

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

August 14, 2019

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:

Myra Howard, Chair
Larry Murphy, Vice-Chair
Candice L. Bennett
Stephen Northup
Valerie L.T. Roth
John Crouse
Dean A. Lynch
Linda Melton (arrived at 10:05 A.M.)
Sherman Gillums
T. Nicole Hebbe
Amanda Buyalos

Board member absent from the meeting: Scott Astrada

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

Christine Martine, Executive Director
James Chapman, Board Administrator
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Emily Trent, Administrative Assistant
Angela Keefe-Thomas, Fair Housing Investigator
Trudy Miller, Fair Housing Investigator
Donnitria Mosby, Fair Housing Investigator
Dominica McGowen, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator

Tom Payne, Senior Assistant Attorney General and Mona Siddiqui, Assistant Attorney General, with the Office of the Attorney General were present.

Ms. Howard called the meeting to order at 10:03 A.M.

Call to Order

A motion was made by Mr. Crouse and seconded by Ms. Roth to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Bennett,

Agenda

Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Murphy, Northup and Roth.

A motion was made by Ms. Roth and seconded by Mr. Murphy to approve the June 12, 2019, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Murphy, Northup and Roth.

There was no public comment.

Board member Linda Melton arrived at 10:05 A.M.

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

In the matter of **FHB File Number 2019-01188, Shawn Futrell v. Marc Lee and Lakeland Village Apartment Company**, the case was deferred for further investigation.

In the matter of **FHB File Number 2019-01439, Manwinder Kaur v. Amgulf Corporation, Village on Bull Run LLC, and Cristy Brown**, the case was deferred for further investigation.

In the matter of **FHB File Number 2019-00215, William Tribble v. Vistas on the James Condominium Owners Association, Inc. and Carol Daman-Hall**, the case was withdrawn.

In the matter of **FHB File Number 2019-00739, Katelyn Stanton, Paradigm 2250 Mill LLC and Michelle Frazier**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Official Consultation Memorandum from the Office of the Attorney General.

At 10:15 A.M., Mr. Northup offered a motion which was seconded by Ms. Melton, that the Board meeting be recessed

Minutes

Public Comment

Arrival of Board Membe

**Fair Housing
Administrator's Report**

FHB File Number 2019-01188, Shawn Futrell v. Marc Lee and Lakeland Village Apartment Company

FHB File Number 2019-01439, Manwinder Kaur v. Amgulf Corporation, Village on Bull Run LLC, and Cristy Brown

FHB File Number 2019-00215, William Tribble v. Vistas on the James Condominium Owners Association, Inc. and Carol Daman-Hall

FHB File Number 2019-00739, Katelyn Stanton, Paradigm 2250 Mill LLC and Michelle Frazier

Closed Session

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: Tom Payne, Mona Siddiqui, Liz Hayes and Trudy Miller.

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

6. FHB File Number 2019-00739, Katelyn Stanton v. Paradigm 2250 Mill LLC and Michelle Frazier

At 10:36 A.M., a motion was made by Mr. Lynch and seconded by Ms. Howard 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

Certification

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: 11-0

AYES: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Astrada.

In the matter of **FHB File Number 2019-00739, Katelyn Stanton v. Paradigm 2250 Mill LLC and Michelle Frazier**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Official Consultation Memorandum from the Office of the Attorney General. Jan Haub, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Bennett and seconded by Mr. Northup to find reasonable cause that the respondent, Paradigm 2250 Mill LLC, discriminated against the complainant by refusing to make a reasonable accommodation to allow the complainant, Katelyn Stanton, to fully use and enjoy her dwelling when it refused to recognize Katelyn Stanton's second cat as an assistance animal. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2019-00739, Katelyn Stanton v. Paradigm 2250 Mill LLC and Michelle Frazier

A motion was made by Mr. Murphy and seconded by Mr. Lynch to find no reasonable cause that Michelle Frazier, respondent, discriminated against the complainant, Katelyn Stanton, in her individual capacity by refusing to make a reasonable accommodation to allow the complainant, Katelyn Stanton to fully use and enjoy her dwelling when it refused to recognize Katelyn Stanton's second cat as an assistance animal. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

In the matter of **FHB File Number 2019-01726, David Clayton, Jr. v. Landmark Property Management Company, Mecha Perrow, Andrew Hudson, Lisa Elliot, and Martinsville Lofts, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Lynch and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by offering discriminatory terms and conditions or refusing to continue renting or otherwise make housing unavailable based on race. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums,

FHB File Number 2019-01726, David Clayton, Jr. v. Landmark Property Management Company, Mecha Perrow, Andrew Hudson, Lisa Elliot, and Martinsville Lofts, LLC

Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

In the matter of **FHB File Number 2019-01043, Linda N. Shores v. Richard E. Wallace**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Lynch and seconded by Ms. Roth to find no reasonable cause that the respondent discriminated against the complainant by refusing to rent or otherwise make housing unavailable, imposing discriminatory terms and conditions, or making a discriminatory statement based on the complainant's son's partner's race. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2019-01043, Linda N. Shores v. Richard E. Wallace

In the matter of **FHB File Number 2018-02001, Caitlin Gover v. Wayne Harris and AIMCO Foxchase, LP**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, supplemental Final Investigative Report and Official Consultation Memorandum from the Office of the Attorney General. A motion was made by Mr. Lynch and seconded by Ms. Roth to find no reasonable cause that the respondent, AIMCO Foxchase, LP, discriminated against the complainant by refusing to make a reasonable accommodation based on disability. The motion passed unanimously. Members voting "Yes" were: Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth. Bennett abstained from voting in this matter.

FHB File Number 2018-02001, Caitlin Gover v. Wayne Harris and AIMCO Foxchase, LP

A motion was made by Mr. Murphy and seconded by Mr. Lynch to find no reasonable cause that Wayne Harris, respondent, discriminated against the complainant, Caitlin Gover, in his individual capacity by refusing to make a reasonable accommodation based on disability. The motion passed unanimously. Members voting "Yes" were: Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth. Bennett abstained from voting in this matter.

In the matter of **FHB File Number 2019-02439, Catherine Yoder v. Mayhew Properties, LLC and E. Glenn Mayhew**, a motion was made by Ms. Melton and seconded by Mr. Northup to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed

FHB File Number 2019-02439, Catherine Yoder v. Mayhew Properties, LLC and E. Glenn Mayhew

unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

In the matter of **FHB File Number 2019-02445, Ellen Mosher v. Sedwick, LLC**, a motion was made by Ms. Melton 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: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2019-02445, Ellen Mosher v. Sedwick, LLC

In the matter of **FHB File Number 2019-02350, Raymond Lange v. Frances Marcum, Frances Marcum and The Marcum Unified Credit Trust, and the Roger Eugene Budner and Judith Helms Budner Trust U/A**, a motion was made by Ms. Melton 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: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2019-02350, Raymond Lange v. Frances Marcum, Frances Marcum and The Marcum Unified Credit Trust, and the Roger Eugene Budner and Judith Helms Budner Trust U/A

In the matter of **FHB File Number 2019-02614, Mahesh Patel v. Bradford Groome, Bradford Homes, Inc., Grey Oaks Homeowners Association, Inc., and Association Community Services, Inc. dba MyStreet Community Management**, a motion was made by Ms. Melton 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: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2019-02614, Mahesh Patel v. Bradford Groome, Bradford Homes, Inc., Grey Oaks Homeowners Association, Inc., and Association Community Services, Inc. dba MyStreet Community Management

In the matter of **FHB File Number 2019-02753, Tenasha Glenn v. Lighthouse City Line, LLC and Orbach Affordable Management, LLC**, a motion was made by Ms. Roth and seconded by Mr. Crouse to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth. A motion was made by Mr. Northup and seconded by Ms. Bennett to deny the parties' request that the Board determine that disclosure of the conciliation agreement is not required to further the purposes of the Virginia Fair Housing Law. The motion

FHB File Number 2019-02753, Tenasha Glenn v. Lighthouse City Line, LLC and Orbach Affordable Management, LLC

passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

Mr. Payne provided the Board with the litigation update.

New Business

A motion was made by Mr. Crouse and seconded by Ms. Melton to approve the August 14, 2019, Fair Housing Education Committee report. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Crouse, Gillums, Hebbe, Howard, Lynch, Melton, Murphy, Northup and Roth.

The Board adjourned at 10:49 A.M.


Myra Howard, Chair


Mary Broz Vaughan, Secretary

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

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

1. Name: Nicole Hebbe
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(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.

Nicole Hebbe
Signature

08/14/19
Date

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

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

1. Name: Sherman Gillums
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(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:

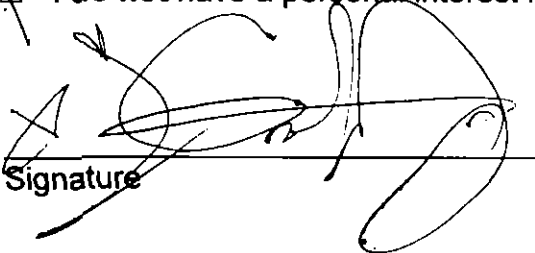
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

8/14/19

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

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

1. Name: Candice L. Bennett
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(Date)

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

#7 FHB File # 2018-02001
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I have a personal relationship with a VP at AIMCA

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.


Signature

8/14/19
Date

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

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

1. Name: Valerie L. T. Roth
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

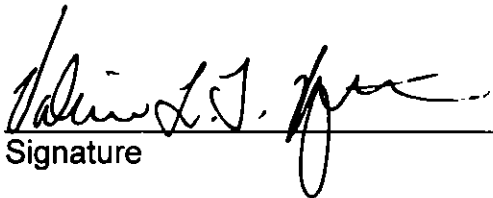
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

8/14/19
Date

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

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

1. Name: Dean A. Lynch
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

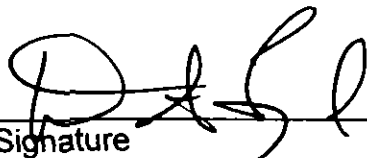
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

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

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

1. Name: John H. Crouse
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

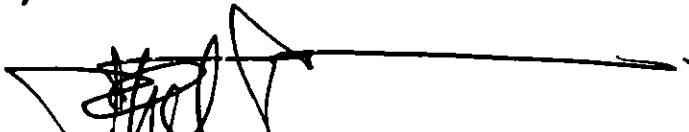
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

8.14.19

Date

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

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

1. Name: Stephen A. Northup
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

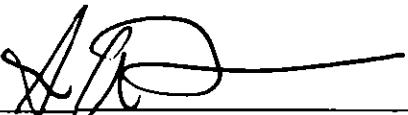
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

8/14/19
Date

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

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

1. Name: Larry B. Murphy
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

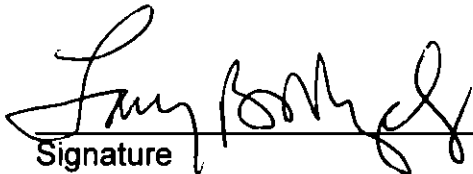
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

8/14/19
Date

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

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

1. Name: Amanda Buyalos
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(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.

Amanda Buyalos
Signature

8/14/2019
Date

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

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

1. Name: Linda Melton
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(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.

Linda R. Melton
Signature

August 14, 2019
Date

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

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

1. Name: Myra Howard
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 14, 2019
(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.

Myra Howard
Signature

8.14.19
Date