

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

June 8, 2016

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:

Andrew Reisinger, Vice-Chair
Larry Murphy
Bob Schaberg
Myra Howard
Linda Melton
Stephen Northup
Rosemary Wilson
Valerie L.T. Roth
Erica Woods-Warrior, Ed.D.

The following Board members were absent: Jim Ginnell, Chair
John Crouse

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

Jay DeBoer, Director
Christine Martine, Executive Director
Jeffrey Williams, Board Administrator
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Emily Trent, Administrative Assistant
Anglea Keefe-Thomas, Fair Housing Investigator
Trudy Miller, Fair Housing Investigator
Donnitria Whitfield, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator

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

Mr. Reisinger called the meeting to order at 10:04 A.M. **Call to Order**

A motion was made by Ms. Wilson and seconded by Mr. Murphy to approve the Agenda. **Agenda** The motion passed unanimously. Members voting "Yes" were: Howard,

Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

A motion was made by Ms. Wilson and seconded by Ms. Roth to approve the March 30, 2016, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

Minutes

There was no public comment.

Public Comment

Liz Hayes updated the Board on the current investigative case load.

**Fair Housing
Administrator's Report**

In the matter of **FHB File Number 2016-01221, Cornelia Toribio v. Woodbridge Station Apartments LLC, Foulger-Pratt Residential LLC, and Nicole St. Amand**, the case was deferred to the next Board meeting.

FHB File Number 2016-01221, Cornelia Toribio v. Woodbridge Station Apartments LLC, Foulger-Pratt Residential LLC, and Nicole St. Amand

In the matter of **FHB File Number 2015-01648, Donyll Smith v. The Four Winds Club, Inc., The Four Winds Club, Inc. Board of Directors and David Rhondell Rutland**, the case was deferred to the next Board meeting.

FHB File Number 2015-01648, Donyll Smith v. The Four Winds Club, Inc., The Four Winds Club, Inc. Board of Directors and David Rhondell Rutland

In the matter of **FHB File Number 2016-02094, Kendall Nicholson v. Biringer Builders, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Supplemental Final Investigative Report. Robert Pannell, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Wilson and seconded by Dr. Woods-Warrior to find no reasonable cause. The motion passed by majority vote. Members voting "Yes" were: Howard, Melton, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior. Member voting "No" Murphy.

FHB File Number 2016-02094, Kendall Nicholson v. Biringer Builders, Inc.

In the matter of **FHB File Number 2016-01631, Merghani Kuna v. Fairfax County Department of Housing & Community Development**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Sarah Townes, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Wilson and seconded by Mr. Murphy to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

FHB File Number 2016-01631, Merghani Kuna v. Fairfax County Department of Housing & Community Development

In the matter of **FHB File Number 2016-01228, Ericka Jenkins v. Action in Community Through Service of Prince William & Letetia Fender**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ericka Jenkins, complainant, was present and addressed the Board. A motion was made by Ms. Wilson and seconded by Mr. Murphy to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

FHB File Number 2016-01228, Ericka Jenkins v. Action in Community Through Service of Prince William & Letetia Fender

In the matter of **FHB File Number 2015-00678, Erica Gaines v. Dennis Templeton and Middlesex Management, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation, Supplemental Case Analysis and Official Consultation Memorandum from the Office of the Attorney General. Erica Gaines, complainant, and Jeanne Bono, representative for the respondents, were present and addressed the Board.

FHB File Number 2015-00678, Erica Gaines v. Dennis Templeton and Middlesex Management, LLC

At 10:41 A.M., Ms. Howard offered a motion which was seconded by Mr. Schaberg, 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 will be in attendance to reasonably aid the consideration of the topic: Jay DeBoer, Tom Payne, Liz Hayes and Loraine Schroeder.

Closed Session

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

9. FHB File Number 2015-00678, Erica Gaines v. Dennis Templeton and Middlesex Management, LLC

At 10:56 A.M., a motion was made by Mr. Schaberg and seconded by Ms. Roth that the Board reconvene in open session.

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

FHB File Number 2015-00678, Erica Gaines v. Dennis Templeton and Middlesex Management, LLC

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 the 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: 9-0

AYES: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Crouse and Ginnell.

In the matter of **FHB File Number 2015-00678, Erica Gaines v. Dennis Templeton and Middlesex Management, LLC**, a motion was made by Dr. Woods-Warrior and seconded by Mr. Northup to find reasonable cause the respondents discriminated against complainant by

FHB File Number 2015-00678, Erica Gaines v. Dennis Templeton and Middlesex Management, LLC

refusal to rent based on familial status; by applying discriminatory terms and conditions based on familial status; and by making discriminatory statements based on familial status. The motion passed unanimously. Members voting "Yes" were: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

In the matter of **FHB File Number 2016-02052, Shirley Hutt v. Hopewell Redevelopment and Housing Authority; Gregory Peay, Housing Manager; and Lafonia Thornton, Acting Housing Manager**, a motion was made by Ms. Wilson and seconded by Mr. Northup to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

FHB File Number 2016-02052, Shirley Hutt v. Hopewell Redevelopment and Housing Authority; Gregory Peay, Housing Manager; and Lafonia Thornton, Acting Housing Manager

In the matter of **FHB File Number 2016-01491, Glenn Douglas v. Watergate at Landmark Condominium Unit Owners Association**, a motion was made by Ms. Wilson and seconded by Mr. Northup to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

FHB File Number 2016-01491, Glenn Douglas v. Watergate at Landmark Condominium Unit Owners Association

In the matter of **FHB File Number 2016-02093, Teresa Mills and Donald Barrett v. Wildwood Park Apartments, LC and Dittmar Company**, a motion was made by Ms. Wilson and seconded by Mr. Northup to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

FHB File Number 2016-02093, Teresa Mills and Donald Barrett v. Wildwood Park Apartments, LC and Dittmar Company

A motion was made by Ms. Wilson and seconded by Ms. Melton to adopt the following resolution to honor the years of dedicated service by former Board Member Linda Broady-Myers to the Board:

Resolution

RESOLUTION IN HONOR OF

Linda Broady-Myers

WHEREAS, **Linda Broady-Myers**, has faithfully and diligently served as a member of the Fair Housing Board

since 2011; and

WHEREAS, **Linda Broady-Myers**, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, **Linda Broady-Myers**, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Fair Housing Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Fair Housing Board this eighth day of June, 2016 that **Linda Broady-Myers** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Fair Housing Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

The motion passed unanimously. Members voting "Yes" were: Howard, Melton, Murphy, Northup, Reisinger, Roth, Schaberg, Wilson and Woods-Warrior.

Tom Payne gave the Board a litigation update.

New Business

Liz Hayes and Deanda Shelton conducted Fair Housing Board training.

Administrative Issues

Dr. Woods-Warrior departed the meeting at 11:13 A.M.

Departure of Board Members

Ms. Wilson departed the meeting at 12:08 P.M.

The Board adjourned at 12:54 P.M.

Andrew Reisinger, Vice-Chair

Jay DeBoer, Secretary