

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

PAULETTE LEWIS,

EEOC No. 15D201900020

Petitioner,

FCHR No. 201914336

v.

DOAH No. 19-5529

OAKMONTE VILLAGE,

FCHR Order No. 22-001

Respondent.

_____ /

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

This matter is before the Commission panel designated below for consideration of the Recommended Order, dated February 18, 2020, issued in the above-styled matter by Administrative Law Judge Jodi-Ann V. Livingstone.

Preliminary Matters

On October 3, 2018, Petitioner, Paulette Lewis, filed an employment discrimination complaint pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2018), alleging that Respondent, Oakmonte Village, committed discrimination against her on the bases of race, color, national origin, marital status, religion, age, and retaliation.

The allegations set forth in the complaint were investigated, and, on September 17, 2019, the Executive Director issued a determination finding that there was no reasonable cause to find that a discriminatory employment practice had occurred.

On October 9, 2019, Petitioner filed a Petition for Relief from a Discriminatory Employment Practice, and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

A final evidentiary hearing took place on December 6, 2019, before Administrative Law Judge Jodi-Ann V. Livingstone via video teleconference at sites in Tallahassee and Altamonte Springs, Florida.

On February 18, 2020, Judge Livingstone issued a Recommended Order, which would result in a dismissal of the Petition for Relief.

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.

Accordingly, 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.

Accordingly, 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 Employment 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 27 day of January, 2022.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Angela Primiano (Panel Chair);
Commissioner Libby Farmer; and
Commissioner Larry Hart

Filed this 27 day of January, 2022, in Tallahassee, Florida.

Tommy Bentes
Clerk
Commission on Human Relations
4075 Esplanade Way, Room 110
Tallahassee, FL 32399
(850) 488-7082

Copies furnished to:

Paulette Lewis
1658 April Avenue
Deltona, Florida 32725

Oakmonte Village
c/o Timothy Tack, Esquire
Fisher & Phillip LLP
101 E. Kennedy Blvd. Suite 2350
Tampa, Florida 33602

Jodi-Ann V. Livingstone, Administrative Law Judge, DOAH

John Scotese, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 27 day of January, 2022.

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