

39 FAR 39 | 2/26/2013 | NOTICE OF NEGOTIATED RULEMAKING

DEPARTMENT DEPARTMENT OF MANAGEMENT SERVICES

AGENCY FLORIDA COMMISSION ON HUMAN RELATIONS

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MEETING DATE

MEETING TIME

RULE NO 60Y-7.001

TITLE Complaints

**RULEMAKING
AUTHORITY** 760.31(5) FS.

**LAW
IMPLEMENTED** 760.34 FS.

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ORIGINATOR

APPROVER

PROPOSAL DATE

PUBLISH DATE



Purpose

The proposed rule amendment seeks to clarify that a person need not exhaust their administrative remedies before commencing a civil action alleging housing discrimination.

Subject Area to be Addressed

The proposed rule clarifies the information regarding housing discrimination complaints and time for filing a housing discrimination complaint with the Florida Commission on Human Relations.

Notification

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT

60Y-7.001 Complaints.

(1) Who may file. An aggrieved person may, but is not required to, file a complaint with the Commission alleging a discriminatory housing practice. Whether or not a complaint has been filed with the Commission, an aggrieved person may commence a civil action in court under Section 760.35, F.S.
~~A complaint may be filed by any person who claims to have been injured by a discriminatory housing practice or any person who believes that he will be injured by a discriminatory housing practice that is about to occur.~~

(2) Time for Filing. A complaint may, not later than one year after an alleged discriminatory housing practice has occurred or terminated, be filed with the Commission. ~~at any time within one year of the occurrence of the alleged discriminatory housing practice.~~ If the alleged discriminatory housing practice is of a continuing nature, the date of the occurrence may be any date subsequent to the commencement of the discriminatory housing practice up to and including the date on which it shall have ceased.

Rulemaking Specific Authority 760.31(5) FS. Law Implemented 760.34 FS. History-New 1-25-90, Amended 11-20-91, Formerly 22T-21.001, Amended 9-17-98, 12-31-03, _____.

