

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

DEBORAH FIELDING,

HUD Case No. 04-18-1097-8

Petitioner,

FCHR Case No. 2017-09313

v.

DOAH Case No. 18-5827

PRESERVATION OF AFFORDABLE
HOUSING, LLC,

FCHR Order No. 19-037

Respondent.

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

Preliminary Matters

Petitioner Deborah Fielding filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.20 - 760.37, Florida Statutes (2018), alleging that Respondent Preservation of Affordable Housing, LLC committed an unlawful housing practice on the basis of Petitioner's disability by forcing Petitioner to purchase a meal plan that did not comply with her dietary restrictions.

The allegations set forth in the complaint were investigated, and, on October 2, 2018, the Executive Director issued a determination finding that there was no reasonable cause to believe that an unlawful housing practice had occurred.

Petitioner filed a Petition for Relief from an Unlawful 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 Sebastian, Florida, on February 8, 2019, before Administrative Law Judge Hetal Desai.

Judge Desai issued a Recommended Order of dismissal, dated February 28, 2019.

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 party filed exceptions.

Dismissal

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

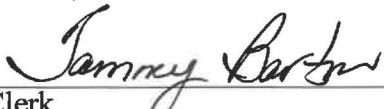
The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 28 day of May, 2019.

FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Tony Jenkins, Panel Chairperson;
Commissioner Donna Elam; and
Commissioner Rebecca Steele

Filed this 28 day of May 2019, in
Tallahassee, Florida.


Clerk
Commission on Human Relations
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COPIES FURNISHED:

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Coral Gables, Florida 33134

Hetal Desai, Administrative Law Judge

Radhika Puri, Legal Advisor Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 28 day of May, 2019.

By: Jammy Barton
Clerk of the Commission
Florida Commission on Human Relations