

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

October 5, 2005

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

David B. Rubinstein, Chairman
Jeffrey Adkins
Nilkanth R Bhatt (arrived at 11:08 AM)
Laura Dupuy (arrived at 10:42 AM)
Martin Maples
Robert Ruais
Kim Saunders
James H Schuyler

The following Board Members were not present: Rhonda M. Harmon, Cynthia Clare, E James Lucas

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

Louise Fontaine Ware, Director
Brian Hannigan, Chief Deputy Director
Liz Hayes, Fair Housing Administrator
Karen W O'Neal, Deputy Director
Christine Martine, Executive Director
Chris Olson, Administrative Assistant
Tammie Hall, Education Administrator
Mally Dryden-Mason, Fair Housing Training Specialist
Deanda Shelton, Fair Housing Investigator
Antonio Bedford, Fair Housing Investigator
Yvette Barnes, Fair Housing Investigator
Karen Taylor, Fair Housing Specialist
Annie Wilson, Fair Housing Specialist

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

Chairman Rubinstein called the meeting to order at 10:30 AM

Call to Order

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

Agenda

No one addressed the Board during the public comment period.

Public Comment Period

Chairman Rubinstein introduced new Board Member Jeffrey Adkins

Introduction of New Board Member

A motion was made by Mr. Schuyler and seconded by Ms. Saunders to approve the minutes of the August 9, 2005 Fair Housing Board meeting. The motion passed unanimously. Members voting "Yes" were Adkins, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

Minutes

A motion was made by Mr. Schuyler and seconded by Mr. Maples to approve the minutes of the August 9, 2005, Joint Fair Housing/Real Estate Boards Education Committee Meeting. The motion passed unanimously. Members voting "Yes" were Adkins, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

In the matter of **FHB File Number 2005-04004, Sean Yu and Quing-Xi (Monica) Wang v. Tri-County Development Corporation**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. J. Randolph Parker, Attorney for the respondent, was present and addressed the Board. A motion was made by Mr. Ruais and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-04004, Sean Yu and Quing-Xi (Monica) Wang v. Tri-County Development Corporation

Board Member Laura Dupuy arrived at 10:42 AM.

Arrival of Board Member

In the matter of **FHB File Number 2004-00422, Quinton Williams v. Carl Payne, Keystone Management Enterprises, Aleta Coleman and Lisa Muterspaugh**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Grimes Creasy, attorney for the respondents, was present and addressed the Board. A motion was made by Mr. Maples and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2004-00422, Quinton Williams v. Carl Payne, Keystone Management Enterprises, Aleta Coleman and Lisa Muterspaugh

In the matter of **FHB File Number 2005-03206, George and Sallie Wood v. Wayne Kiser**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr. Ruais and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-03206, George and Sallie Wood v. Wayne Kiser

In the matter of **FHB File Number 2005-03192, Roger Moore v. Robert Kenny, Roxanne Kenny, Kelli Kenny, and Dawn Kenny** the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Ms. Saunders and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-03192, Roger Moore v. Robert Kenny, Roxanne Kenny, Kelli Kenny, and Dawn Kenny

In the matter of **FHB File Number 2005-04783, Theresa Marshall v. United Dominion Realty Trust, Inc., United Dominion Residential Communities and Nikki Taylor**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr. Ruais and seconded by Ms. Saunders to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Maples, Ruais, Rubinstein, and Saunders. Board Member Schuyler abstained from voting in this matter.

FHB File Number 2005-04783, Theresa Marshall v. United Dominion Realty Trust, Inc., United Dominion Residential Communities and Nikki Taylor

In the matter of **FHB File Number 2005-04501, Lokia Kenner v. Kim Steadman and Whispering Oaks Apartments, L.P.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Ms. Saunders and seconded by Mr. Schuyler to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-04501, Lokia Kenner v. Kim Steadman and Whispering Oaks Apartments, L.P.

In the matter of **FHB File Number 2005-04502, Bilal Afan and Reem Khatab v. Theodore and Mary Hixson**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr. Schuyler and seconded by Mr. Maples to close the

FHB File Number 2005-04502, Bilal Afan and Reem Khatab v. Theodore and Mary Hixson

case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

Board Member Nilkanth Bhatt arrived at 11:08 AM.

**Arrival of Board
Member**

In the matter of **FHB File Number 2005-04503, Gordon Gunn v. Betsy Bighinatti and Grace Street Limited Partnership**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation, and supplemental information. There were no representatives present. A motion was made by Mr. Maples and seconded by Mr. Bhatt to close the case with a finding of no reasonable cause. The motion passed by majority. Members voting "Yes" were Adkins, Bhatt, Maples, Ruais, Rubinstein, and Saunders. Members voting "No" were Dupuy and Schuyler.

FHB File Number 2005-04503, Gordon Gunn v. Betsy Bighinatti and Grace Street Limited Partnership

In the matter of **FHB File Number 2005-04261, Sharmonique Bright v. Blue Ridge Commons Corporation**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr. Schuyler and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Maples, Ruais, Rubinstein, Saunders, and Schuyler. Ms. Dupuy recused herself from the discussion and vote pertaining to this matter due to a business relationship with the Respondent.

FHB File Number 2005-04261, Sharmonique Bright v. Blue Ridge Commons Corporation

In the matter of **FHB File Number 2005-04262, Jo Ann Obie v. Addison Hampton Apartments, Addison at Hampton LLC, Weinstein Properties a.k.a Weinstein Management Company, and Stacy Spangler**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr. Ruais and seconded by Mr. Schuyler to close the case with a finding of no reasonable cause. The motion passed by majority. Members voting "Yes" were Adkins, Bhatt, Dupuy, Maples, Ruais, Rubinstein, and Schuyler. Member voting "No" was Saunders.

FHB File Number 2005-04262, Jo Ann Obie v. Addison Hampton Apartments, Addison at Hampton LLC, Weinstein Properties a.k.a Weinstein Management Company, and Stacy Spangler

In the matter of **FHB File Number 2005-04151, Valerie Lewis v. Admiral Pointe LP, Kelly Marsh, and Monica Davis**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation, and supplemental information. There were no representatives present. A motion was made by Ms. Saunders and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-04151, Valerie Lewis v. Admiral Pointe LP, Kelly Marsh, and Monica Davis

In the matter of **FHB File Number 2005-03416, Robin Trotter v. Linda Jordan, Board of Directors of Shannon Green Condominium Association, and Jennifer and Robert Vandell**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation, and supplemental information. There were no representatives present. A motion was made by Mr. Maples and seconded by Ms. Saunders to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-03416, Robin Trotter v. Linda Jordan, Board of Directors of Shannon Green Condominium Association, and Jennifer and Robert Vandell

In the matter of **FHB File Number 2005-03686, Shanell Copeland v. Richard Avendano and Silverwood Associates**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr. Schuyler and seconded by Mr. Adkins to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-03686, Shanell Copeland v. Richard Avendano and Silverwood Associates

Louise Ware, Director, introduced Brian Hannigan as the new Chief Deputy Director for the Department of Professional and Occupational Regulation

Introduction of Chief Deputy Director

At 12.00 PM. Mr. Schuyler made a motion which was seconded by Ms. Dupuy, that the Board recess and the Board immediately reconvene in **closed meeting** for the purpose of consultation with legal counsel pertaining to legal matters within the jurisdiction of the Board 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 and Liz Hayes

Closed Meeting

This motion is made with respect to the matter(s) identified as agenda

item(s):

3. Fair Housing Administrators Report

17. FHB File Number 2003-02828, The Equal Rights Center v. LCOR, Weihe Design Group, PLLC, Silver Associates PA, Engineering Consultant Services, Ltd., VIKA, Inc, and Bovis Construction Corporation, Inc.

18. FHB File Number 2004-00692, Harvey Wayne Sanders v. Walter Johnson

19. FHB File Number 2004-01172, Crystalline Craig v. Dorn V. Williams, Sr. and Mildred Layman

At 12:30 PM., a motion was made by Mr Schuyler and seconded by Mr. Ruais 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 and 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. 8-0

AYES Adkins, Bhatt, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler

NAYS: None

ABSENT DURING THE VOTE: None

ABSENT DURING THE MEETING. Clare, Harmon, and Lucas

In the matter of FHB File Number 2003-02828, **The Equal Rights Center v. LCOR, Weihe Design Group, PLLC, Silver Associates PA, Engineering Consultant Services, Ltd., VIKA, Inc, and Bovis Construction Corporation, Inc.**, no action was taken by the Board as the case was closed administratively

FHB File Number 2003-02828, The Equal Rights Center v. LCOR, Weihe Design Group, PLLC, Silver Associates PA, Engineering Consultant Services, Ltd., VIKA, Inc, and Bovis Construction Corporation, Inc.

In the matter of FHB File Number 2004-00692, **Harvey Wayne Sanders v. Walter Johnson**, the Board reviewed the settlement agreement as forwarded to the Circuit Court for entry. A motion was made by Ms. Dupuy and seconded by Mr Ruais to approve the terms as proposed in the Settlement Agreement. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2004-00692, Harvey Wayne Sanders v. Walter Johnson

In the matter of FHB File Number 2004-01172, **Crystalline Craig v. Dorn V. Williams, Sr., Mildred Layman, and Patsy Musick**, the Board reviewed the settlement agreement as forwarded to the Circuit Court for entry. A motion was made by Mr Ruais and seconded by Mr. Bhatt to approve the terms as proposed in the Settlement Agreement. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Dupuy, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2004-01172, Crystalline Craig v. Dorn V. Williams, Sr., Mildred Layman, and Patsy Musick

Board Member Robert Ruais left the Board Meeting at 1:00 PM.

Departure of Board Member

Louise Ware, Director, discussed the Architect Universal Design Contest with the Board

New Business

Liz Hayes, Fair Housing Administrator, gave a presentation on the Fair Housing Process Improvement Team (PIT) and the recommendations made by the PIT. The Board agreed without dissent to allow staff to draft a policy to allow cases to be closed administratively with a finding of no cause and to have the Fair Housing Administrator approve conciliation

agreements upon approval of the Director or the Director's designee. The policies will be given to Board staff prior to the next scheduled Board Meeting.

Board Member Nilkanth Bhatt departed the meeting at 2:20 PM

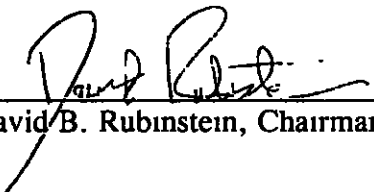
Departure of Board
Member

Tammie Hall, Education Administrator, gave the Education Committee Report No action was taken by the Board.

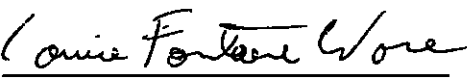
Education Committee
Report

The meeting adjourned at 2 30 PM.

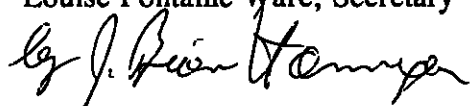
Adjourn



David B. Rubinstein, Chairman



Louise Fontaine Ware, Secretary



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

TRANSACTIONAL DISCLOSURE STATEMENT

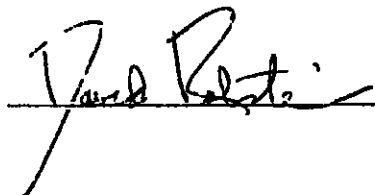
1. Name. David B. Rubinstein
2. Title. Chairman - Virginia Fair Housing Board
3. Agency. Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6 I declare that

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

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

Dated: October 5, 2005

Signature: 

**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. _____

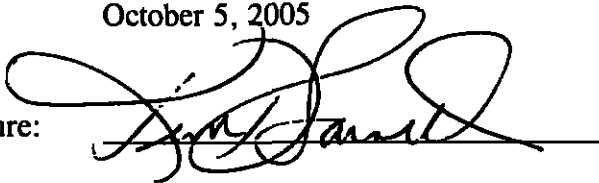
6. I declare that

(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: October 5, 2005

Signature:



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

TRANSACTIONAL DISCLOSURE STATEMENT

- 1 Name: Martin E. Maples
- 2 Title: Member - Virginia Fair Housing Board
- 3 Agency: Department of Professional and Occupational Regulation
- 4 Transaction: Board Meeting
- 5 Nature of Personal Interest Affected by Transaction: _____

6 I declare that.

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

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

Dated: October 5, 2005

Signature: _____

Martin E. Maples

**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

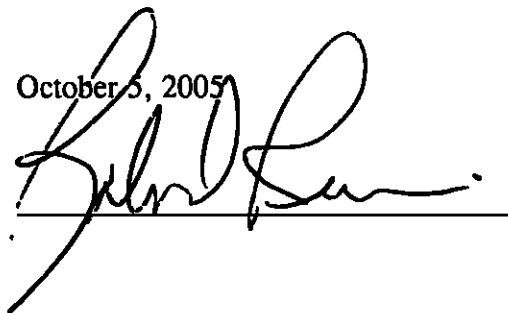
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction. _____

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

Dated

October 5, 2005

Signature



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Laura N. Dupuy
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: Partner w/ non-profit
owner of Blue Ridge Commons Corp, CHPC
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: Lynchburg Neigh
Avg Fndn.

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

Re: 2005-04261 ; 03-05-0361-8

Dated: October 5, 2005

Signature

Laura N Dupuy

**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 _____
-

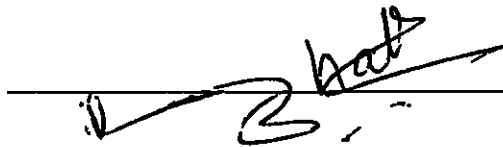
6. I declare that

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

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

Dated October 5, 2005

Signature

A handwritten signature in black ink, appearing to read 'N. Bhatt', is written over a horizontal line. The signature is stylized and cursive.

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Jeffrey Wayne 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: _____

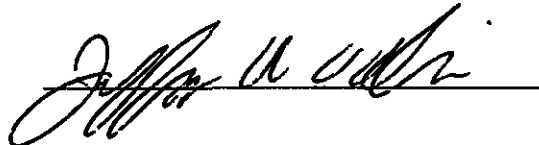
6. I declare that:

(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: October 5, 2005

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: October 5, 2005

Signature. James Schuyler