



STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION

215 PROFESSIONAL BUILDING
1036 QUARRIER STREET
CHARLESTON, WEST VIRGINIA 25301

TELEPHONE: 304-348-2616

January 9, 1986

ARCH A. MOORE, JR.
Governor

Emily Spieler, Esquire
Assistant Attorney General
1204 Kanawha Boulevard, East
Charleston, WV 25301

James O. Watkins, Jr., Esquire
P.O. Box 1108
Fairmont, WV 26554

RE: HR-691-83 Johnson v Irene Waltz

Dear Ms. Spieler and Mr. Watkins:

Herewith please find the Order of the WV Human Rights Commission in the above-styled and numbered case of Crystal Johnson v Irene Waltz, HR-691-83.

Pursuant to Article 5, Section 4 of the WV Administrative Procedures Act [WV Code, Chapter 29A, Article 5, Section 4] any party adversely affected by this final Order may file a petition for judicial review in either the Circuit Court of Kanawha County, WV, or the Circuit Court of the County wherein the petitioner resides or does business, or with the judge of either in vacation, within thirty (30) days of receipt of this Order. If no appeal is filed by any party within (30) days, the Order is deemed final.

Sincerely yours,

Howard D. Kenney
Executive Director

HDK/kpv
Enclosure

CERTIFIED MAIL/REGISTERED RECEIPT REQUESTED.

*Approved as to form
SRH
July 26, 1985*

WEST VIRGINIA SUPREME COURT OF APPEALS
FOR THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

CRYSTAL JOHNSON, :
 :
 Complainant, :
 :
 vs. : CASE NO. HR-691-83
 :
 IRENE WALTZ, :
 :
 Respondent. :

ORDER

On the 20th day of May, 1985, came the Respondent, IRENE WALTZ, by her Counsel, James O. Watkins, Jr., and Moved that this matter be dismissed for reason that the Human Rights Commission does not have jurisdiction over this case because the "Apartment" referred to in the Complaint is not a "Housing Accomodation" as defined by Chapter 5, Article 11, Section 3(K), of the West Virginia Code as Amended, but is rather a room in the Respondent's residence.

Pursuant to the arguments made in support of said Motion, said arguments not being contested or denied by the Complainant, and without objection of the Complainant,

The Hearing Examiner, perceiving no reason not to allow the Motion, recommends that the Commission dismiss this case from its docket as jurisdiction is lacking thereupon.

ENTERED this 22nd day of July, 1985.

RECEIVED

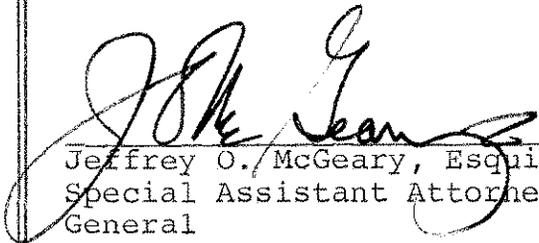
AUG 8 1985

W.V. HUMAN RIGHTS COMM.

[Signature]

Gary A. Sacco, Hearing Examiner

[Signature]


Jeffrey O. McGeary, Esquire
Special Assistant Attorney
General


James O. Watkins, Jr., Esquire