



**199923 TBD.D
'DETERMINATIONS'**

Unofficial Reporter

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199923 TBD.D 001

'DETERMINATIONS'

CAPTION: *Walker v. Fountains Apartments*

CITATION: 199923 TBD.D 001

DATE: 6/3/1999

STATE: FL

CASE NO: 98-W087H (FCHR)

99-003578 (DOAH)

CASE TYPE: Housing Discrimination

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FILENAME: 99003578082399i01164045-D.pdf

PAGES: 2

CAUSE: N





STATE OF FLORIDA
Florida Commission on Human Relations

Jeb Bush, Governor
Ronald M. McElrath, Executive Director

FCHR No. 98-W087H
HUD No. 04-98-2371-8

Jacqueline Walker
3012 NW 2nd Avenue, Apartment 423
Miami, FL 33127

COMPLAINANT

The Fountains Apartments at
at Fountainbleau Park
Alina Portuono, Manager
9330 Fountainbleau Blvd.
Miami, FL 33172

RESPONDENT

DETERMINATION OF NO REASONABLE CAUSE

The Florida Commission on Human Relations (FCHR) and the Department of Housing and Urban Development (HUD) administer the Fair Housing Act (the Act). The FCHR completed its investigation of the subject complaint which was filed under the Act. Informal efforts to resolve the case during the investigation were unsuccessful.

Based on the evidence obtained during the investigation, the FCHR has determined that reasonable cause does not exist to believe that a discriminatory housing practice has occurred. Accordingly, the above-referenced complaint is hereby dismissed.

This dismissal does not prevent the Complainant(s) from re-filing a complaint with HUD or the FCHR based on newly discovered or previously unavailable information, provided the one year time limit for filing a complaint has not expired.

Moreover, under the Florida Fair Housing Act, the Complainant may file a civil action in an appropriate federal district court or state court within two years after the occurrence or termination of the alleged discriminatory housing practice. If the court finds that a discriminatory housing practice has occurred, it shall issue an order prohibiting the practice and providing affirmative relief from the effects of the practice, including injunctive and other equitable relief, actual and punitive damages, and reasonable attorney's fees and costs.

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The parties are further advised that the Complainant may request that a formal administrative proceeding be conducted. The request (i.e., Petition for Relief) must be filed with the FCHR within 30 days of the date of mailing of this Notice and should be in compliance with the provisions of rule 60Y-8.001 and Chapter 60Y-4, Florida Administrative Code, entitled "General Procedures." A Petition for Relief form is enclosed. If you elect to file a Petition for Relief, it may be beneficial to seek legal counsel prior to filing the Petition.

This action will not become final until time has expired for Complainant to file a Petition for Relief. Failure of Complainant to timely file a Petition will result in dismissal of the complaint within the purview of Rule 60Y-2.004 (2) (g), Florida Administrative Code.

The Final Investigative Report on this case is available by writing to the Florida Commission on Human Relations, 325 John Knox Road, Building F, Suite 240, Tallahassee, FL 32303-4149.

Under the Florida Public Records Act, this dismissal is a public document.

FOR THE COMMISSION ON HUMAN RELATIONS:

Ronald McElreath

DATED:

6-3-99

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that a copy of the foregoing NOTICE OF DETERMINATION: NO CAUSE was filed at Tallahassee, Florida and mailed to the above-named addressees this 3rd day of June, 1999, by U.S. Mail.

Sharon Mouttry BY:

Clerk of the Commission

Enclosure: Petition for Relief, in blank (Complainant)

APPENDIX



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<u>#</u>	<u>Item</u>	<u>Link</u>
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2	Secondary Source	DOAH.State.FL.US

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