



Department of Professional and Occupational Regulation

FAIR HOUSING BOARD
MEETING
TENTATIVE AGENDA
Monday, April 8, 2024 -10:30 a.m.
Board Room # 2

Mission: Our mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses enforcing standards of professional conduct for professions and occupations as designated by statute.

I. CALL TO ORDER

- Emergency Egress
 - Determination of Quorum
-

II. APPROVAL OF DRAFT AGENDA

III. APPROVAL OF MINUTES

- Fair Housing Board Meeting, February 21, 2024
-

IV. PUBLIC COMMENT PERIOD: *FIVE MINUTE PUBLIC COMMENT, PER PERSON*

V. NEW BUSINESS

- Regulatory Update
-

VI. COMPLETION OF PAPERWORK

- Travel voucher
 - Conflict of Interest Form
-

VII. ADJOURNMENT

NEXT MEETING SCHEDULED FOR WEDNESDAY, JUNE 05, 2024

** 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.

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.

APPROVAL OF DRAFT 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
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APPROVAL OF MINUTES

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VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

February 21, 2024

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:

Scott Astrada, Chair
Amanda Buyalos, Vice-Chair
Shion Fenty
Stuart Gilchrist (12:00PM)
Myra Howard (left at 12:10PM)
Morton "Tracy" Marks, III
Owen R. Morgan
Angelo Phillos
John Scott
Angela West

Board members absent from the meeting:

Dean Lynch
Rachel Wright

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

Brian Wolford, Chief Deputy Director
Stephen Kirschner, LRPD Deputy Director (arrived at 11:43AM)
Anika Coleman, Executive Director
Tom Payne, CID Deputy Director
Lizbeth Hayes, Fair Housing Administrator
Breanne Lindsey, Regulatory Operations Administrator
Gezelle Glasgow, Administrative Coordinator
Angela Keefe-Thomas, Fair Housing Investigator
Alex Gordon, Fair Housing Investigator
Donnitria Mosby, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Dale Robinson, Program Conciliator

Todd Shockley and Joel Taubman from the Office of the Attorney General were present.

Mr. Astrada called the meeting to order at 10:03 A.M.

CALL TO ORDER

Ms. Coleman reviewed the emergency evacuation procedures.

EMERGENCY EGRESS

Mr. Astrada determined that a quorum was present.

**DETERMINATION OF
QUORUM**

Mr. Marks moved to approve the agenda. Ms. Howard seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott and West.

APPROVAL OF AGENDA

Mr. Marks moved to approve the minutes from the December 06, 2023, Board meeting. Ms. Howard seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott and West.

APPROVAL OF MINUTES

Mr. Astrada welcomed staff and guests of the audience. Ms. Coleman introduced Board staff to the Board members.

WELCOME AND INTRODUCTIONS

There was no public comment.

PUBLIC COMMENT

Liz Hayes, Fair Housing Administrator, updated the Board on the current investigative case load.

FAIR HOUSING ADMINISTRATOR'S REPORT

Ms. Hayes informed the Board that the following Agenda items would be deferred to the next Fair Housing Board meeting:

#3 Melissa Kelly v. Catholic Charities, Diocese of Arlington
FHB File Number: 2021-02594
HUD File Number: 03-21-8608-8

#9 Haley Corbin and Courtney Segretto v. Walter Muzo
FHB File Number: 2020-02409
HUD File Number: 03-21-5136-8

In the matter of **Syndi Carranza v. GTP Investment Properties, LLC and Gary T. Price FHB File Number: 2022-01135**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Elizabeth Coltrane, attorney for complainant, was present and addressed the Board. Derrick Whetzel, attorney for respondent addressed the Board via teleconference. A motion was made by Mr. Morgan to find no reasonable cause to believe the respondents discriminated against the complainant by otherwise making housing unavailable, discriminating in terms, conditions, or privileges, or by engaging in intimidation, coercion or harassment based on her national origin. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

Syndi Carranza v. GTP Investment Properties, LLC and Gary T. Price FHB File Number: 2022-01135 HUD File Number: 03-22-0350-8

In the matter of **Linda Ratledge v. Jackie & Jennifer Atkinson FHB File Number: 2020-01149**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of Attorney General. Robert Vaughan, attorney for respondent, was present and addressed the Board.

Linda Ratledge v. Jackie & Jennifer Atkinson FHB File Number: 2020-01149 HUD File Number: 03-19-3720-8

At 10:28 A.M., Ms. Buyalos moved that the Board meeting be recessed 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 were in attendance to reasonably aid the consideration of the topic: Joel Taubman, Todd Shockley, Brian Wolford, Anika Coleman, Tom Payne, Lizbeth Hayes, and David Dendulk (ADA support for Angela West).

Closed Session

Mr. Marks seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

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

Linda Ratledge v. Jackie & Jennifer Atkinson
FHB File Number: 2020-01149
HUD File Number: 03-19-3720-8

At 10:40 A.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

Certification of Closed Meeting

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

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 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: 10-0

AYES: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Dean Lynch and Rachel Wright

Upon reconvening in an open session, a motion was made by Ms. Buyalos to find reasonable cause to believe the Respondents imposed discriminatory terms and conditions based on the Complainant's disability and refused to rent or otherwise made housing unavailable or failed to make a reasonable accommodation for the Complainant's disability.

Reconvene in Open Session

Ms. West seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

In the matter of **The Equal Rights Center v. Heartland Manassas Limited Partnership and Heartland Realty Investors, Inc. FHB File Number: 2023-01359**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of Attorney General. Sheila Melton, Asset Manager for the respondents, was present and addressed the Board.

The Equal Rights Center v. Heartland Manassas Limited Partnership and Heartland Realty Investors, Inc.
FHB File Number: 2023-01359
HUD File Number: N/A

At 10:51 A.M., Ms. Buyalos moved that the Board meeting be recessed 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 were in attendance to reasonably aid the consideration of the topic: Joel Taubman, Todd Shockley, Brian Wolford, Anika Coleman, Tom Payne, Lizbeth Hayes, and David Dendulk (ADA support for Angela West).

Closed Session

Mr. Marks seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

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

The Equal Rights Center v. Heartland Manassas Limited Partnership and Heartland Realty Investors, Inc.

FHB File Number: 2023-01359

HUD File Number: N/A

At 11:07 A.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

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

Closed Session
Certification of Closed
Meeting

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 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: 10-0

AYES: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Dean Lynch and Rachel Wright

Upon reconvening in an open session, a motion was made by Mr. Marks to find reasonable cause to believe the Respondents otherwise denied or made housing unavailable and discriminated in terms, conditions, or privileges of a rental based on source of funds.

Ms. West seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

Reconvene in Open Session

In the matter of **Debra Long v. Big Bear Properties, LLC, Marie March, Earnest Smith and Gabe Martin FHB File Number: 2023-00682**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither the complainant or respondents attended the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Mr. Morgan to find no reasonable cause to believe the respondents discriminated against the complainant by failing to make a reasonable accommodation, imposing discriminatory terms and conditions, by engaging in intimidation based on the complainant's disability and sex (sexual harassment,) or by engaging in retaliation based on the complainant having been engaged in a protected activity. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

Debra Long v. Big Bear Properties, LLC, Marie March, Earnest Smith and Gabe Martin
FHB File Number: 2023-00682
HUD File Number: 03-23-3108-8

In the matter of **Zsдания McRae v. KAIFTYK Realty, Inc., Yasmeen Mahmood and Carlos Dubose FHB File Number: 2022-01793**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither the complainant or respondents attended the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Ms. Howard to find no reasonable cause to believe the respondents discriminated against the complainant by otherwise making housing unavailable, imposing discriminatory terms and conditions, steering, or retaliation based on the complainant's familial status and sex (female.)

Zsдания McRae v. KAIFTYK Realty, Inc., Yasmeen Mahmood and Carlos Dubose
FHB File Number: 2022-01793
HUD File Number: 03-22-0895-8

Mr. Phillos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

In the matter of **Michael Bankston v. George Gieselman and John Michael Gieselman Irrevocable Trust FHB File Number: 2022-00983**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither the complainant or respondents attended the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Ms. Buyalos to find no reasonable to believe the Respondents denied or made housing unavailable and discriminated in terms, conditions, or privileges of a rental based on the Complainant's race.

Michael Bankston v. George Gieselman and John Michael Gieselman Irrevocable Trust
FHB File Number: 2022-00983
HUD File Number: 03-22-0250-8

Mr. Marks seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

A motion was made by Mr. Marks to take FHB File Number: 2023-02968 and FHB File Number: 2021-01400 as a block vote.

**BLOCK VOTE OF
CONCILIATION
AGREEMENTS**

Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

In the matter of **Tamesha Thompson v. Meadowbrook Apartments, LLC FHB File Number: 2023-02968**, a motion was made by Mr. Marks to approve the conciliation agreement as agreed to by the parties. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

**Tamesha Thompson v.
Meadowbrook Apartments,
LLC
FHB File Number: 2023-
02968
HUD File Number: Not
Eligible**

In the matter of **11. Jessica Paige Wright v. Michael E. Heath, Michael T. Heath and Jeffrey G. Heath FHB File Number: 2021-01400**, a motion was made by Mr. Marks to approve the conciliation agreement as agreed to by the parties. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

**Jessica Paige Wright v.
Michael E. Heath, Michael
T. Heath and Jeffrey G.
Heath
FHB File Number: 2021-
01400
HUD File Number: 03-21-
7359-8**

END OF BLOCK VOTE

In the matter of **William Jackson v. Highland Associates, LP and Property Management of Roanoke, LLC FHB File Number: 2023-00436**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Vanessa Keasler, attorney for the respondents, was present and addressed the Board.

**William Jackson v.
Highland Associates, LP and
Property Management of
Roanoke, LLC
FHB File Number: 2023-
00436
HUD File Number: 03-22-
2023-8**

At 11:28 A.M., Ms. Buyalos moved that the Board meeting be recessed 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 were in attendance to reasonably aid the consideration of the topic: Joel Taubman, Todd Shockley, Brian Wolford, Anika Coleman, Tom Payne, Lizbeth Hayes, Donnitria Mosby, and David Dendulk (ADA support for Angela West).

Closed Session

Ms. Howard seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

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

William Jackson v. Highland Associates, LP and Property Management of Roanoke, LLC
FHB File Number: 2023-00436
HUD File Number: 03-22-2023-8

At 11:34 A.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

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

Closed Session
Certification of Closed Meeting

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 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: 10-0

AYES: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Dean Lynch and Rachel Wright

Upon reconvening in an open session, a motion was made by Mr. **Reconvene in Open Session**

Morgan to find no reasonable cause to believe the respondents discriminated against the complainant by otherwise making housing unavailable, discriminating in the terms or conditions, privileges, services, and facilities, or by intimidating, coercing, or interfering with the complainant's right to use and enjoy his dwelling because of his race or disability.

Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Fenty, Gilchrist, Howard, Marks, Morgan, Phillos, Scott, and West.

**ADMINISTRATIVE
ISSUES**

Mr. Shockley provided the Board with the litigation update.

Litigation Summary

Ms. Coleman provided a report from the February 21, 2024, Fair Housing Education Committee meeting. The Board by consensus adopted the February 21, 2024 Fair Housing Education Committee meeting report.

**Education Committee
Report**

There was no old business presented.

OLD BUSINESS

The Board reviewed the financial statement. There was no action taken by the Board.

**NEW BUSINESS
Board Financial Statement**

Ms. Coleman informed the Board that the date for the Fair Housing Regulatory Review Committee meeting will take place on March 13, 2024 instead of March 27, 2024.

**Regulatory Review
Committee meeting**

Mr. Astrada informed Board members if they wish to volunteer to for the regulatory review committee to let Board staff know.

**Board Member Training
Conference**

Ms. Coleman informed the Board that the Board Member Training Conference will take place October 10-11, 2024.

Recess

The Board recessed from 11:47AM to 12:16PM.

Fair Housing Training

Ms. Hayes, Mr. Shockley, and Mr. Robinson conducted Fair Housing training for the Board.

The Board adjourned at 2:36 P.M.

ADJOURN

Scott Astrada, Chair

Kishore S. Thota, Secretary

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Public Comment Period

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NEW BUSINESS

○ REGULATORY UPDATE

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Total Number of Requirements: 60

Part I. General

18VAC62-20-10. Applicability. (0)

This chapter is applicable to persons subject to the Fair Housing Law (§ 36-96.1 et seq. of the Code of Virginia) who are in the business of selling or renting dwellings as defined in this chapter, except those individuals who hold a valid license issued by the Real Estate Board. (0)

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

18VAC62-20-20. Definitions. (0)

The following words and terms when used in this chapter, unless a different meaning is provided or is plainly required by the context, shall have the following meanings:

"Board" means the Fair Housing Board.

"Certificate holder" means any person in the business of selling or renting dwellings holding a valid certificate issued by the board.

"Certification" means the process by which the board issues a certificate to a person certifying completion of the entry requirements established by this chapter.

"Hour" means 50 minutes.

"Person in the business of selling or renting dwellings" means ~~any person who (i) within the preceding 12 months has participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein or (ii) is the owner of any dwelling designed or intended for occupancy by or occupied by five or more families.~~ **TIE TO STATUTORY DEFINITION**

"Proprietary school" means (i) a privately owned school; (ii) a real estate professional association; or (iii) other entities, not under the authority of the Department of Education but approved by the Fair Housing Board to teach fair housing courses.

Commented [HJ(1): Several of the provisions in this regulation are repetitive and could be consolidated.

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"Provider" means an accredited university, college, community college or high school offering adult distributive education courses, or a school offering fair housing related courses.

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

Part II. Entry Requirements

18VAC62-20-30. Qualifications for certification. +4

A. Every applicant for fair housing certification shall have the following qualifications:

1. The applicant shall complete two hours of fair housing training approved by the board or the Real Estate Board. **(+1) (R/D)**
2. The applicant shall have taken the two-hour fair housing training within two years of the date of application. **(+1) (R/D)**
3. If the applicant has in the last five years been found in a court or an administrative body ~~of competent jurisdiction~~ to have violated the Virginia Fair Housing Act (§ 36-96.1 et seq. of the Code of Virginia), the fair housing laws of any jurisdiction of the United States including without limitation Title VIII of the Civil Rights Act of 1968 (82 Stat. 73), or the Civil Rights Act of 1866 (14 Stat. 27), there being no appeal therefrom or the time for appeal having elapsed, then the applicant shall disclose said violations. **(+1) (R/D)** ~~and complete an additional two hours of training in other applicable federal and state discrimination laws and regulations. (+1) (R/D)~~

B. Applicants must provide an address which will serve as the address of record.

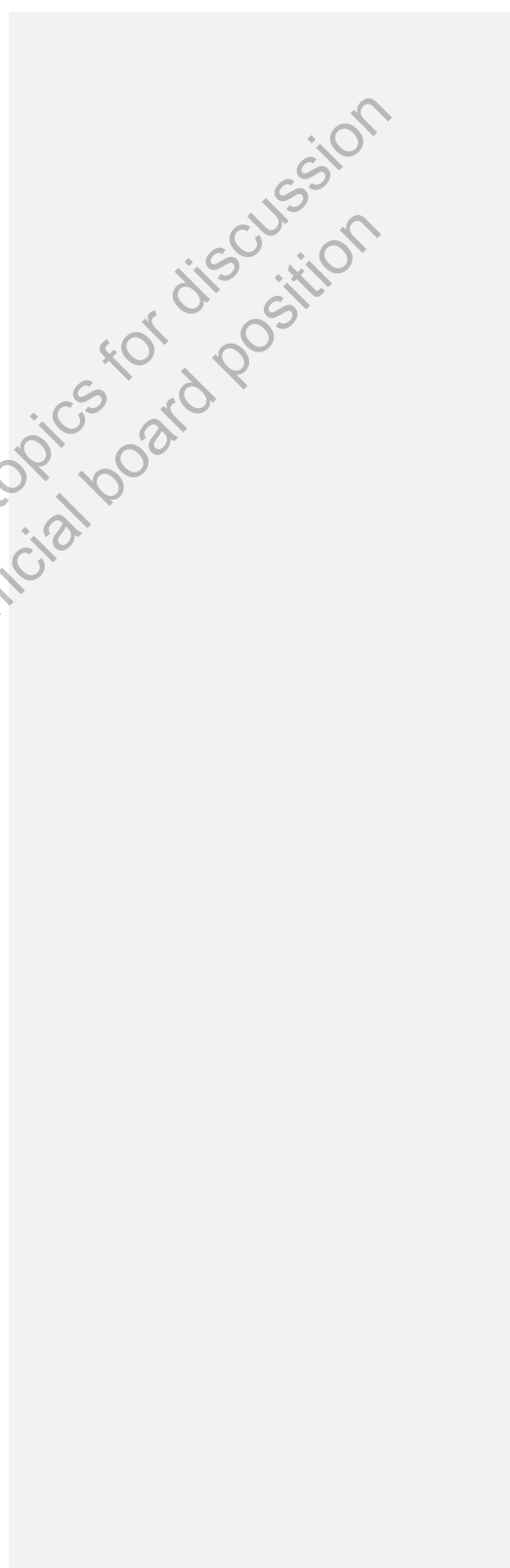
Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

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18VAC62-20-40. Application fees. +4

A. All application fees are nonrefundable **(+1) (G/D)** and the date of actual receipt by the board or its agent is the date that will be used to determine whether it is timely received. **(+1) (G/D) (+1) (R/D)**

B. The application fee for certification shall be \$25. **(+1) (R/D)**

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

Part III. Renewal of Certification

18VAC62-20-50. Renewal required. (0)

Certificates issued under this chapter shall expire two years from the last day of the month in which they were issued, as indicated on the certificate. **(0)**

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

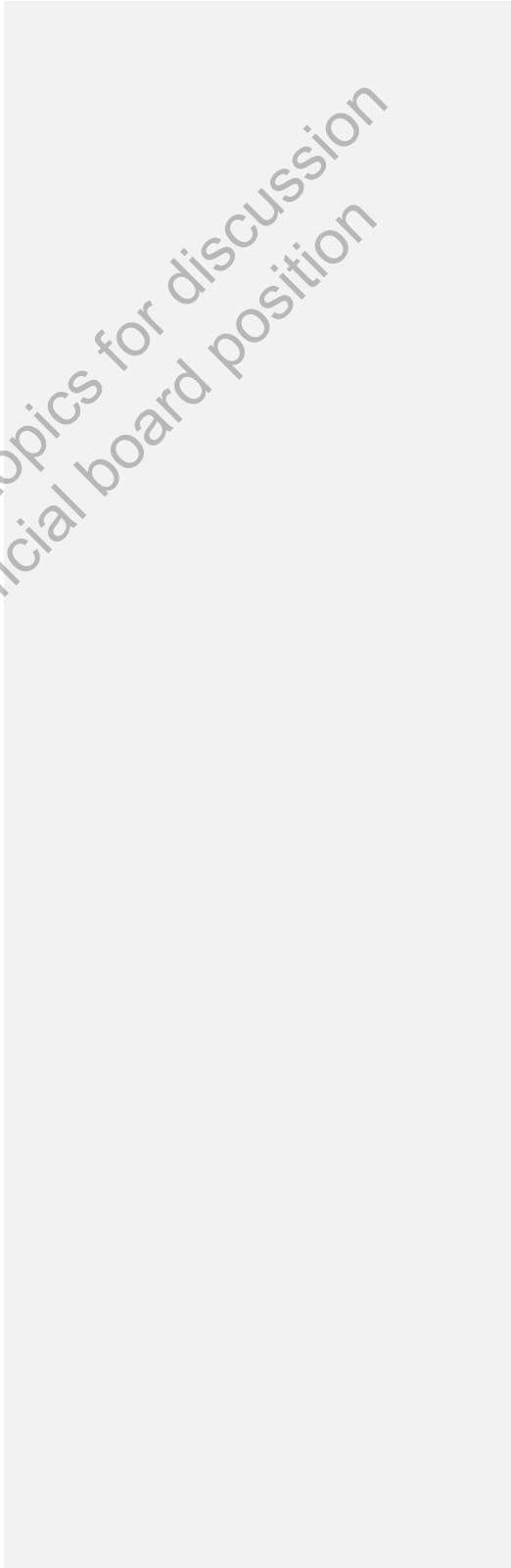
18VAC62-20-60. Qualification for renewal. +6

A. As a condition of renewal, all certificate holders shall be required to satisfactorily complete two hours of fair housing training approved by the board or the Real Estate Board within the preceding two years. **(+1) (R/D)**

~~B. As a condition of renewal, all certificate holders shall have taken the two-hour fair housing training within two years of the date of renewal application. **(+1) (R/D)**~~

~~C. Each certificate holder desiring to renew the certificate shall return ~~to the board~~ the renewal application form **(+1) (R/D)** and the appropriate fee as outlined in 18VAC62-20-90. **(+1) (R/D)**~~

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D. If the certificate holder has in the last two years been found in a court or an administrative body ~~of competent jurisdiction~~ to have violated the Virginia Fair Housing Act (§ 36-96.1 et seq. of the Code of Virginia), the fair housing laws of any jurisdiction of the United States including without limitation Title VIII of the Civil Rights Act of 1968 (82 Stat. 73), or the Civil Rights Act of 1866 (14 Stat. 27), there being no appeal therefrom or the time for appeal having elapsed, then the certificate holder shall disclose said violations **(+1) (R/D)** ~~and complete an additional two hours of training in other applicable federal and state discrimination laws and regulations.~~ **(+1) (R/D)**.

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

18VAC62-20-70. Procedures for renewal. +2

The board will ~~mail send~~ a renewal notice to the certificate holder ~~at the last known address.~~ **(+1) (G/D)** ~~Failure of the certificate holder to receive these notices does not relieve the certificate holder of the obligation to renew.~~ **(+1) (R/D)**

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

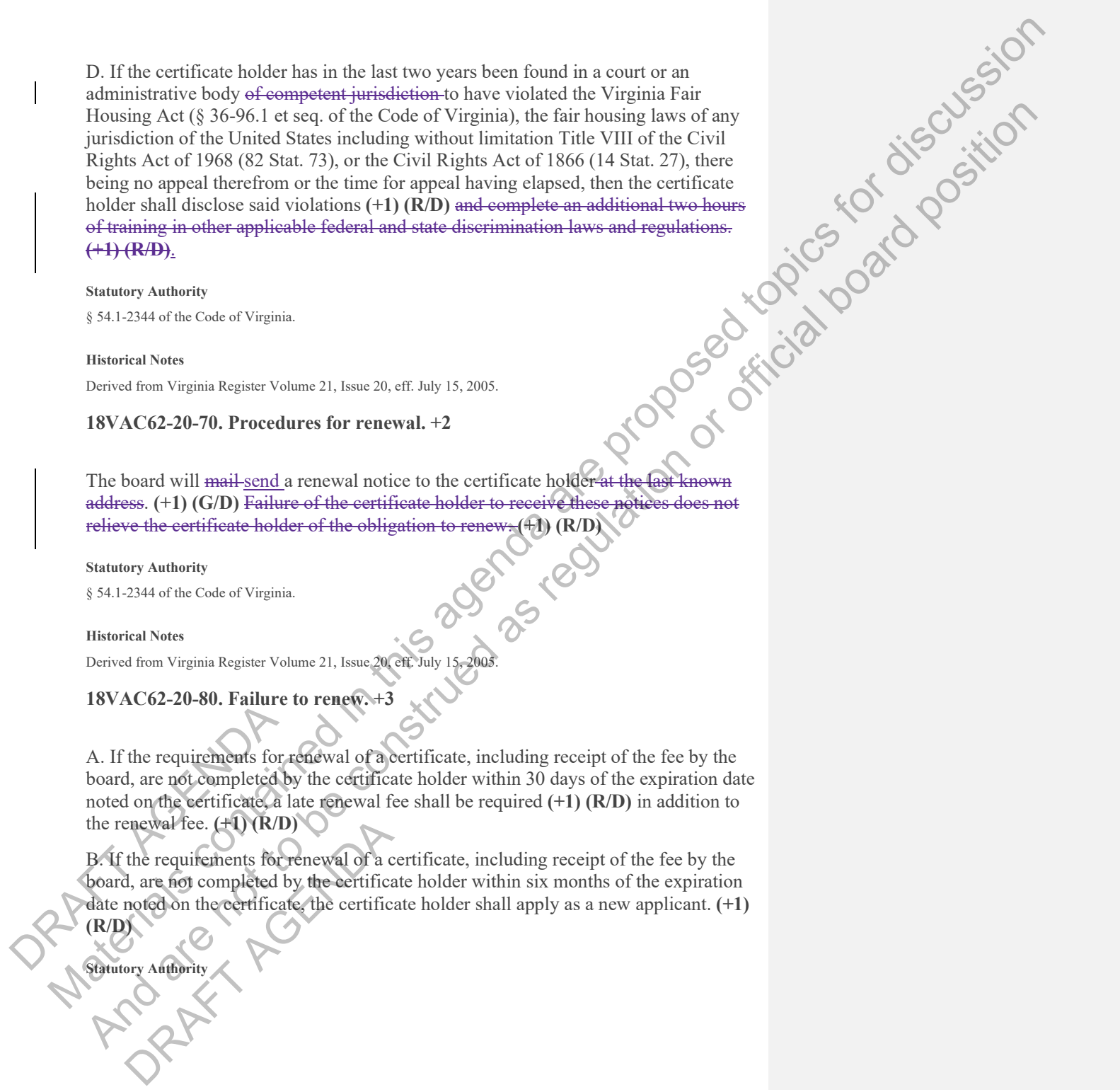
Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

18VAC62-20-80. Failure to renew. +3

A. If the requirements for renewal of a certificate, including receipt of the fee by the board, are not completed by the certificate holder within 30 days of the expiration date noted on the certificate, a late renewal fee shall be required **(+1) (R/D)** in addition to the renewal fee. **(+1) (R/D)**

B. If the requirements for renewal of a certificate, including receipt of the fee by the board, are not completed by the certificate holder within six months of the expiration date noted on the certificate, the certificate holder shall apply as a new applicant. **(+1) (R/D)**

Statutory Authority



§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

18VAC62-20-90. Fees for renewal. +3 COMBINE WITH APPLICATION FEE SECTION

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A. All fees for renewal are nonrefundable **(+1) (G/D)**, and the date of actual receipt by the board or its agent is the date that will be used to determine whether it is timely received. **(+1) (G/D) (+1) (R/D)**

B. Renewal fees are as follows: **(0)**

| | |
|------------------|------|
| Renewal fee | \$25 |
| Late renewal fee | \$25 |

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

~~**18VAC62-20-100. Board discretion to deny renewal. (0)**~~

~~The board may deny renewal of a certificate for the same reasons as it may refuse initial certification. **(0)**~~

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

Part IV. Standards of Conduct

18VAC62-20-110. Maintenance of certificates. +8

~~A. A certificate holder shall keep the board informed of his current address at all times. **(+1) (R/D)** Changes of address shall be reported to the board in writing **(+1)**~~

(R/D) within ~~30-60~~ calendar days after such change. (+1) (R/D) A ~~physical~~ address is required; ~~a post office box is not acceptable.~~ (+1) (R/D) The board shall not be responsible for the certificate holder's failure to receive notices, communications and correspondence caused by the certificate holder's failure to promptly notify the board of any change of address. (0)

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Commented [KS(2)]: Duplicative of Renewal Language

B. A certificate holder shall notify the board in writing of a name change (+1) (R/D) within ~~30-60~~ calendar days of any change in the certificate holder's legal name. (+1) (R/D) Such notification shall be accompanied by a copy of a marriage certificate, divorce decree, or court order ~~or other documentation~~ that verifies the name change. (+1) (R/D)

~~C. Proof of certification shall be accessible in the place of business.~~ (+1) (R/D)

Commented [HJ(3)]: Consider whether this requirement is necessary.

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

Part V. Education

18VAC62-20-120. ~~Proprietary school standards; e~~Course requirements; instructor requirements. +12

~~A. Every applicant to the board for a proprietary school approval shall submit evidence of financial responsibility to ensure that these schools protect the public health, safety and welfare.~~ (+1) (R/D)

Commented [HJ(4)]: Not clear what this requirement entails. What evidence is acceptable?

~~B~~A. Every applicant to the board for approval as an instructor shall have the following qualifications:

1. The applicant shall be a qualified expert in a field related to fair housing (+1) (R/D) who will teach only in the area of his expertise. (+1) (R/D) Each applicant will be required to state his area of expertise (+1) (R/D) and furnish proof of his expertise including, but not limited to, educational transcripts, professional certificates and letters of reference that will verify the applicant's expertise. (+1) (R/D) **PARKING LOT**

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2. The applicant shall disclose whether in the last five years he has been found in a court or an administrative body ~~of competent jurisdiction~~ to have violated the Virginia Fair Housing Act (§ 36-96.1 et seq. of the Code of Virginia), the fair housing laws of any jurisdiction of the United States including without limitation

Title VIII of the Civil Rights Act of 1968 (82 Stat. 73), or the Civil Rights Act of 1866 (14 Stat. 27), there being no appeal therefrom or the time for appeal having elapsed. (+1) (R/D)

C. Providers of fair housing courses shall submit all subjects to the board for approval prior to initially offering the course. (+1) (R/D) The board shall approve each course based on the relevance of the subject to fair housing. (+1) (G/D) Those providers that propose to offer courses must submit the course (+1) (R/D) along with any required documentation on an application provided by the board. (+1) (R/D)

INCORPORATE DOCUMENTS 1, 2, 3, 5, 6 FROM APPLICATION

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D. All ~~instructors-provider~~ shall provide each student with a document that the student may use as proof of course completion. (+1) (R/D) ~~The document shall contain the number of hours completed. (+1) (R/D)~~

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

~~18VAC62-20-130. School renewal procedures. +4~~

~~A. Approval of a proprietary school shall expire two years from the last day of the month in which it was issued, as indicated on the proprietary school approval. (+1) (G/D)~~

~~B. The board will mail a renewal notice to the proprietary school at the last known address. (+1) (G/D) Failure of the proprietary school to receive the notice does not relieve the proprietary school of the obligation to renew. (+1) (R/D)~~

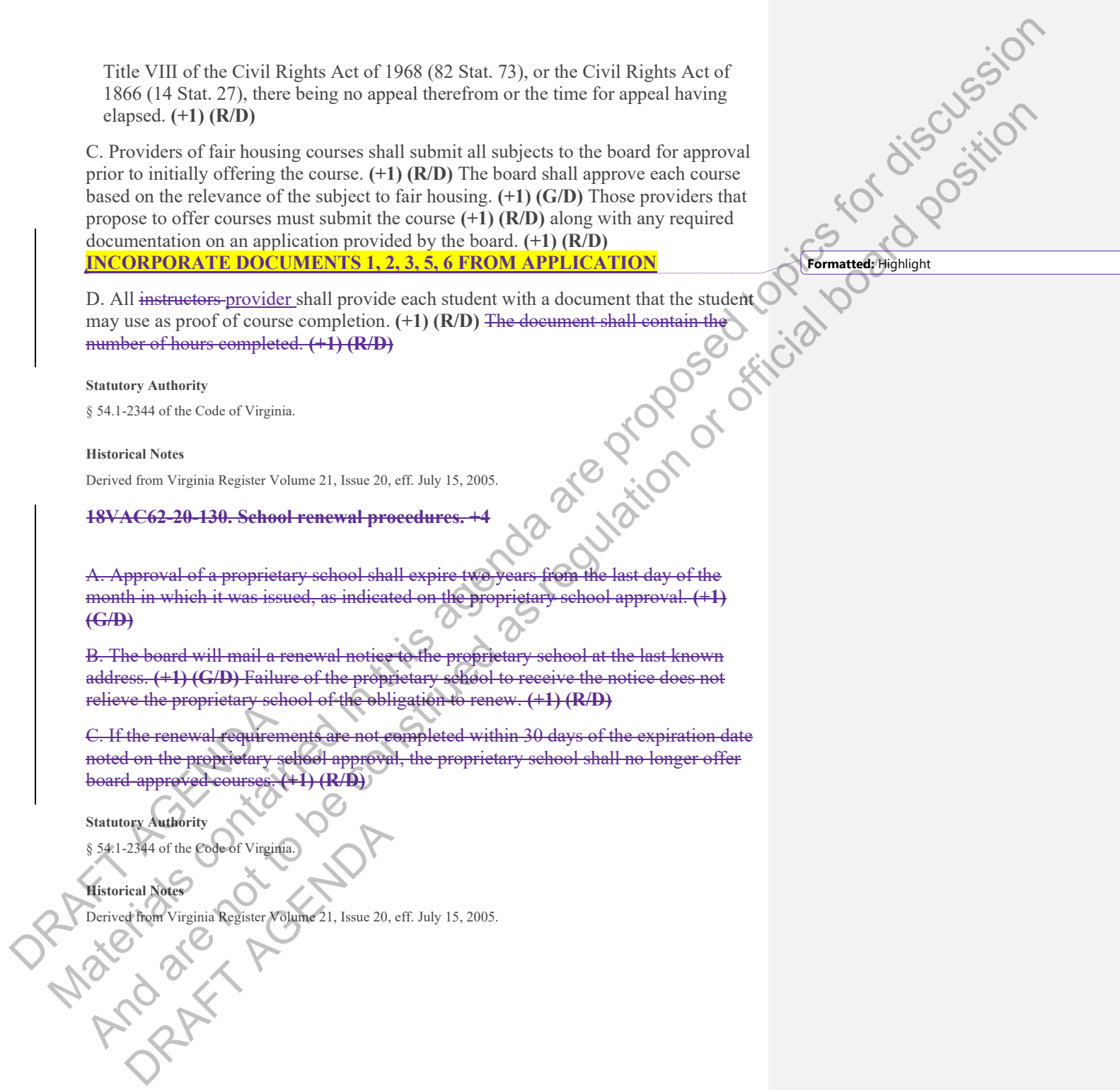
~~C. If the renewal requirements are not completed within 30 days of the expiration date noted on the proprietary school approval, the proprietary school shall no longer offer board approved courses. (+1) (R/D)~~

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.



18VAC62-20-140. Course renewal procedures. +3

A. Approval of a course shall expire two years from the last day of the month in which it was issued, as indicated on the approval document. **(0)**

B. The board will mail-send a renewal notice to the course provider ~~at the last known address.~~ **(+1) (G/D)** Failure of the course provider to receive the notice does not relieve the course provider of the obligation to renew. **(+1) (R/D)**

C. If the renewal requirements are not completed within 30 days of the expiration date noted on the course approval, the course shall no longer be ~~offered eligible for renewal. as a board approved course.~~ **(+1) (R/D)**

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

18VAC62-20-150. Instructor renewal procedures. +8

A. Approval of an instructor shall expire two years from the last day of the month in which it was issued, as indicated on the approval document. **(0)**

B. The board will mail-send a renewal notice to the instructor ~~at the last known address.~~ **(+1) (G/D)** Failure of the instructor to receive the notice does not relieve the instructor of the obligation to renew. **(+1) (R/D)**

C. If the requirements for renewal of an approved instructor, including receipt of the fee by the board **(+1) (R/D)**, are not completed within 30 days of the expiration date on the approval document, a reinstatement fee shall be required. **(+1) (R/D)** Approval as an instructor may be reinstated for up to one year following the expiration date with payment of the reinstatement fee. **(+1) (R/D)** After one year, the approval as an instructor shall not be reinstated under any circumstances **(+1) (R/D)** and the instructor must meet all current requirements **(+1) (R/D)** and apply as a new applicant. **(+1) (R/D)**

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

18VAC62-20-160. Fees. (0) CONSOLIDATE WITH OTHER FEES.

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A. The application fee for approval of a proprietary school shall be \$100.

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B. The renewal fee for proprietary school approval shall be \$100.

C. The application for approval as an instructor shall be \$100.

D. The renewal fee for an instructor shall be \$100.

E. The reinstatement fee for an instructor shall be \$50.

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

~~18VAC62-20-170. Posting of instructor approval. +1~~

~~Copies of the instructor approval shall be available at the location where a course is taught. (+1) (R/D)~~

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

18VAC62-20-180. Withdrawal of approval. +2

The board may withdraw approval of any ~~proprietary school~~, approved instructor or course for the following reasons:

1. The ~~proprietary school~~, instructor or course no longer meets the standards established by the board. (+1) (R/D)
2. Where the instructor has been found to have violated or cooperated with others in violating any provision of Chapter 5.1 (§ 36-96.1 et seq.) of Title 36 of the Code of Virginia, the fair housing laws of any jurisdiction of the United States including without limitation Title VIII of the Civil Rights Act of 1968 (82 Stat. 73), or the Civil Rights Act of 1866 (14 Stat. 27). (+1) (R/D)

Statutory Authority

§ 54.1-2344 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 21, Issue 20, eff. July 15, 2005.

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

COMPLETE CONFLICT OF INTEREST
FORMS AND TRAVEL VOUCHERS

**PLEASE RETURN TO THE
ADMINISTRATIVE COORDINATOR.**

*DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
And are not to be construed as regulation or official board position
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ADJOURNMENT

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