

FAIR HOUSING BOARD

TENTATIVE AGENDA

December 4, 2019- 10:00 a.m.

2nd Floor – Board Room 4

Department of Professional and Occupational Regulation

9960 Mayland Drive

Richmond, Virginia 23233

(804) 367-8526

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

1. Approval of Agenda
2. Approval of Minutes:
 - A. August 14, 2019, Fair Housing Board Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORT

1. Fair Housing Administrator's Report

V. FAIR HOUSING CASES

1. Jamie Rae Huebert v. Yun Qin and Qi Lin
FHB File Number: 2019-02888
HUD File Number: 03-19-2551-8
2. Monique Young v. Ted Whitlow, Vickie Whitlow, Community Group Inc., dba Association Community Group and Lake Cypress Condominium Association
FHB File Number: 2019-01045
HUD File Number: 03-19-2091-8
3. Katrese Watts v. Kettler Management, Inc. and Town Center Apartments, LP
FHB File Number: 2019-01933
HUD File Number: 03-19-1270-8
4. Ned D. Johnson v. Marywood Inc., Coordinated Services Management, Inc. and Kristy Rusinak
FHB File Number: 2019-02501
HUD File Number: 03-19-2294-8
5. Gregory S. Templeman v. Willow Woods Preservation LP and TRG Management Company LLP
FHB File Number: 2019-02377
HUD File Number: 03-19-1670-8
6. Wilbert Miller v. Falls Run Community Association, Inc. and FirstService Residential DC Metro LLC
FHB File Number: 2019-02648
HUD File Number: 03-19-1992-8

- DRAFT AGENDA
Materials contained in this agenda are proposed for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA
7. Robert Graham v. CIA Potomac Ridge LLC and LaRonda Brooks-Agnew
FHB File Number: 2019-01849
HUD File Number: 03-19-1832-8
 8. Danielle Missick v. Paul Chretien
FHB File Number: 2019-01438
HUD File Number: 03-19-1990-8
{Referred to A.G. for Official Consultation}
 9. National Community Reinvestment Coalition v. F/V Selma Inc., Tower Park Management Corporation and Lydia Jacobs
FHB File Number: 2019-02695
HUD File Number: 03-19-2771-8
{Conciliation: Race/Color and National Origin}
 10. Jose Mora Jr. v. Summertree Condominium Counsel of Co-Owners; Community Management Services, LLC and April Parker
FHB File Number: 2020-00115
HUD File Number: 03-19-3299-8
{Conciliation: Disability}
 11. Denise Michelle Cornelius v. Broad Vista VA Partners LLC and Cortland Management (Georgia) LLC dba Cortland Management LLC
FHB File Number: 2019-02742
HUD File Number: 03-19-2996-8
{Conciliation: Race}
 12. Adelya Carlson and Aaron Carlson v. Unit Owners Association of Concord Mews Condominium, Rosewood Management and Consulting Services, LLC, Kasandra Serck, and Kathy Gately
FHB File Number: 2019-00855
HUD File Number: 03-19-1431-8
{Conciliation: Familial Status}
 13. Patricia Artega and Fernando O. DeGreef v. Unit Owners Association of Concord Mews Condominium, Rosewood Management and Consulting Services, LLC, Kasanda Serck, and Kathy Gately
FHB File Number: 2019-00853
HUD File Number: 03-19-1942-8
{Conciliation: Familial Status}
 14. Tom Wince v. Unit Owners Association of Concord Mews Condominium, Rosewood Management and Consulting Services, LLC, Kasanda Serck, and Kathy Gately
FHB File Number: 2019-00852
HUD File Number: 03-19-1491-8
{Conciliation: Familial Status}

15. Katelyn Stanton v. Paradigm 2250 Mill LLC
FHB File Number: 2019-00739
HUD File Number: 03-19-1476-8
{Conciliation: Disability}

VI. ADMINISTRATIVE ISSUES

- Board Financials
- Periodic Review

VII. OLD BUSINESS

VIII. NEW BUSINESS

- Litigation Summary
- Education Committee Report
- Board Member Training

IX. ADJOURNMENT

NEXT MEETING SCHEDULED FOR WEDNESDAY, MARCH 4, 2020

** 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT 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

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be considered for inclusion in the final agenda or Official Board position.
DRAFT AGENDA

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.

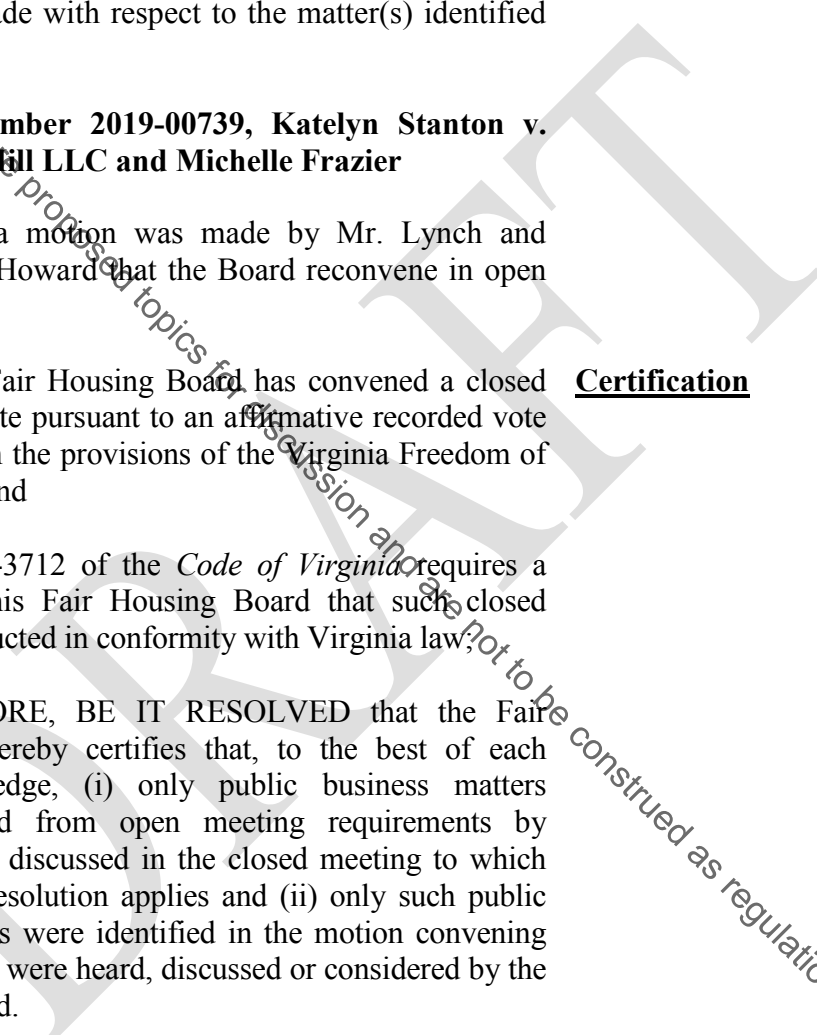
VOTE: 11-0

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

NAYS: None.

ABSENT DURING THE VOTE: None.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA



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.

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

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

DRAFT AGENDA
Materials contained
herein are proposed
for discussion and
discussion only. Not to be construed as representing an official Board position.

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

DRAFT AGENDA
Materials contained
herein are proposed
for discussion only
and should not be
construed as regulation or official Board position.

DRAFT AGENDA
Materials contained
herein are proposed
for discussion only
and should not be
construed as regulation or official Board position.

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

DRAFT AGENDA
Materials contained
herein are not to be
distributed outside the
Fair Housing Board position.

regarding the official Board position.

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

DRAFT AGENDA
Materials contained
DRAFT AGENDA

DRAFT
This agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound.

When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.