

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

October 9, 2013

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:

F. Thomas Eck, IV, Chair
Phyllis Randall, Vice-Chair
Bob Boynton
Matthew K. Kim
Rosemary Wilson
Andrew Reisinger
Francis Stevens
Thomas Gifford
Jim Ginnell

The following Board members were absent: Linda Broady-Myers
David Rubinstein
Jeffrey Adkins

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

Gordon Dixon, Director
Christine Martine, Executive Director
Mark Courtney, Senior Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Emily Trent, Administrative Assistant
Angela Keefe-Thomas, Fair Housing Investigator
Matthew Benson, Fair Housing Investigator
Trudy Miller, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Jeffrey Williams, Board Administrator

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

Mr. Eck called the meeting to order at 10:02 A.M.

Call to Order

A motion was made by Ms. Wilson and seconded by Mr. Gifford to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

Agenda

A motion was made by Ms. Wilson and seconded by Mr. Stevens to approve the August 7, 2013, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

Minutes

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

**Fair Housing
Administrator's Report**

In the matter of **FHB File Number 2013-03130, Jacqueline Dowell v. Shenandoah Associates/Weitz Managing General Partner and Thelma Cardoso**, the case was deferred to the next Board.

FHB File Number 2013-03130, Jacqueline Dowell v. Shenandoah Associates/Weitz Managing General Partner and Thelma Cardoso

In the matter of **FHB File Number 2013-01756, Mohamed Rahiman v. Bank of America, N.A., George Alberson, Bernard Jones, and Nancy Anaya**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mohamed Rahiman, complainant, and David McDonough, attorney for the respondents, were present and addressed the Board. A motion was made by Ms. Randall and seconded by Mr. Gifford to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

FHB File Number 2013-01756, Mohamed Rahiman v. Bank of America, N.A., George Alberson, Bernard Jones, and Nancy Anaya

In the matter of **FHB File Number 2013-03164, Edward Singleton v. Toll Brothers Incorporated and Loudoun Valley Associates, LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Edward Singleton, complainant, was present and addressed the Board. A motion was made by Mr. Gifford and seconded by Mr. Ginnell to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting

FHB File Number 2013-03164, Edward Singleton v. Toll Brothers Incorporated and Loudoun Valley Associates, LP

"Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

In the matter of **FHB File Number 2013-02665, Sandra Tomey v. The Meadows Housing Corporation and Piedmont Housing Alliance**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Sandra Tomey, complainant, and Ella Jo Thompson, witness for the respondent, were present and addressed the Board. A motion was made by Mr. Ginnell and seconded by Ms. Wilson to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

FHB File Number 2013-02665, Sandra Tomey v. The Meadows Housing Corporation and Piedmont Housing Alliance

In the matter of **FHB File Number 2013-01897, Karen E. Gunter v. Liz Dubrule and Central Virginia Housing Coalition**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, revised Case Analysis and supplemental Final Investigative Report. A motion was made by Mr. Boynton and seconded by Ms. Wilson to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

FHB File Number 2013-01897, Karen E. Gunter v. Liz Dubrule and Central Virginia Housing Coalition

In the matter of **FHB File Number 2013-03133, William Young and Suzie Haslinger v. Mary Hummel, Emerald Point, LLC, and Breeden Property Management, LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Gifford and seconded by Mr. Kim to close the case with a finding of no reasonable cause. The motion passed by majority vote. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Reisinger, Stevens and Wilson. Member voting "No" was Randall.

FHB File Number 2013-03133, William Young and Suzie Haslinger v. Mary Hummel, Emerald Point, LLC, and Breeden Property Management, LLC

In the matter of **FHB File Number 2013-01910, Samuel Secrest, Martha Sue Secrest and William Crotty v. Tennessee Investments and Andy Stowasser**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and

FHB File Number 2013-01910, Samuel Secrest, Martha Sue Secrest and William Crotty v. Tennessee Investments

Recommendation and Official Consultation Memorandum from the Office of the Attorney General. A motion was made by Ms. Randall and seconded by Mr. Boynton to find reasonable cause that the respondents discriminated against the complainants by refusing to negotiate for rental of dwelling based on disability. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

and Andy Stowasser

A motion was made by Ms. Randall and seconded by Mr. Boynton to find reasonable cause that the respondents discriminated against the complainants by subjecting the complainants to discriminatory terms and conditions based on disability. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

A motion was made by Ms. Randall and seconded by Mr. Boynton to find reasonable cause that the respondents discriminated against the complainants by making discriminatory statements based on disability. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

In the matter of **FHB File Number 2013-00480, Frederick Kelly v. Marina Point Council of Unit Owners, Inc. Board of Directors**, a motion was made by Mr. Gifford and seconded by Ms. Wilson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

FHB File Number 2013-00480, Frederick Kelly v. Marina Point Council of Unit Owners, Inc. Board of Directors

In the matter of **FHB File Number 2013-03360, Deborah Pierce v. ABM Properties, LLC, Gary Wiley and Carol Wiley**, a motion was made by Mr. Kim and seconded by Mr. Stevens to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

FHB File Number 2013-03360, Deborah Pierce v. ABM Properties, LLC, Gary Wiley and Carol Wiley

A motion was made by Mr. Kim and seconded by Ms.

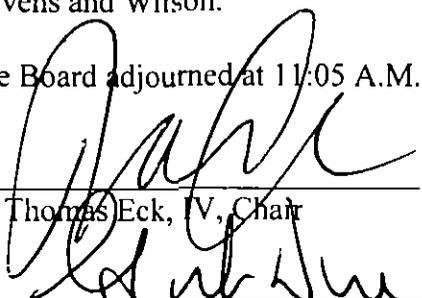
Administrative Issues

Randall to approve the October 9, 2013, Education Committee report. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

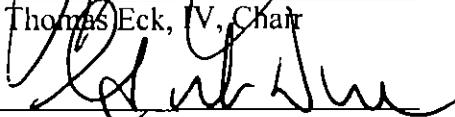
Tom Payne gave the Board a litigation update. No action **New Business** was taken by the Board.

A motion was made by Mr. Eck and seconded by Mr. Reisinger to delegate authority to the Fair Housing Administrator to approve conciliation agreements that precede any finding of reasonable cause. The motion passed unanimously. Members voting "Yes" were: Boynton, Eck, Gifford, Ginnell, Kim, Randall, Reisinger, Stevens and Wilson.

The Board adjourned at 11:05 A.M.



F. Thomas Eck, IV, Chair



Gordon Dixon, Secretary

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Francis Stevens
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Francis Stevens
Signature

10/9/13
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Andrew Reisinger
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I do not have a personal interest in any transactions taken at this meeting.


Signature

10/9/13
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Matthew K. Kim
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

_____ (Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature

10/9/2013
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Thomas C. Gifford
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

_____ (Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature

10/9/13
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Rosemary Wilson
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I do not have a personal interest in any transactions taken at this meeting.

Rosemary Wilson
Signature

10-9-13
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Bob Boynton
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

N/A
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

N/A

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

N/A

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Robert A. Boynton
Signature

October 9, 2013
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Phyllis Randall
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
or
 I did not participate in the transaction.
6. I do not have a personal interest in any transactions taken at this meeting.

Phyllis Randall
Signature

10 9-13
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: F. Thomas Eck, IV
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

_____ (Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

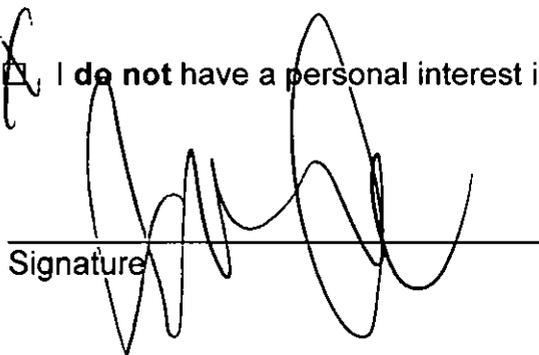
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature



Date

10/9/2013

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Jim Ginnell
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: October 9, 2013
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

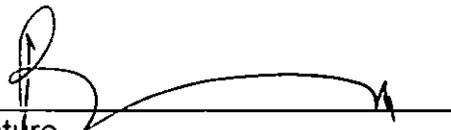
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature

10/9/2013
Date