

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

JEANNETTE SHAW-PEREZ,

HUD Case No. 04-10-1554-8

Petitioner,

FCHR Case No. 2011H0053

v.

DOAH Case No. 11-3319

CITY OF HOLLY HILL,

FCHR Order No. 12-037

Respondent.

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

Preliminary Matters

Petitioner Jeannette Shaw-Perez filed a housing discrimination complaint pursuant to the Fair Housing Act, Sections 760.20 - 760.37, Florida Statutes (2009), alleging that Respondent City of Holly Hill committed discriminatory housing practices on the basis of Petitioner's color, race (African American) and sex (female) in the manner in which it engaged in code enforcement activities related to a residential triplex owned by Petitioner.

The allegations set forth in the complaint were investigated, and, on November 17, 2010, the Executive Director issued a determination finding that there was 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 by video teleconference at sites in Daytona Beach and Tallahassee, Florida, on April 16, 2012, before Administrative Law Judge E. Gary Early.

Judge Early issued a Recommended Order of dismissal, dated May 22, 2012.

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 17th day of July, 2012.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Gilbert M. Singer, Panel Chairperson;
Commissioner Onelia Fajardo; and
Commissioner Michell Long

Filed this 17th day of July, 2012,
in Tallahassee, Florida.

_____/s/_____
Violet Crawford, Clerk
Commission on Human Relations
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Tallahassee, FL 32301
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Copies furnished to:

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E. Gary Early, 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 17th day of July, 2012.

By: _____/s/_____
Clerk of the Commission
Florida Commission on Human Relations