

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

February 21, 2024

The Fair Housing Board Meeting was held at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Scott Astrada, Chair
Amanda Buyalos, Vice-Chair
Shion Fenty
Stuart Gilchrist (12:00PM)
Myra Howard (left at 12:10PM)
Morton "Tracy" Marks, III
Owen R. Morgan
Angelo Phillos
John Scott
Angela West

Board members absent from the meeting:

Dean Lynch
Rachel Wright

DPOR Staff present for all or part of the meeting included:

Brian Wolford, Chief Deputy Director
Stephen Kirschner, LRPD Deputy Director (arrived at 11:43AM)
Anika Coleman, Executive Director
Tom Payne, CID Deputy Director
Lizbeth Hayes, Fair Housing Administrator
Breanne Lindsey, Regulatory Operations Administrator
Gezelle Glasgow, Administrative Coordinator
Angela Keefe-Thomas, Fair Housing Investigator
Alex Gordon, Fair Housing Investigator
Donnitria Mosby, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Dale Robinson, Program Conciliator

Todd Shockley and Joel Taubman from the Office of the Attorney General were present.

Mr. Astrada called the meeting to order at 10:03 A.M.

CALL TO ORDER

Ms. Coleman reviewed the emergency evacuation procedures.

EMERGENCY EGRESS

Mr. Astrada determined that a quorum was present.

**DETERMINATION OF
QUORUM**

Mr. Marks moved to approve the agenda. Ms. Howard seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott and West.

APPROVAL OF AGENDA

Mr. Marks moved to approve the minutes from the December 06, 2023, Board meeting. Ms. Howard seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott and West.

APPROVAL OF MINUTES

Mr. Astrada welcomed staff and guests of the audience. Ms. Coleman introduced Board staff to the Board members.

WELCOME AND INTRODUCTIONS

There was no public comment.

PUBLIC COMMENT

Liz Hayes, Fair Housing Administrator, updated the Board on the current investigative case load.

FAIR HOUSING ADMINISTRATOR'S REPORT

Ms. Hayes informed the Board that the following Agenda items would be deferred to the next Fair Housing Board meeting:

#3 Melissa Kelly v. Catholic Charities, Diocese of Arlington
FHB File Number: 2021-02594
HUD File Number: 03-21-8608-8

#9 Haley Corbin and Courtney Segretto v. Walter Muzo
FHB File Number: 2020-02409
HUD File Number: 03-21-5136-8

In the matter of **Syndi Carranza v. GTP Investment Properties, LLC and Gary T. Price FHB File Number: 2022-01135**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Elizabeth Coltrane, attorney for complainant, was present and addressed the Board. Derrick Whetzel, attorney for respondent addressed the Board via teleconference. A motion was made by Mr. Morgan to find no reasonable cause to believe the respondents discriminated against the complainant by otherwise making housing unavailable, discriminating in terms, conditions, or privileges, or by engaging in intimidation, coercion or harassment based on her national origin. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

Syndi Carranza v. GTP Investment Properties, LLC and Gary T. Price FHB File Number: 2022-01135 HUD File Number: 03-22-0350-8

In the matter of **Linda Ratledge v. Jackie & Jennifer Atkinson FHB File Number: 2020-01149**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of Attorney General. Robert Vaughan, attorney for respondent, was present and addressed the Board.

Linda Ratledge v. Jackie & Jennifer Atkinson FHB File Number: 2020-01149 HUD File Number: 03-19-3720-8

At 10:28 A.M., Ms. Buyalos moved that the Board meeting be recessed and that the Fair Housing Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the Code of Virginia. The following non-members were in attendance to reasonably aid the consideration of the topic: Joel Taubman, Todd Shockley, Brian Wolford, Anika Coleman, Tom Payne, Lizbeth Hayes, and David Dendulk (ADA support for Angela West).

Closed Session

Mr. Marks seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

This motion was made with respect to the matter(s) identified as agenda item(s):

Linda Ratledge v. Jackie & Jennifer Atkinson
FHB File Number: 2020-01149
HUD File Number: 03-19-3720-8

At 10:40 A.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

WHEREAS, the Fair Housing Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification of Closed Meeting

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by this Fair Housing Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that Fair Housing Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fair Housing Board.

VOTE: 10-0

AYES: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Dean Lynch and Rachel Wright

Upon reconvening in an open session, a motion was made by Ms. Buyalos to find reasonable cause to believe the Respondents imposed discriminatory terms and conditions based on the Complainant's disability and refused to rent or otherwise made housing unavailable or failed to make a reasonable accommodation for the Complainant's disability.

Reconvene in Open Session

Ms. West seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

In the matter of **The Equal Rights Center v. Heartland Manassas Limited Partnership and Heartland Realty Investors, Inc. FHB File Number: 2023-01359**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of Attorney General. Sheila Melton, Asset Manager for the respondents, was present and addressed the Board.

The Equal Rights Center v. Heartland Manassas Limited Partnership and Heartland Realty Investors, Inc.
FHB File Number: 2023-01359
HUD File Number: N/A

At 10:51 A.M., Ms. Buyalos moved that the Board meeting be recessed and that the Fair Housing Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the Code of Virginia. The following non-members were in attendance to reasonably aid the consideration of the topic: Joel Taubman, Todd Shockley, Brian Wolford, Anika Coleman, Tom Payne, Lizbeth Hayes, and David Dendulk (ADA support for Angela West).

Closed Session

Mr. Marks seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

This motion was made with respect to the matter(s) identified as agenda item(s):

The Equal Rights Center v. Heartland Manassas Limited Partnership and Heartland Realty Investors, Inc.

FHB File Number: 2023-01359
HUD File Number: N/A

At 11:07 A.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

WHEREAS, the Fair Housing Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

Closed Session
Certification of Closed Meeting

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by this Fair Housing Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that Fair Housing Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fair Housing Board.

VOTE: 10-0

AYES: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Dean Lynch and Rachel Wright

Upon reconvening in an open session, a motion was made by Mr. Marks to find reasonable cause to believe the Respondents otherwise denied or made housing unavailable and discriminated in terms, conditions, or privileges of a rental based on source of funds.

Ms. West seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

Reconvene in Open Session

In the matter of **Debra Long v. Big Bear Properties, LLC, Marie March, Earnest Smith and Gabe Martin FHB File Number: 2023-00682**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither the complainant or respondents attended the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Mr. Morgan to find no reasonable cause to believe the respondents discriminated against the complainant by failing to make a reasonable accommodation, imposing discriminatory terms and conditions, by engaging in intimidation based on the complainant's disability and sex (sexual harassment,) or by engaging in retaliation based on the complainant having been engaged in a protected activity. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

Debra Long v. Big Bear Properties, LLC, Marie March, Earnest Smith and Gabe Martin
FHB File Number: 2023-00682
HUD File Number: 03-23-3108-8

In the matter of **Zsдания McRae v. KAIFTYK Realty, Inc., Yasmeen Mahmood and Carlos Dubose FHB File Number: 2022-01793**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither the complainant or respondents attended the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Ms. Howard to find no reasonable cause to believe the respondents discriminated against the complainant by otherwise making housing unavailable, imposing discriminatory terms and conditions, steering, or retaliation based on the complainant's familial status and sex (female.)

Zsдания McRae v. KAIFTYK Realty, Inc., Yasmeen Mahmood and Carlos Dubose
FHB File Number: 2022-01793
HUD File Number: 03-22-0895-8

Mr. Phillos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

In the matter of **Michael Bankston v. George Gieselman and John Michael Gieselman Irrevocable Trust FHB File Number: 2022-00983**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither the complainant or respondents attended the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Ms. Buyalos to find no reasonable to believe the Respondents denied or made housing unavailable and discriminated in terms, conditions, or privileges of a rental based on the Complainant's race.

Michael Bankston v. George Gieselman and John Michael Gieselman Irrevocable Trust
FHB File Number: 2022-00983
HUD File Number: 03-22-0250-8

Mr. Marks seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

A motion was made by Mr. Marks to take FHB File Number: 2023-02968 and FHB File Number: 2021-01400 as a block vote.

**BLOCK VOTE OF
CONCILIATION
AGREEMENTS**

Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

In the matter of **Tamesha Thompson v. Meadowbrook Apartments, LLC FHB File Number: 2023-02968**, a motion was made by Mr. Marks to approve the conciliation agreement as agreed to by the parties. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

**Tamesha Thompson v.
Meadowbrook Apartments,
LLC
FHB File Number: 2023-
02968
HUD File Number: Not
Eligible**

In the matter of **11. Jessica Paige Wright v. Michael E. Heath, Michael T. Heath and Jeffrey G. Heath FHB File Number: 2021-01400**, a motion was made by Mr. Marks to approve the conciliation agreement as agreed to by the parties. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

**Jessica Paige Wright v.
Michael E. Heath, Michael
T. Heath and Jeffrey G.
Heath
FHB File Number: 2021-
01400
HUD File Number: 03-21-
7359-8**

END OF BLOCK VOTE

In the matter of **William Jackson v. Highland Associates, LP and Property Management of Roanoke, LLC FHB File Number: 2023-00436**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Vanessa Keasler, attorney for the respondents, was present and addressed the Board.

**William Jackson v.
Highland Associates, LP and
Property Management of
Roanoke, LLC
FHB File Number: 2023-
00436
HUD File Number: 03-22-
2023-8**

At 11:28 A.M., Ms. Buyalos moved that the Board meeting be recessed and that the Fair Housing Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the Code of Virginia. The following non-members were in attendance to reasonably aid the consideration of the topic: Joel Taubman, Todd Shockley, Brian Wolford, Anika Coleman, Tom Payne, Lizbeth Hayes, Donnitria Mosby, and David Dendulk (ADA support for Angela West).

Closed Session

Ms. Howard seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

This motion was made with respect to the matter(s) identified as agenda item(s):

William Jackson v. Highland Associates, LP and Property Management of Roanoke, LLC
FHB File Number: 2023-00436
HUD File Number: 03-22-2023-8

At 11:34 A.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

WHEREAS, the Fair Housing Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

Closed Session
Certification of Closed Meeting

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by this Fair Housing Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that Fair Housing Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fair Housing Board.

VOTE: 10-0

AYES: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Dean Lynch and Rachel Wright

Upon reconvening in an open session, a motion was made by Mr. **Reconvene in Open Session**

Morgan to find no reasonable cause to believe the respondents discriminated against the complainant by otherwise making housing unavailable, discriminating in the terms or conditions, privileges, services, and facilities, or by intimidating, coercing, or interfering with the complainant's right to use and enjoy his dwelling because of his race or disability.

Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

**ADMINISTRATIVE
ISSUES**

Mr. Shockley provided the Board with the litigation update.

Litigation Summary

Ms. Coleman provided a report from the February 21, 2024, Fair Housing Education Committee meeting. The Board by consensus adopted the February 21, 2024 Fair Housing Education Committee meeting report.

**Education Committee
Report**

There was no old business presented.

OLD BUSINESS

The Board reviewed the financial statement. There was no action taken by the Board.

**NEW BUSINESS
Board Financial Statement**

Ms. Coleman informed the Board that the date for the Fair Housing Regulatory Review Committee meeting will take place on March 13, 2024 instead of March 27, 2024.

**Regulatory Review
Committee meeting**

Mr. Astrada informed Board members if they wish to volunteer to for the regulatory review committee to let Board staff know.

Ms. Coleman informed the Board that the Board Member Training Conference will take place October 10-11, 2024.

**Board Member Training
Conference**

The Board recessed from 11:47AM to 12:16PM.

Recess

Ms. Hayes, Mr. Shockley, and Mr. Robinson conducted Fair Housing training for the Board.

Fair Housing Training

The Board adjourned at 2:36 P.M.

ADJOURN

Scott Astrada, Chair

Kishore S. Thota, Secretary

DRAFT