as set forth in the Petitions for Relief filed in these cases." Consequently, Judge Quattlebaum recommended the Commission dismiss the Petitions for Relief filed in these consolidated cases.

Commission panels have concluded that when a Petitioner fails to appear at the scheduled administrative hearing in their case, they fail to meet their burden of proof, and the Petition for Relief should be dismissed. See, e.g., Patterson v. Panama City Housing Authority, FCHR Order

No. 11-001 (January 13, 2011), Crump v. The Majestic Tower at Bal Harbour, FCHR Order No. 10-072 (September 21, 2010), Bermudez v. Lake County Housing Authority, FCHR Order No. 10-041 (April 27, 2010), Cowden v. DiFiglio, et al., FCHR Order No. 09-115 (December 14, 2009), Scott v. Two Men and a Truck, FCHR Order No. 09-009 (January 27, 2009), Enzor v. Sandco, Inc., FCHR Order No. 08-048 (July 29, 2008), Rodriguez v. Center Point Health and Rehab, FCHR Order No. 08-001 (January 14, 2008), West v. Sembler Corporation, d/b/a Bay Walk, FCHR Order No. 07-037 (June 15, 2007), Martinez v. KJC Enterprises, d/b/a Plantation Island Resort, FCHR Order No. 07-028 (April 20, 2007), Chaney, et al. v. Robert Buckner & Associates, FCHR Order No. 06-092 (November 13, 2006), and Prek v. Workforce Central Florida, FCHR Order No. 06-079 (September 18, 2006).

We adopt the Administrative Law Judge's finding as to the nonappearance of Petitioner and conclude that Petitioner has failed to carry his burden of proof in these consolidated cases.

#### Exceptions

None of the parties filed exceptions to the Administrative Law Judge's Recommended Order of Dismissal.

#### Dismissal

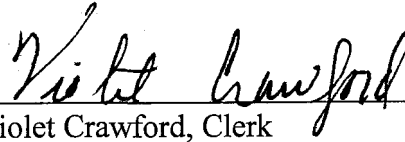
The Petitions for Relief and Housing Discrimination Complaints are DISMISSED with prejudice.

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 of appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 6<sup>th</sup> day of June, 2011.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Donna Elam, Panel Chairperson;  
Commissioner Joanna Sharp; and  
Commissioner Billy Whitefox Stall

Filed this 6<sup>th</sup> day of June, 2011,  
in Tallahassee, Florida.



Violet Crawford, Clerk  
Commission on Human Relations  
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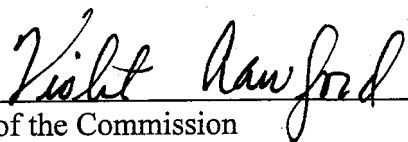
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William F. Quattlebaum, Administrative Law Judge, DOAH

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 6<sup>th</sup> day of June, 2011.

By:   
Clerk of the Commission  
Florida Commission on Human Relations