

9-9-02

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

AT

02 NOV 28 AM 9:09
ADMINISTRATIVE HEARINGS

NIDIA CRUZ,

Petitioner,

HUD Case No.04-02-00072-8

FCHR Case No.21-20863H

v.

DOAH Case No. 02-2129

COLONY PARK MOBILE
HOME VILLAGE, INC.,

FCHR Order No. 02-080

Respondent.

JBC-CLOS

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

Petitioner, NIDIA CRUZ, filed a complaint of discrimination pursuant to Florida Fair Housing Act, Sections 760.20-760.37, Florida Statutes (2001), alleging that Respondent, COLONY PARK MOBILE HOME VILLAGE, INC., committed an unlawful act of housing discrimination on the basis of her national origin.

The allegations set forth in the complaint were investigated, and, on April 26, 2002, the Executive Director issued his determination finding that there was no reasonable cause to believe that a discriminatory housing practice had occurred.

Petitioner filed a Petition for Relief from an Unlawful Act of Housing Discrimination, and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

An evidentiary hearing was held in Viera, Florida, on August 14, 2002, before Administrative Law Judge Jeff B. Clark.

Judge Clark issued a Recommended Order of Dismissal dated September 9, 2002.

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

No transcript of the proceeding before the Administrative Law Judge was filed with the Commission.

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 Request 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 7th day of November, 2002.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS

Commissioner Gayle Cannon, Panel Chairperson
Commissioner Donna Elam
Commissioner P.C. Wu

Filed this 7th day of November, 2002
in Tallahassee, Florida.

Violet Crawford
Violet Crawford, Clerk
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Jeff B. Clark, Administrative Law Judge

Jim Tait, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 7th day of November, 2002.

By: Violet Crawford
Clerk of the Commission
Florida Commission on Human Relations