

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

02 DEC -5 AM 9:04
ADMINISTRATIVE LAW JUDGE
HEARINGS

FENTON MONCUR,

HUD Case No. 04-02-0408-8

Petitioner,

FCHR Case No. 22-90468H

v.

DOAH Case No. 02-2679

*SML
closed*

CARMEL AT CALIFORNIA CLUB,

FCHR Order No. 02-084

Respondent.

FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM A DISCRIMINATORY HOUSING PRACTICE

This matter is before the Commission for consideration of the "Order Closing File and Returning Matter to Commission with Recommendation of Dismissal," dated August 5, 2002, issued in the above-styled matter by Administrative Law Judge Stuart M. Lerner.

Findings of Fact and Conclusions of Law

Judge Lerner's Order reflects in footnote 1 that the Petition for Relief was not timely filed, and, based on Petitioner's failure to comply with Judge Lerner's "Order Directing Response" of July 17, 2002, in which Petitioner was directed to respond to Respondent's motion that the matter be dismissed based on the untimely filing of the Petition for Relief, concluded that the matter should be dismissed.

We adopt the Administrative Law Judge's finding that Petition for Relief was not timely filed, and the Administrative Law Judge's conclusion of law that the matter should be dismissed.

Exceptions

Neither party filed exceptions to the Administrative Law Judge's Recommended Order of Dismissal.

Dismissal

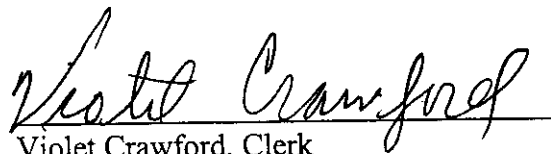
The Petition for Relief and Housing Discrimination Complaint are DISMISSED with prejudice.

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 of appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 4th day of December, 2002.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Roosevelt Paige, Panel Chairperson;
Commissioner John Corbett; and
Commissioner Leonie Hermantin

Filed this 4th day of December, 2002,
in Tallahassee, Florida.



Violet Crawford, Clerk
Commission on Human Relations
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Stuart M. Lerner, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed
addressees this 4th day of December, 2002.

By: 
Clerk of the Commission
Florida Commission on Human Relations