

41 FAR 219 | 11/10/2015 | 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-9.007

TITLE Housing for Older Persons Registration and Documentation

RULEMAKING AUTHORITY 760.31(5), FS.

LAW IMPLEMENTED 760.29(4)(3), FS.

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PROPOSAL DATE 8/14/2015

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Purpose

The proposed rule amendment seeks to delete outdated or incorrect information from the rule while updating other phrases within the rule.

Summary

The rule amendment would eliminate the \$20 registration fee that the Commission may charge for registering as Housing for Older Persons.

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. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is to a procedural rule and will have no economic impact and, therefore, will not require ratification. There are no applicable federal standards that relate to Rule 60Y-9.007, F.A.C. 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-9.007 Housing for Older Persons Registration and Documentation.

(1) Facilities or communities claiming an exemption under Section 760.29(4), F.S., shall register with the commission and submit the statutorily required documentation to the commission in the manner prescribed by the commission.

Information on how to register is located on the commission's website, <http://fchr.state.fl.us>.

(2) The registration and documentation letter shall contain in bold letters on the face of the envelope the words "Registration for Housing for Older Persons," and provide the date of mailing.

(3) The registration and documentation shall be submitted biennially from the date of the original filing ~~on the first day of the month, or up to seven days thereafter, of the anniversary of the initial registration.~~

(4) The information in the commission's registry is a public record. The information shall also be included on ~~in~~ the commission's main website, ~~at~~ "<http://fchr.state.fl.us>."

(5) Failure to comply with the requirements of Section 760.29(4)(2)(e), F.S., shall not disqualify a facility or community that otherwise qualifies ~~qualified~~ for the exemption provided in Section 760.29(4), F.S.

~~(6) The registration fee must be included within the completed registration letter in order to constitute a valid registration. The biennial registration fee is \$20.00. It shall be sent to: Florida Commission on Human Relations at its address provided in Rule 60Y-2.005, F.A.C.~~

~~(6)(7)~~ The Commission may impose an administrative fine not to exceed \$500 on a facility or community that knowingly submits false information in the documentation required by this rule. Such fine shall be deposited in the commission's trust fund.

Rulemaking Specific Authority 760.31(5)~~760.29(5)~~ FS. Law Implemented 760.29(4)(e) FS. History-New 2-11-02, Amended 2-5-04, xx-xx-xx.