

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

PAMELA ALLEN,

Petitioner,

v.

BUILDING AND CODE ADMINISTRATION,
ET AL.,

Respondent.

HUD Case No. 04-21-5091-8

FCHR No. 202128026

DOAH No. 21-1625

FCHR Order No. 21-078

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

Preliminary Matters

On January 15, 2021, Petitioner filed a housing discrimination complaint pursuant to the Fair Housing Act, Sections 760.20 - 760.37, Florida Statutes (2020), alleging that Respondent committed discriminatory housing practices against Complainant by refusing to issue her a building permit for re-shingling her roof due to her race.

The allegations set forth in the complaint were investigated, and, on April 19, 2021, 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 on May 18, 2021, and, on May 19, 2021, the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

A final evidentiary hearing took place on July 22, 2021, before Administrative Law Judge James H. Peterson, III, via Zoom.

On September 17, 2021, Judge Peterson 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.

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

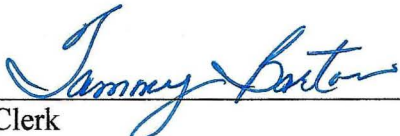
The Petition for Relief and Housing Discrimination Complaint are DISMISSED with prejudice.

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 18 day of November, 2021.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Darrick McGhee, Panel Chairperson;
Commissioner Mario Garza; and
Commissioner Larry Hart

Filed this 18 day of November, 2021, in Tallahassee, Florida.



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

Copies furnished to:

Ms. Pamela Allen
c/o Mr. Ka'Juel J. Washington, Esquire
The Washington Trial Group, PLLC
37 N. Orange Avenue, Suite 500
Orlando, Florida 32801

County of Volusia
c/o Ms. Erin G. Jackson, Esquire
c/o Ms. Ashley T. Gallagher, Esquire
Johnson Jackson PLLC
100 N. Tampa Street, Suite 2310
Tampa, Florida 33692

Ms. Laura Mauldin Coleman, Esquire
Assistant County Attorney, County of Volusia
123 W. Indiana Avenue, Suite 301
Deland, Florida 32720

James H. Peterson, III, 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 18 day of October, 2021.

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

