

38 FAR 94 | 12/19/2012 | NOTICE OF PROPOSED RULES

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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PUBLISH DATE 12/18/2012

Purpose

The proposed rule amendment seeks to clarify that the Florida Commission on Human Relations does not require an aggrieved person under the Florida Fair Housing Act to file a complaint. The effect will be to make it clear that the act of filing a complaint is permissive rather than mandatory.

Summary

The rule chapter language is amended to clarify that the administrative remedies available under the Florida Fair Housing Act are permissive not mandatory.

Regulatory Costs

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

Notification

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

FULL TEXT OF THE PROPOSED RULE

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. ~~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, _____.