

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

KEITH SEWELL,

EEOC Case No. 15D201800490

Petitioner,

FCHR Case No. 2018-04710

v.

DOAH Case No. 18-6309

CITY OF FORT LAUDERDALE,

FCHR Order No. 19-046

Respondent.

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

Preliminary Matters

On March 14 2018, Petitioner Keith Sewell filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2017), alleging that Respondent City of Fort Lauderdale committed an unlawful employment practice against Petitioner on the basis of disability, by terminating his employment as a Parking Enforcement Specialist (“PES”).

The allegations set forth in the complaint were investigated, and, on September 18, 2018, the Executive Director issued a determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

On October 22, 2018, Petitioner filed a Motion for Extension of Time to file his Petition for Relief (“PFR”), which the Commission granted on November 2, 2018.

On October 29, 2018, (prior to the Commission officially granting the extension of time to file the PFR), Petitioner filed a “Petition for Relief from an Unlawful Employment 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 Fort Lauderdale, Florida, on March 18, 2019, before Administrative Law Judge Mary Li Creasy.

Judge Creasy issued a Recommended Order of dismissal, dated May 13, 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 to the Administrative Law Judge's Recommended Order.

Dismissal

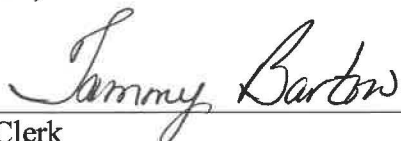
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 8 day of August, 2019.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Tony Jenkins, Panel Chairperson;
Commissioner Jay Pichard; and
Commissioner Rebecca Steele

Filed this 8 day of August, 2019,
in Tallahassee, Florida.



Clerk
Commission on Human Relations
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Copies furnished to:

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15715 South Dixie Highway, Suite 411
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Mary Li Creasy, Administrative Law Judge, DOAH

Sarah Stewart, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 8 day of August, 2019.

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