

**VIRGINIA FAIR HOUSING BOARD**

**MINUTES OF MEETING**

**November 29, 2006**

The Fair Housing Board Meeting was held at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. The following Board members were present:

David B. Rubinstein, Chairman  
Neil Bhatt  
Cynthia Clare  
Laura Dupuy (arrived at 10:20 AM)  
Rhonda Harmon  
Robert Ruais  
James Schuyler

The following Board Members were not present: Mark Berven, Jeffrey Adkins, Penny Johnson, and Martin Maples

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

Jay DeBoer, Director  
David Ashe, Chief Deputy Director  
Liz Hayes, Fair Housing Administrator  
Christine Martine, Executive Director  
Chris Olson, Administrative Assistant  
Deanda Shelton, Fair Housing Investigator  
Trudy Miller, Fair Housing Investigator  
Angela Keefe-Thomas, Fair Housing Investigator  
Karen Taylor, Fair Housing Specialist  
Robert Whittaker, Program Conciliator

Tom Payne, Assistant Attorney General with the Office of the Attorney General, was present.

Chairman Rubinstein called the meeting to order at 10:17 AM.

Call to Order

A motion was made by Mr. Schuyler and seconded by Ms. Clare to approve the Agenda. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Harmon, Ruais, Rubinstein, and Schuyler.

**Agenda**

A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the following minutes: October 4, 2006, Fair Housing Board Meeting. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Harmon, Ruais, Rubinstein, and Schuyler.

**Minutes**

Susan Scovill introduced Amanda Healy as the new staff member at HOME.

**Public Comment**

Board Member Laura Dupuy arrived at 10:20 AM.

**Arrival of Board Member**

Liz Hayes updated the Board on the current investigative case load. No action was taken by the Board.

**Fair Housing Administrators Report**

Ms. Hayes requested that the Board revise its reconsideration policy to allow thirty (30) days for reconsideration rather than sixty (60) days. A motion was made by Ms. Clare and seconded by Ms. Harmon to adopt the reconsideration policy as requested by staff. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

In the matter of FHB File Number 2006-04515, Robert and Brenda Hayes v. King and Queen County Board of Zoning Appeals and King and Queen County Planning Commission, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Robert Hayes, the complainant, and Andrea Erard, Attorney for the Respondent, were present and addressed the Board. A motion was made by Ms. Harmon and seconded by Mr. Schuyler to refer this matter to the Attorney Generals Office for an Official Consultation Memorandum. The motion failed. Members voting "Yes" were Harmon, Rubinstein, and Schuyler. Members voting "No" were Bhatt, Clare, Dupuy, and Ruais.

**FHB File Number 2006-04515, Robert and Brenda Hayes v. King and Queen County Board of Zoning Appeals and King and Queen County Planning Commission**

A motion was made by Ms. Clare and seconded by Mr. Bhatt to close the case with a finding of no reasonable cause. The motion passed by majority vote. Members voting "Yes" were Bhatt, Clare, Dupuy, Ruais, and Rubinstein. Members voting "No" were Harmon and Schuyler.

In the matter of FHB File Number 2007-00330, John Parker v. Mercury Investment Company LP, t/a Mercury West Apartments, Marcia Frye and Susan Frye, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Marcia Frye, the Respondent, was present and addressed the Board. A motion was made by Ms. Harmon and seconded by Ms. Dupuy to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

FHB File Number 2007-00330, John Parker v. Mercury Investment Company LP, t/a Mercury West Apartments, Marcia Frye and Susan Frye

In the matter of FHB File Number 2006-01339, Jennifer Price v. Charlottesville Redevelopment and Housing Authority, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, and an Official Attorney General Memorandum. Pat Lavelle, Attorney for the Complainant, was present and addressed the Board. A motion was made by Ms. Dupuy and seconded by Mr. Ruais to find reasonable cause against the respondents in the matter, due to their refusal to make a reasonable accommodation for the complainant's disability. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-01339, Jennifer Price v. Charlottesville Redevelopment and Housing Authority

The Board agreed without dissent to defer issuing a charge for a period of thirty days to allow staff the opportunity to pursue conciliation.

In the matter of FHB File Number 2006-04858, Barbara Rogers v. William Baxter and Lelia Baxter, the Board agreed without dissent to defer the case until the next scheduled Board meeting to allow staff the opportunity to collect additional information.

FHB File Number 2006-04858, Barbara Rogers v. William Baxter and Lelia Baxter

In the matter of FHB File Number 2006-04988, Constance Miller v. Weldon and Brenda Overbay, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Clare and seconded by Mr. Schuyler to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-04988, Constance Miller v. Weldon and Brenda Overbay

In the matter of FHB File Number 2006-03472, Lamont and Regina Nash v. Greg Harlowe and All Fund Mortgage Corporation, Inc., the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Bhatt to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-03472, Lamont and Regina Nash v. Greg Harlowe and All Fund Mortgage Corporation, Inc.

In the matter of FHB File Number 2006-04752, Michael and Lynn Koenig v. Edward Gibson, III, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-04752, Michael and Lynn Koenig v. Edward Gibson, III

In the matter of FHB File Number 2006-05162, Monica Early v. Prince William County Housing & Community Development, Julian Bermudez, Shawn Williams, and Joanne Lewis, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Bhatt to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-05162, Monica Early v. Prince William County Housing & Community Development, Julian Bermudez, Shawn Williams, and Joanne Lewis

In the matter of FHB File Number 2005-02742, Jaider and Isael Pineda v. Millennium Mortgage Corporation, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, and an Official Attorney General Memorandum. A motion was made by Mr. Ruais and seconded by Ms. Harmon to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

FHB File Number 2005-02742, Jaider and Isael Pineda v. Millennium Mortgage Corporation

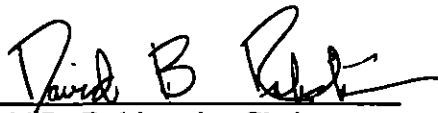
The Board considered the matters of FHB File Number 2006-00395, Jason and Carol Sapp v. Shelby Marin; FHB File Number 2007-01506, Doris Kruty and Ricky Coleman v. Catina Carter and Greens at Northridge, LP; FHB File Number 2006-04757, Maurice and Sheila Kaprow v. Browningstone Village at Westneck Condominium Association, Inc. Board of Directors; and FHB File Number 2007-01206, Marie and Jose Ortiz v. Kelly Marsh, The Heights at Olde

Conciliation Agreements

**Towne, Fort Nelson Apartments, LLC, Roseland Property Company.** A motion was made by Ms. Clare and seconded by Mr. Schuyler to approve the terms of the conciliation agreements as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Ruais, Rubinstein, and Schuyler.

There being no further business, the meeting adjourned at 12:05 PM.

Adjourn

  
\_\_\_\_\_  
David B. Rubinstein, Chairman

  
\_\_\_\_\_  
Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: David B. Rubinstein
2. Title: Chairman - Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_ n/a \_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 29, 2006

Signature: \_\_\_\_\_

David Rubinstein

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Nilkanth R. Bhatt
2. Title: Member - Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: N/A

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 29, 2006

Signature: \_\_\_\_\_



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

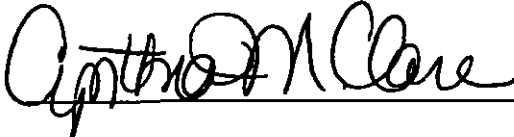
1. Name: Cynthia M. Clare
2. Title: Member - Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 29, 2006

Signature: 



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

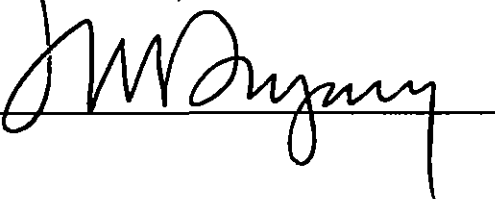
**TRANSACTIONAL DISCLOSURE STATEMENT**

- 1. Name: Laura N. Dupuy
- 2. Title: Member - Virginia Fair Housing Board
- 3. Agency: Department of Professional and Occupational Regulation
- 4. Transaction: Board Meeting
- 5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

- 6. I declare that:
  - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 29, 2006

Signature: 

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

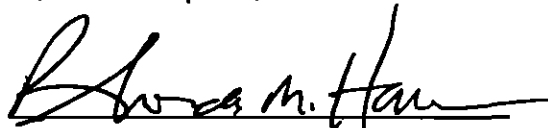
1. Name: Rhonda M. Harmon
2. Title: Member - Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 29, 2006

Signature: 

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

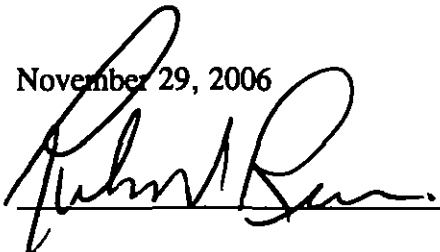
- 1. Name: Robert D. Ruais
- 2. Title: Member - Virginia Fair Housing Board
- 3. Agency: Department of Professional and Occupational Regulation
- 4. Transaction: Board Meeting
- 5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 29, 2006

Signature: 

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: James H. Schuyler
2. Title: Vice Chairman - Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 29, 2006

Signature: James Schuyler