

**STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS**

EARLINE MACY,)	HUD Case No. 04-96-2278-8
Petitioner,)	FCHR Case No. 96-0974H
)	DOAH Case No. 96-004420
vs.)	FCHR Order No. 00-002
)	
CARIBE CLUB CO-OP AND THE BOARD OF DIRECTORS,)	
Respondent)	

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

Preliminary Matters

Petitioner Earline Macy filed a housing discrimination complaint pursuant to the Fair Housing Act, Sections 760.20 - 760.37, Florida Statutes (1995), alleging that Respondents Caribe Club Co-Operative Apartments, Inc., and the Board of Directors, committed a discriminatory housing practice on the basis of Petitioner's race (white), religion (Presbyterian), sex (female) and national origin (American Indian or Alaskan Native), by rejecting Petitioner's attempts to purchase a housing unit. The allegations set forth in the complaint were investigated, and, on August 14, 1996, the Commission issued its determination finding that there was no reasonable cause to believe that a discriminatory housing practice 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. Eventually, an evidentiary hearing was held in West Palm Beach, Florida, on February 2, 1999, before Administrative Law Judge Claude B. Arrington. Judge Arrington issued a Recommended Order of dismissal, dated May 20, 1999. Pursuant to notice, public deliberations were held on January 27, 2000, by means of Communications Media Technology (namely, telephone) before this panel of Commissioners. The public access point for these telephonic deliberations was the Office of the Florida Commission on Human Relations, 325 John Knox Road, Building F, Suite 240, Tallahassee, Florida, 32303-4149. At these deliberations, the Commission panel determined the action to be taken on the Petition for Relief.

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 11th day of February, 2000
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Aristides Sosa; and
Commissioner Clareth Brooks; and
Commissioner Whitfield Jenkins;

Filed this 11th day of February, 2000,
in Tallahassee, Florida

/s/

Sharon Moultry, Clerk
Commission on Human Relations
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Claude B. Arrington, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

By: /s/

Sharon Moultry,
Clerk of the Commission
Florida Commission on Human Relations