

Notice of Variances and Waivers

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

The Agency for Persons with Disabilities hereby gives notice that on October 23, 2015, the Agency for Persons with Disabilities received a petition for a waiver from paragraph 65G-5.004(2)(d), F.A.C., from T.S. (Petitioner). The rule states in part: "Neither the supported living provider nor the immediate family of the supported living provider shall serve as landlord or have any interest in the ownership of the housing unit." Petitioner sought a waiver from paragraph 65G-5.004(2)(b), F.A.C., and indicates that R.S. has been living in the home owned by her provider for more than 20 years, has received intense specialized care while there, and regards the residence as her home. The Agency agrees that strict application of the rule would cause a significant hardship to R.S., and would preclude R.S. from receiving necessary personal support services from the provider she has known all of her life in the familiar environment she considers her home. The waiver shall be effective January 1, 2016, and shall expire on December 31, 2016. As previously established in the initial rule waiver issued on May 29, 2015, the waiver continues to be subject to annual renewal every calendar year starting January 1 pending receipt of a new petition. The order granting the petition was issued on November 19, 2015.

A copy of the Order or additional information may be obtained by contacting: David De La Paz, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399-0950, david.delapaz@apdcares.org.