

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

LILLIAN CRAIG,

Petitioner,

v.

ST. JOSEPH GARDEN COURTS, INC.,

Respondent.

HUD Case No. 04-10-1708-8

FCHR Case No. 2011H0086

DOAH Case No. 10-10700

FCHR Order No. 11-074

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

Preliminary Matters

Petitioner Lillian Craig filed a housing discrimination complaint pursuant to the Fair Housing Act, Sections 760.20 - 760.37, Florida Statutes (2009), alleging that Respondent St. Joseph Garden Courts, Inc., committed discriminatory housing practices on the basis of Petitioner's race (Caucasian) and on the basis of retaliation in circumstances surrounding Petitioner's lease of an apartment from Respondent.

The allegations set forth in the complaint were investigated, and, on November 18, 2010, 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 Orlando, Florida, on April 27, 2011, before Administrative Law Judge R. Bruce McKibben.

Judge McKibben issued a Recommended Order of dismissal, dated July 13, 2011.

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

We find the Administrative Law Judge's findings of fact to be supported by competent substantial evidence

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 6th day of October, 2011.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Mario M. Valle, Panel Chairperson;
Commissioner Watson Haynes, II; and
Commissioner Lizzette Romano

Filed this 6th day of October, 2011,
in Tallahassee, Florida.



Violet Crawford, Clerk
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Copies furnished to:

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R. Bruce McKibben, 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 6th day of October, 2011.

By: 
Clerk of the Commission
Florida Commission on Human Relations