

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

December 8, 2011

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:

Phyllis Randall, Chair  
F. Thomas Eck, IV, Vice-Chair  
David B. Rubinstein  
Matthew K. Kim  
Rosemary Wilson  
Thomas Gifford (arrive 10:20 a.m.)  
Bob Boynton  
Linda Broady-Myers  
Jeffrey Adkins

The following Board members were absent:            Andrew Reisinger  
   Jim Ginnell  
   Francis Stevens

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

Gordon Dixon, Director  
Mark Courtney, Deputy Director  
Christine Martine, Executive Director  
Liz Hayes, Fair Housing Administrator  
Deanda Shelton, Assistant Fair Housing Administrator  
Jeffrey Williams, Board Administrator  
Emily Trent, Administrative Assistant  
Angela Keefe-Thomas, Fair Housing Investigator  
Matt Vincent, Fair Housing Investigator

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

Chair Randall called the meeting to order at 10:10 A.M.            **Call to Order**

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

Boynton, Eck, Kim, Randall, Rubinstein and Wilson.

A motion was made by Mr. Eck and seconded by Mr. Adkins to approve the October 5, 2011, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Kim, Randall, Rubinstein and Wilson.

**Minutes**

There was no public comment.

**Public Comment**

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

**Fair Housing  
Administrator's Report**

Board member Thomas Gifford arrived at 10:20 a.m.

**Arrival of Board Member**

In the matter of **FHB File Number 2010-04087, Holly Burdell and Larry Barfield v. Holly and Susan Forkner**, the case was deferred until the February 15, 2012 Board meeting.

**FHB File Number 2010-  
04087, Holly Burdell and  
Larry Barfield v. Holly  
and Susan Forkner**

In the matter of **FHB File Number 2012-00179, Laurice Hunter v. James Wakefield**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Supplemental Final Investigative Report. Laurice Hunter, complainant, was present and addressed the Board. A motion was made by Mr. Eck and seconded by Mr. Kim to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2012-  
00179, Laurice Hunter v.  
James Wakefield**

In the matter of **FHB File Number 2011-04402, Myshanniece Clashawn Tabron v. Chippenham Place Associates, LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Supplemental Final Investigative Report. A motion was made by Mr. Gifford and seconded by Ms. Wilson to close the case with a finding of no reasonable cause. The motion passed by majority vote. Members voting "Yes" were: Boynton, Broady-Myers, Eck, Gifford, Kim, Rubinstein and Wilson. Members voting "No" were Adkins and Randall.

**FHB File Number 2011-  
04402, Myshanniece  
Clashawn Tabron v.  
Chippenham Place  
Associates, LP**

In the matter of **FHB File Number 2011-04980, Victoria**

**FHB File Number 2011-**

**Anderson and Rasheen McDowell v. Salem Fields Townhomes, LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, Supplemental Final Investigative Report. Victoria Anderson and Rasheen McDowell, complainants, and Grimes Creasy, attorney for the respondent, were present and addressed the Board. A motion was made by Mr. Gifford and seconded by Ms. Wilson to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**04980, Victoria Anderson and Rasheen McDowell v. Salem Fields Townhomes, LP**

In the matter of **FHB File Number 2011-04120, Yvonne Reeves and Rochelle Reeves v. Heather Mabe, Samantha Farmer, Rhonda Ayers, and GEM Management**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Supplemental Final Investigative Report. Katherine Barrett, attorney for the respondents, was present and addressed the Board. A motion was made by Mr. Kim and seconded by Mr. Adkins to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-04120, Yvonne Reeves and Rochelle Reeves v. Heather Mabe, Samantha Farmer, Rhonda Ayers, and GEM Management**

In the matter of **FHB File Number 2011-03976, Faye Nicholson v. Donna Gaydick, Twin Hickory Senior Associates, LP, and Capreit, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, Official Consultation Memorandum from the Office of the Attorney General request for reconsideration and Supplemental Final Investigative Report. A motion was made by Ms. Wilson and seconded by Ms. Broady-Myers to deny the request for reconsideration on the issue of discrimination based upon race. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-03976, Faye Nicholson v. Donna Gaydick, Twin Hickory Senior Associates, LP, and Capreit, Inc.**

A motion was made by Mr. Rubinstein and seconded by Ms. Wilson to find no reasonable cause that the respondents discriminated against the complainant based upon familial status. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Gifford,

Kim, Randall, Rubinstein and Wilson.

Mr. Eck recused himself due to potential conflict of interest.

In the matter of **FHB File Number 2011-04466, The Estate of LaMeisha Young v. Mercury II Associates**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation, and Supplemental Final Investigative Report. Katherine Barrett, attorney for the respondent, was present and addressed the Board. A motion was made by Mr. Kim and seconded by Ms. Broady-Myers to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-04466, The Estate of LaMeisha Young v. Mercury II Associates**

The Board recessed from 11:50 A.M. to 12:07 P.M.

**Break**

In the matter of **FHB File Number 2011-03816, Shirley Thomas v. The Vista Apartments LP**, a motion was made by Mr. Rubinstein and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-03816, Shirley Thomas v. The Vista Apartments LP**

In the matter of **FHB File Number 2011-03817, Housing Opportunities Made Equal v. The Vista Apartments LP**, a motion was made by Mr. Rubinstein and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-03817, Housing Opportunities Made Equal v. The Vista Apartments LP**

In the matter of **FHB File Number 2012-00536, Victoria White v. Benny Stokes, and Digital Systems & Communications, Inc.**, a motion was made by Mr. Eck and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2012-00536, Victoria White v. Benny Stokes, and Digital Systems & Communications, Inc.**

In the matter of **FHB File Number 2012-00012, Brenda**

**FHB File Number 2012-**

**Tucker v. Brandi Pulley, Wanda Tucker, Rachel R. Jones and Staunton Redevelopment and Housing Authority**, a motion was made by Mr. Eck and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**00012, Brenda Tucker v. Brandi Pulley, Wanda Tucker, Rachel R. Jones and Staunton Redevelopment and Housing Authority**

In the matter of **FHB File Number 2012-00361, Jody Nescola v. Kulla Katunas**, a motion was made by Mr. Eck and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2012-00361, Jody Nescola v. Kulla Katunas**

In the matter of **FHB File Number 2012-00790, Cynthia Graves v. Renee Williams, Property Manager; James Brady, Winterwood, Inc., Managing Agent; Whitehall Estates-I L.P., Owner**, a motion was made by Mr. Eck and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2012-00790, Cynthia Graves v. Renee Williams, Property Manager; James Brady, Winterwood, Inc., Managing Agent; Whitehall Estates-I L.P., Owner**

In the matter of **FHB File Number 2011-04573, Zachary Belcher and Andrew Deboissiere v. Frank and Joan McDonald, Owners**, a motion was made by Mr. Eck and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-04573, Zachary Belcher and Andrew Deboissiere v. Frank and Joan McDonald, Owners**

In the matter of **FHB File Number 2012-00684, Mohammad Morovati v. Bainbridge Wellington VAF, LLC and Daniel Chobert, Leasing Agent**, a motion was made by Mr. Eck and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2012-00684, Mohammad Morovati v. Bainbridge Wellington VAF, LLC and Daniel Chobert, Leasing Agent**

In the matter of **FHB File Number 2011-03520, Benjamin McCoy v. Robert and Josephine O'Donnell**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Eck and seconded by Mr. Boynton to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-03520, Benjamin McCoy v. Robert and Josephine O'Donnell**

In the matter of **FHB File Number 2011-04653, Shawn Renee Insari v. Marica Guyah, AIMCO's Hunter's Crossing LP, and OP 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 find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-04653, Shawn Renee Insari v. Marica Guyah, AIMCO's Hunter's Crossing LP, and OP Property Management, LLC**

In the matter of **FHB File Number 2011-02814, Joyce Brown v. Elizabeth C. Wilmer**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General. A motion was made by Mr. Kim and seconded by Mr. Boynton to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Boynton, Broady-Myers, Eck, Gifford, Kim, Randall, Rubinstein and Wilson.

**FHB File Number 2011-02814, Joyce Brown v. Elizabeth C. Wilmer**

Gordon Dixon, Director, gave an agency report to the Board. No action was taken by the Board.

**Director's Report**

Tom Payne gave the Board an update on pending litigation. No action was taken by the Board.


**Old Business**

The Board members completed Conflict of Interest Training.

**Conflict of Interest Training**

The Board adjourned at 12:35 P.M.

  
\_\_\_\_\_  
Phyllis Randall, Chair

  
\_\_\_\_\_  
Gordon Dixon, Secretary

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

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

1. Name: David Rubinstein  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: December 8, 2011  
(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.

David Rubinstein  
Signature

12/8/11  
Date



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

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

1. Name: Linda Broady-Myers  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: December 8, 2011  
(Date)

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

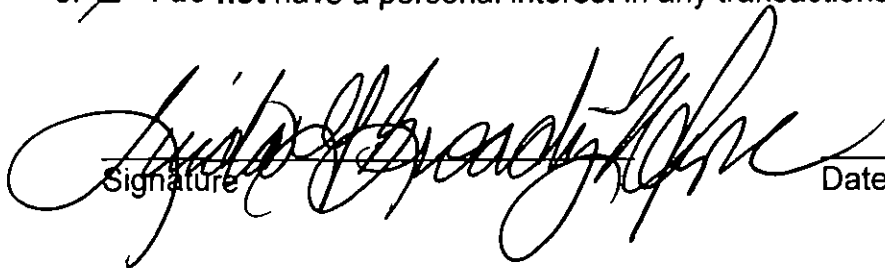
\_\_\_\_\_  
(Agenda Item)

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 12-8-11

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Jeffrey Adkins  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: December 8, 2011  
(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

12/8/11  
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: December 8, 2011  
(Date)

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

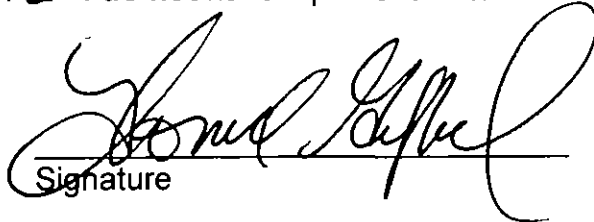
\_\_\_\_\_  
(Agenda Item)

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

12/8/11  
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: December 8, 2011  
(Date)

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

~~2011~~ #11 Nicholson  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: My employer

Capital One, may have a financial interest in respondent CAPREIT

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.

12/8/2011  
Signature

[Signature]  
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: December 8, 2011  
(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

December 8, 2011  
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: December 8, 2011  
(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


12/8/11  
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: December 8, 2011  
(Date)

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

  
(Agenda Item)

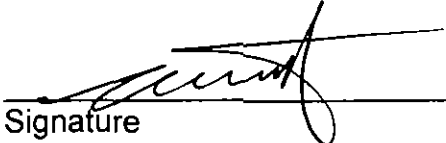
Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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.

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

  
Signature

12/8/2011  
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: December 8, 2011  
(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.

Bob Boynton  
Signature

December 8, 2011  
Date