

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST)	
FOR REVIEW BY:)	CHARGE NO.: 2012CP2090
)	EEOC NO.: N/A
SAMUEL TURKS)	ALS NO.: 13-0277
)	
)	
)	
Petitioner.)	

ORDER

This matter coming before the Commission by a panel of three, Chair Rose Mary Bombela-Tobias and Commissioners Patricia Bakalis Yadgir and Duke Alden presiding, upon the Request for Review (“Request”) of Samuel Turks (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”) of Charge No. 2012CP2090 and the Commission having reviewed all pleadings filed in accordance with 56 Ill. Admin. Code, Ch. XI, Subpt. D, § 5300.400, and the Commission being fully advised upon the premises;

NOW, THEREFORE it is hereby **ORDERED** that the Respondent’s dismissal of the Petitioner’s charge for Lack of Substantial Evidence is **SUSTAINED**.

DISCUSSION

On July 26, 2011, the Petitioner filed a charge with the Respondent alleging that Pacific Garden Mission (“Pacific”) denied him full enjoyment of its services as a place of public accommodation because of his race, Black, when two security guards forced him to leave a shelter in violation of Section 5-102(A) of the Illinois Human Rights Act.

On April 2, 2013, the Respondent dismissed the Petitioner’s charge for Lack of Substantial Evidence. The Petitioner filed a timely Request.

The Commission concludes that the Respondent properly dismissed the Petitioner’s claims for Lack of Substantial Evidence. If no substantial evidence of discrimination exists after the Respondent’s investigation of a charge, the charge must be dismissed. 775 ILCS 5/7A-102(D). Substantial evidence exists when the evidence is such that a reasonable mind would find the evidence sufficient to support a conclusion. In re Request for Review of John L. Schroeder, IHRC, Charge No. 1993CA2747, 1995 WL 793258, *2 (March 7, 1995). A finding of Lack of Substantial Evidence is proper here because the Petitioner has failed to prove a *prima facie* case of discrimination.

Generally, to establish a *prima facie* case of discrimination concerning a public accommodation, the Petitioner must show that: 1) the Petitioner is within a protected

