

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

October 15, 2003

The Fair Housing Board Meeting was held at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia 23230. The following Board members were present:

Bill A. Adkins
Nilkanth R. Bhatt
Cynthia Clare
Rhonda M. Harmon
E. James Lucas
Martin Maples
Robert Ruais
David B. Rubinstein
Jim Schuyler
Leon L. Scott

Board member not present:

Laura N. Dupuy

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

Louise Fontaine Ware, Director
John Cancelleri, Fair Housing Administrator
Christine Martine, Executive Director
Liz Hayes, Fair Housing Investigative Supervisor
Camille C. Palmer, Administrative Assistant
Earlyne Perkins, Legal Assistant

Emily Wingfield, Office of the Attorney General, was present.

Chairman Rubinstein called the meeting to order at 9:35 a.m.

Call to Order

No one addressed the Board during the Public Comment Period.

**Public Comment
Period**

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

Agenda

and Scott.

A motion was made by Ms. Harmon and seconded by Mr. Maples approving the minutes of the **August 12, 2003 Fair Housing Board Meeting**. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Bhatt, Clare, Lucas, Harmon, Maples, Ruais, and Scott.

Minutes

A motion was made by Ms. Clare and seconded by Mr. Ruais approving the minutes of the **September 9, 2003 Education Committee Meeting**. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Bhatt, Clare, Lucas, Harmon, Maples, Ruais, and Scott.

John Cancelleri presented the Fair Housing Administrator’s Report announcing the Fair Housing Office has received a \$430,000 grant from HUD.

Fair Housing
Administrator’s
Report

In the matter of **FHB File Number 2003-01383, Alfred and Elizabeth Smith v. Larry Shaffner**, the Board reviewed the record which consisted of the Final Investigative Report and Table of Contents. The complainants, Alfred and Elizabeth Smith, were present and addressed the Board. A motion was made by Mr. Bhatt and seconded by Ms. Clare to refer the case to the Office of the Attorney General for consultation and review. The motion passed unanimously. Members voting “Yes” were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Schuyler and Scott.

FHB File Number
2003-01383
Alfred and
Elizabeth Smith v.
Larry Shaffner

In the matter of **File Number 2003-01559, William and Deborah Mapp v. Michael Wilburn**, the Board reviewed the record which consisted of the Final Investigative Report and Table of Contents. The respondent, Michael Wilburn was present and addressed the Board. A motion was made by Ms. Harmon and seconded by Mr. Schuyler to close the case as no cause. The motion passed unanimously. Member voting “Yes” were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Schuyler and Scott.

FHB File Number
2003-01559
William and
Deborah Mapp v.
Michael Wilburn

In the matter of **File Number 2003-03531, John Banks v. Consolidated Bank & Trust Company, Leon Scott and Randolph Shelton**, the Board reviewed the record which consisted of the Final Investigative Report and Table of Contents. The complainant, John Banks, was present and addressed the Board. Also, Mr. Scott, respondent, was present. A motion was made by Ms. Clare and seconded by Ms. Harmon to close the case as no cause. The motion passed unanimously. Members voting “Yes” were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, and Schuyler. Mr. Scott recused himself from the discussion and vote because he was a named respondent.

FHB File Number
2003-03531
John Banks v.
Consolidated Bank
& Trust Company,
Leon Scott and
Randolph Shelton

In the matter of **FHB/REB File Number 2001-03298, The ARC of the Piedmont v. A. Wayne and Betty Knight**, the Board reviewed the record which consisted of

FHB/REB File
Number 2001-03298

the Final Investigative Report, a memorandum, and Table of Contents. The respondents, A. Wayne and Betty Knight and the respondent's attorney, Jim Bowling, were present and addressed the Board. Also present was Grimes Creasy, attorney for the complainant, The ARC of the Piedmont. A motion was made by Mr. Lucas and seconded by Ms. Harmon to find reasonable cause and to issue a charge. The motion passed by majority vote. Members voting "Yes" were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Scott, Ruais, and Schuyler. Member voting "No" was Mr. Maples.

**The ARC of the
Piedmont v. A.
Wayne and Betty
Knight**

The Board recessed at 11:55 a.m. and reconvened at 12:10 a.m.

Recess

A motion was made by Ms. Clare and seconded by Mr. Scott to approve the conciliation agreement identified in the fair housing report as:

**Conciliation
Agreement**

Dennis Barr v. Angie Lamprinkos and Melrose Development, Inc. FHB File Number: 2003-03098

The motion passed unanimously. Members voting "Yes" were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Schuyler and Scott.

A motion was made by Mr. Scott and seconded by Mr. Ruais to close as **administrative closures** the following cases identified in the fair housing report as:

**Administrative
Closures**

Patricia Wood v. Dolly Ann Apartments, Dolly Ann Preservation Corporation, Rhonda Smith and Edgewood Management Corporation, FHB File Number: 2003-03017

Eugenia Tinsley v. Ridgeview Apartments, Natasha Wilson and Ridgeview Limited Partnership, FHB File Number: 2003-03391

Louise Hawkins v. C.W. Toney, FHB File Number: 2003-03105

William David Bridge, Jr. v. Diane Guy and Collier & Associates c/o Continental Windgate Associates, FHB File Number: 2004-00586

Eddie E. Shelton v. Centrum Management, LLC and Robert Couch, FHB File Number: 2003-02978

Brenda S. Lewellen v. Newport News Redevelopment and Housing Authority-Aqueduct, FHB File Number: 2003-02035

Vincent and Le'Shon Owens v. Sherry Wilson, Alex and Borina Gorenshtein, FHB File Number: 2003-03412

Park Road Trust, et al. v. BB & T Company of Virginia, FHB File Number:

2004-00307

The motion passed unanimously. Members voting “Yes” were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Schuyler and Scott.

In the matter of **FHB File Number: 2003-01577, Linda Harris and Karen Jordan v. Christine B. Herz and Jefferson Apartments**, the Board reviewed the record which consisted of the Final Investigative Report and the Table of Contents. No representative was present. A motion was made by Ms. Harmon and seconded by Mr. Lucas to close the case as no cause. The motion passed unanimously. Members voting “Yes” were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Schuyler and Scott.

FHB File Number:
2003-01577
Linda Harris and
Karen Jordan v.
Christine B. Herz
and Jefferson
Apartments

In the matter of **FHB File Number: 2003-01382, Jonique Harvelle and Donald Parham v. Larry Shaffner**, the Board review the record which consisted of the Final Investigative Report and the Table of Contents. A motion was made by Mr. Ruais and seconded by Ms. Clare to close the case as no cause. The motion failed. Members voting “Yes” were Ruais and Clare. Members voting “No” were Rubinstein, Adkins, Bhatt, Harmon, Lucas, Maples, Schuyler, and Scott.

FHB File Number:
2003-01382
Jonique Harvelle
and Donald Parham
v. Larry Shaffner

A motion was made by Ms. Harmon and seconded by Mr. Lucas to refer the case to the Office of the Attorney General for consultation and review. The motion passed by majority vote. Members voting “Yes” were Rubinstein, Adkins, Bhatt, Harmon, Lucas, Maples, Schuyler, and Scott. Members voting “No” were Ruais and Clare.

In the matter of **FHB File Number: 2003-03171, Mustafa Hassan v. Cathy Stewart, Foxchase of Alexandria and Pat Foye**, the Board reviewed the record which consisted of the Final Investigative Report and the Table of Contents. No representative was present. A motion was made by Ms. Harmon and seconded by Mr. Lucas to close this case as no cause. The motion passed unanimously. Members voting “Yes” were Rubinstein, Adkins, Bhatt, Harmon, Lucas, Maples, Ruais, and Schuyler. Ms. Clare recused herself from the discussion and vote in the matter because of the appearance of conflict, as Foxchase of Alexandria is a direct competitor of her employer.

FHB File Number:
2003-03171
Mustafa Hassan v.
Cathy Stewart,
Foxchase of
Alexandria and Pat
Foye

In the matter of **FHB File Number: 2003-02261, Rabin K. Massey v. Evelyn M. Gleason, Betty Dolan and Lincolnia Investors, Ltd. Partnership**, the Board reviewed the record which consisted of the Final Investigative Report and the Table of Contents. There was no representative present. A motion was made by Ms. Harmon and seconded by Mr. Lucas to close this case as no cause. The motion passed unanimously. Members voting “Yes” were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Schuyler and Scott.

FHB File Number:
2003-02261
Rabin K. Massey v.
Evelyn M. Gleason,
Betty Dolan and
Lincolnia Investors,
Ltd. Partnership

In the matter of **FHB File Number: 2003-01298, Barbara Johnson v. Jefferson Townhouses, Ms. Cordelia Hill-Jenkins and Toni Jackson**, the Board reviewed

FHB File Number:
2003-01298

the record which consisted of the Final Investigative Report and the Table of Contents. There was no representative present. A motion was made by Ms. Harmon and seconded by Ms. Clare to close this case finding as no cause. The motion passed unanimously. Members voting "Yes" were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, and Schuyler. Mr. Scott recused himself from the discussion and voting in this matter because Jefferson Townhouse is a client of Consolidated Bank & Trust Company, his employer.

Barbara Johnson v. Jefferson Townhouses, Ms. Cordelia Hill-Jenkins and Toni Jackson

In the matter of **FHB File Number: 2003-03398, Amir Ali-Dorsey and Brenda Manning v. Delbert Cain, Michelle Mann and Patrick Seville**, the Board reviewed the file which consisted of the Final Investigative Report and the Table of Contents. There was no representative present. A motion was made by Ms. Harmon and seconded by Ms. Clare to close this case as no cause. The motion passed unanimously. Members voting "Yes" were Rubinstein, Adkins, Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Scott and Schuyler.

FHB File Number 2003-03398 Amir Ali-Dorsey and Brenda Manning v. Delbert Cain, Michelle Mann and Patrick Seville

Mr. Lucas left the meeting at 1:00 p.m.

Ms. Pamela Kamalakkannan made a presentation regarding travel, per diem, and direct deposit for Board members. No action was necessary.

Travel /Per Diem Update

Mr. Maples and Mr. Scott left the meeting at 1:25 p.m.

The Board discussed the Draft Emergency Certification Regulations. A motion was made by Ms. Clare and seconded by Mr. Ruais to adopt the Draft Emergency Certification Regulations. The motion passed unanimously. Members voting "Yes" were Rubinstein, Adkins, Bhatt, Clare, Harmon, Ruais, and Schuyler.

Adopt Draft Emergency Certification Regulations

A motion was made by Ms. Clare and seconded by Ms. Harmon to authorize the Fair Housing Office to close administrative closures without prior board approval. Administrative closures involve cases where the complainant has withdrawn his/her complaint, has moved without providing forwarding information, has not responded to notices or requests for information or has otherwise failed to cooperate with the Fair Housing Office. The motion passed unanimously. Members voting "Yes" were Rubinstein, Adkins, Bhatt, Clare, Harmon, Ruais, and Schuyler.

New Business

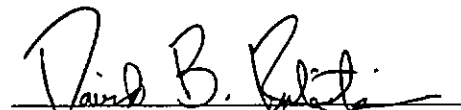
A motion was made by Ms. Clare and seconded by Ms. Harmon, as provided for under Code section 36-96.9.D of the Fair Housing Law, to identify John Cancelleri, who is Virginia's Fair Housing Administrator, as the Board's designee, authorizing Mr. Cancelleri to initiate complaints on behalf of the Board. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Clare, Harmon, and Ruais.

Mr. Adkins and Mr. Bhatt left the meeting at 1:50 p.m.

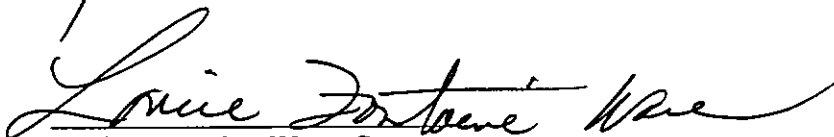
The 2004 Tentative Board Meeting Dates were distributed for review. No action was necessary. **2004 Tentative Meeting Dates**

Mr. Steven Arthur, Deputy Director, Administration and Finance conducted Board member training. **Board Member Training**

At 2:05 p.m., a motion was made by Ms. Clare and seconded by Ms. Harmon to **Adjourn** the meeting.



David B. Rubinstein, Chairman



Louise Fontaine Ware, Secretary

Copy Teste:

Custodian of the Record

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Martin E. Maples
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: October 15, 2003

Signature: _____

Martin E. Maples

**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: _____
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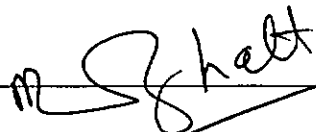
6. I declare that:

(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: October 15, 2003

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: E. James Lucas
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: _____

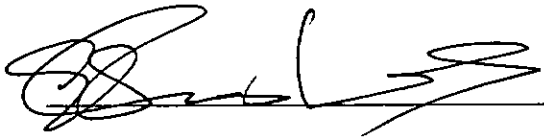
6. I declare that:

(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: October 15, 2003

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Leon L. Scott
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: 18-2003-03531
BANKS v. CONSOLIDATED BANK & TRUST etc
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: _____
PRESIDENT OF CONSOLIDATED
BANK & TRUST
 - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: . October 15, 2003

Signature: _____



**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: _____

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: October 15, 2003

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: October 15, 2003

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: October 15, 2003

Signature: _____