

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

June 23, 2004

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:

David B. Rubinstein
Jim Schuyler
Bill A. Adkins
Nilkanth R. Bhatt
Kim D. Saunders
Martin Maples
Robert Ruais

Board members not present:

Cynthia Clare
E. James Lucas
Laura Dupuy
Rhonda M. Harmon

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

Louise Fontaine Ware, Director
John Cancelleri, Fair Housing Administrator
Karen W. O'Neal, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Investigative Supervisor
Deanda Shelton, Fair Housing Investigator
Antonio Bedford, Fair Housing Investigator
Camille C. Palmer, Administrative Assistant
Tamika Jones, Fair Housing Investigator

Wayne Halbleib, Office of the Attorney General, was present.

Chairman Rubinstein **called the meeting to order** at 10:45 a.m.

Call to Order

A motion was made by Mr. Schuyler and seconded by Mr. Maples to approve the **Agenda**. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Ruais, Saunders and Maples.

Agenda

A motion was made by Mr. Adkins and seconded by Mr. Schuyler to approve the minutes of the **April 7, 2004 Fair Housing Board Meeting** as amended. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Ruais, Saunders and Maples.

Minutes

No one addressed the Board during the **Public Comment Period**.

Public Comment
Period

Mr. Bhatt arrived to the meeting at 11:00 a.m.

Ms. Hayes acknowledged the recent death of the late Herman Key, Jr., a former Real Estate Board member by expressing condolences and pausing for a moment of silence.

In the matter of **FHB File Number: 2004-02585, Kimberly Gandy v. Vinewood Homeowners Association, Eleanor Wilson, Kenneth Haynes and Al Woost**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Ruais and seconded by Mr. Maples to defer action on this case until the next Fair Housing Board meeting on August 4, 2004. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-02585
Kimberly Gandy v.
Vinewood
Homeowners
Association, Eleanor
Wilson, Kenneth
Haynes and Al Woost

In the matter of **FHB File Number: 2004-02159, Rita Smith v. Ladon Herring, T.M. Associates Management Inc., and Toano Associates**, no board action was necessary. This case is an Administrative Closure-Uncooperative complainant.

FHB File Number:
2004-02159, Rita
Smith v. Ladon
Herring, T.M.
Associates
Management Inc.,
and Toano Associates

In the matter of **FHB File Number: 2004-03748, Atilano De la Cruz v. Harrisonburg Redevelopment & Housing Authority and Al Younger**, no board action was necessary. This case is an Administrative Closure-Uncooperative complainant.

FHB File Number:
2004-03748, Atilano
De la Cruz v.
Harrisonburg
Redevelopment &
Housing Authority
and Al Younger

In the matter of **FHB File Number: 2004-00387 Robert de Beck and Elizabeth Lee v. The Townes at Cameron Parke Association, Inc., Pam Streeter, Chris Murphy, Cris Marchiori, Leslie Stewart and Armstrong Management Services, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Kenneth Lehman, attorney for the complainants, Mr. Robert de Beck and

FHB File Number:
2004-00387
Robert de Beck and
Elizabeth Lee v. The
Townes at Cameron
Parke Association,

Ms. Elizabeth Lee, complainants, were present and addressed the Board. Also, there were two interpreters present to interpret for Mr. de Beck and Ms. Lee. A motion was made by Mr. Ruais and seconded by Mr. Adkins to find no reasonable cause. Members voting "Yes" were Ruais, Adkins and Saunders. Members voting "No" were Rubinstein, Bhatt, Schuyler, and Maples. The motion failed.

Inc., Pam Streeter, Chris Murphy, Cris Marchiori, Leslie Stewart and Armstrong Management Services, Inc.

A motion was made by Mr. Schuyler and seconded by Mr. Bhatt to refer the case to the Office of the Attorney General for legal consultation. The motion passed by majority vote. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Saunders, Bhatt and Maples. Member voting "No" was Ruais.

In the matter of **FHB File Number 2003-03565, James Sowers v. Sandra K. Rose, Alvin L. Aubinoe, III and Alvin Aubinoe, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Sowers, complainant, and Ms. Ann Magruder, attorney for the respondents, were present and addressed the Board. A motion was made by Mr. Schuyler and seconded by Mr. Bhatt finding no reasonable cause and to close this case. The motion passed by majority vote. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Saunders and Ruais. Member voting "No" was Maples.

FHB File Number: 2003-03565 James Sowers v. Sandra K. Rose, Alvin L. Aubinoe, III and Alvin Aubinoe, Inc.

In the matter of **FHB File Number 2004-02322, Vivian and Nelson Perry v. Tracey Perrin and Katherine Accordino**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ms. Vivian Perry and Mr. Nelson Perry, complainants, and Mr. Derek Poteet, attorney for the respondents, were present and addressed the Board. A motion was made by Mr. Ruais and seconded by Mr. Adkins finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number: 2004-02322 Vivian and Nelson Perry v. Tracey Perrin and Katherine Accordino

In the matter of **FHB File Number 2004-03381, Beatrice Downs v. Dawn Moore and Havens Properties**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Schuyler and seconded by Mr. Maples finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number: 2004-03381 Beatrice Downs v. Dawn Moore and Havens Properties

In the matter of **FHB File Number 2003-02173, Kelly Gregory v. Benchmark Community Bank, Charles Turner and Kim Jackson**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Jared Ellison, attorney for the

FHB File Number: 2003-02173 Kelly Gregory v. Benchmark

complainant, Kelly Gregory, complainant and Mr. Kelvin Newsome, attorney for the respondents were present and addressed the Board. A motion was made by Mr. Maples and seconded by Mr. Bhatt finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

**Community Bank,
Charles Turner and
Kim Jackson**

In the matter of **FHB File Number 2004-02797, Carla and John Holland v. Mike Goodwin and V. Earl Dickenson, Jr. and Keystone Builders Resource Group, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. John Holland, complainant and Mr. Bob Tapper, Keystone Builders Resource Group, Inc representative were present and addressed the Board. A motion was made by Mr. Ruais and seconded by Mr. Schuyler finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

**FHB File Number:
2004-02797
Carla and John
Holland v. Mike
Goodwin and V. Earl
Dickenson, Jr. and
Keystone Builders
Resource Group, Inc.**

In the matter of **FHB File Number 2004-03427, James and Dorothy Smith v. Linda Threadgill and Progressive Mortgage, LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. James Smith and Ms. Dorothy Smith were present to answer any questions. A motion was made by Mr. Schuyler and seconded by Mr. Ruais finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

**FHB File Number:
2004-03427
James and Dorothy
Smith v. Linda
Threadgill and
Progressive
Mortgage, LLC**

In the matter of **FHB File Number 2004-01013, Theresa Allen v. John Corriher, Jennifer Jenkins and Crestview Apartments c/o University Village**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Maples and seconded by Mr. Schuyler finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

**FHB File Number:
2004-01013
Theresa Allen v. John
Corriher, Jennifer
Jenkins and
Crestview
Apartments c/o
University Village**

In the matter of **FHB File Number 2004-01015, Daniel S. Harrison v. GEM Management, Inc. and Pam Allen and F.V.A. Limited Partnership**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Maples and seconded by Mr. Bhatt finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

**FHB File Number:
2004-01015
Daniel S. Harrison v.
GEM Management,
Inc. and Pam Allen
and F.V.A. Limited
Partnership**

In the matter of **FHB File Number 2004-01971, Daniel S. Harrison and Tiffany Byrd v. GEM Management, Inc. Cindy Bowen and C.V.V.A. Limited Partnership**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Schuyler and seconded by Mr. Maples finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-01971
Daniel S. Harrison
and Tiffany Byrd v.
GEM Management,
Inc. Cindy Bowen and
C.V.V.A. Limited
Partnership

In the matter of **FHB File Number 2004-00746, Amatullah Verda Abdul-Karim v. Rodger Tartaglia and Fellowship Square Foundation Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Maples and seconded by Mr. Adkins finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-00746
Amatullah Verda
Abdul-Karim v.
Rodger Tartaglia and
Fellowship Square
Foundation, Inc.

In the matter of **FHB File Number 2004-01593, Elbert and Jacqueline Hicks v. Dominion Mortgage Corp., and ABN AMRO Mortgage Group**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Maples and seconded by Mr. Adkins finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-01593
Elbert and Jacqueline
Hicks v. Dominion
Mortgage Corp., and
ABN AMRO
Mortgage Group

The Board recessed at 1:00 p.m. and reconvened at 1:15 p.m.

Recess

In the matter of **FHB File Number 2004-01652, Santos Hoyos and Rita Rodriquez v. Renee Samuels, Robert Obbnes and Heritage Pointe, LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Maples and seconded by Mr. Ruais finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-01652
Santos Hoyos and
Rita Rodriquez v.
Renee Samuels,
Robert Obbnes and
Heritage Pointe, LLC

In the matter of **FHB File Number 2004-03239, Larry Milner v. Liz Boyd, Michelle Montgomery and PC Associates LP/Prudential Realty Group**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Ruais and seconded by Mr. Schuyler

FHB File Number:
2004-03239
Larry Milner v. Liz
Boyd, Michelle
Montgomery and PC

finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

Associates
LP/Prudential Realty
Group

In the matter of **FHB File Number 2004-01583, Linda Keem v. George Durham**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Maples and seconded by Mr. Schuyler finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-01583
Linda Keem v.
George Durham

In the matter of **FHB File Number 2004-02897, Marcus Bonds v. Robert and Meriam Snyder**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Schuyler and seconded by Mr. Maples finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-02897
Marcus Bonds v.
Robert and Meriam
Snyder

In the matter of **FHB File Number 2004-01594, Lawrence Murray and Sylvia Thomas v. Anibal Cubas and JGB Properties/Mallard Courts**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Schuyler and seconded by Mr. Bhatt finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-01594
Lawrence Murray
and Sylvia Thomas v.
Anibal Cubas and
JGB
Properties/Mallard
Courts

In the matter of **FHB File Number 2004-03243, Eshete Digaffe v. George Gardner and Saxony Square Board of Directors**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Maples and seconded by Mr. Adkins finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Ruais, Saunders and Maples. There were no negative votes.

FHB File Number:
2004-03243
Eshete Digaffe v.
George Gardner and
Saxony Square Board
of Directors

Mr. Ruais left the meeting at 2:00 p.m.

A motion was made by Mr. Schuyler and seconded by Mr. Adkins to approve the conciliation agreements in the following cases:

Conciliation
Agreements

FHB File Number: 2004-03747, Virginia and George Gaylor v. Drucker

and Falk, LLC

FHB File Number 2004-02160, Becky Leigh Burnley v. Mental Health Adult Residential Services, a division of Fairfax-Falls Church Community Services Board

FHB File Number 2004-03546, Marilyn C. Caldwell v. Hampton Redevelopment and Housing Authority, et al.

FHB File Number 2003-03221, Gordon Gunn v. Betsy Bighinatti, Dominion Place Associates, et al.

The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Saunders and Maples. There were no negative votes.

Mr. Cancelleri gave an update regarding the HUD Policy Conference which was held last week in Washington, D.C. The Fair Housing staff and Wayne Halbleib, Assistant Attorney General, attended the conference.

**Fair Housing
Administrator's
Report**

HUD will offer its first Fair Housing training certification class, beginning August 2, 2004.

Tentative dates are being set for Fair Housing Certification training in the Southwestern region of Virginia.

The Fair Housing Certification regulations are in the process of being approved.

Ms. Sarah Pratt will be conducting a Fair Housing training session tomorrow, June 24, 2004 from 9:00 a.m. to 4:00 p.m. This meeting will be open to the public.

The following **Education Applications** were presented to the Board for consideration:

**Education
Applications**

A motion was made by Mr. Schuyler and seconded by Ms. Saunders not to approve the application of **Grace Hill Incorporated** based upon failure to provide evidence of financial responsibility. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Saunders and Maples. There were no negative votes.

The course application for **Grace Hill Incorporated** was not reviewed due to the school not being approved.

A motion was made by Mr. Adkins and seconded by Mr. Bhatt to approve **Brenda Marie Kelley's** Fair Housing instructor's application. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Saunders and Maples. There were no negative votes.

A motion was made by Mr. Schuyler and seconded by Mr. Adkins not to approve **Chris D. Spiller's** Fair Housing instructor's application because his application doesn't show that he is a qualified expert in a fair housing related field. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Saunders and Maples. There were no negative votes.

A motion was made by Mr. Schuyler and seconded by Mr. Bhatt not to approve **Raylyne Russell Shaw's** Fair Housing instructor's application because her application doesn't show that she is a qualified expert in a fair housing related field. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Saunders and Maples. There were no negative votes.

A motion was made by Mr. Schuyler and seconded by Ms. Saunders to defer **Tina Chen's** Fair Housing instructor's application until the next Fair Housing Board meeting on August 4, 2004 because the Board needs more information on the Fair Housing Course completed and the Fair Housing Model created, as presented with her application. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Bhatt, Saunders and Maples. There were no negative votes.

The following Board members: Kim Saunders, Martin Maples and David Rubinstein will be on a committee to discuss and establish standards for financial responsibility. The committee will meet on August 4, 2004 at 9:00 a.m.

There was no **Old Business**.


Old Business

The meeting adjourned at 2:45 p.m.


Adjourn

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: 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: None

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

Dated: June 23, 2004

Signature: _____

David Rubinstein

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Kim D. Saunders
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: _____

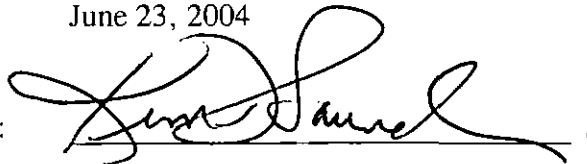
6. I declare that:

(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: June 23, 2004

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: June 23, 2004

Signature: _____

James Schuyler

**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: June 23, 2004

Signature: _____

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Bill A. Adkins
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: June 23, 2004

Signature: Bill A. Adkins

**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: None
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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: None

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

Dated: June 23, 2004

Signature: _____

