

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

June 14, 2012

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:

F. Thomas Eck, IV, Vice-Chair
Linda Broady-Myers
Francis Stevens
Matthew K. Kim
Thomas Gifford (arrived at 10:10 a.m.)
Jim Ginnell
Andrew Reisinger
Jeffrey Adkins

The following Board members were absent: Phyllis Randall, Chair
David Rubinstein
Rosemary Wilson
Bob Boynton

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

Gordon Dixon, Director
Christine Martine, Executive Director
Mark Courtney, Deputy Director
Deanda Shelton, Assistant Fair Housing Administrator
Emily Trent, Administrative Assistant
Angela Keefe-Thomas, Fair Housing Investigator
Matt Vincent, Fair Housing Investigator
Trudy Miller, Fair Housing Investigator

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

Vice-Chair Eck called the meeting to order at 10:07 A.M. **Call to Order**

A motion was made by Mr. Ginnell and seconded by Mr. Stevens to approve the Agenda. **Agenda**
The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Ginnell, Kim, Reisinger and Stevens.

A motion was made by Mr. Stevens and seconded by Mr. Kim to approve the April 11, 2012, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Ginnell, Kim, Reisinger and Stevens.

Minutes

There was no public comment.

Public Comment

Deanda Shelton updated the Board on the current investigative case load.

**Fair Housing
Administrator's Report**

Board Member Thomas Gifford arrived at 10:10 a.m.

Arrival of Board Member

In the matter of **FHB File Number 2010-00882, Jody Nescola v. Samuel and Gail Long**, the case was deferred to the July 25, 2012, Fair Housing Board meeting.

**FHB File Number 2010-
00882, Jody Nescola v.
Samuel and Gail Long**

In the matter of **FHB File Number 2012-01604, Rajesh Kohli v. Little River Commons Association and Matt Hauser**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, and Supplemental Final Investigative Report. Anna Karkoon, attorney for the respondents, was present and addressed the Board. A motion was made by Mr. Kim and seconded by Mr. Stevens to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

**FHB File Number 2012-
01604, Rajesh Kohli v.
Little River Commons
Association and Matt
Hauser**

In the matter of **FHB File Number 2010-01881, Terra Bacon v. Terrace Properties, LLC, Shanel Corporation, and Vince Ferranti**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, and Official Consultation Memorandum from the Office of the Attorney General. Terra Bacon, complainant, Neil Kuchinski, attorney for the respondents, and Vince Ferranti, respondent, were present and addressed the Board.

**FHB File Number 2010-
01881, Terra Bacon v.
Terrace Properties, LLC,
Shanel Corporation, and
Vince Ferranti**

At 10:25 A.M., Mr. Eck offered a motion which was seconded by Mr. Kim, that the Board meeting be recessed and that the Fair Housing Board immediately reconvene in closed meeting for the purpose of consultation with legal

Closed Session

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, Deanda Shelton and Angela Keefe-Thomas.

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

8. FHB File Number 2010-01881, Terra Bacon v. Terrace Properties, LLC, Shanel Corporation, and Vince Ferranti

At 10:55 A.M., a motion was made by Mr. Kim and seconded by Mr. Gifford 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: 8-0

AYES: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Boynton, Randall, Rubinstein and Wilson.

In the matter of **FHB File Number 2010-01881, Terra Bacon v. Terrace Properties, LLC, Shanel Corporation, and Vince Ferranti**, a motion was made by Mr. Gifford and seconded by Mr. Reisinger to reconsider the previous finding of reasonable cause based upon new evidence. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

FHB File Number 2010-01881, Terra Bacon v. Terrace Properties, LLC, Shanel Corporation, and Vince Ferranti

A motion was made by Mr. Gifford and seconded by Mr. Reisinger to close the case with a finding of no reasonable cause. The motion failed. Members voting "Yes" were Eck, Gifford, Reisinger and Stevens. Members voting "No" were Adkins, Broady-Myers, Ginnell and Kim.

A motion was made by Mr. Gifford and seconded by Ms. Broady-Myers to defer the matter to the July 25, 2012, Fair Housing Board meeting. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

In the matter of **FHB File Number 2011-02837, Brian Tatum v. John Vanevander**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, and Official Consultation Memorandum from the Office of the Attorney General. Norman Tatum, Power of Attorney for complainant, was present and addressed the Board. A motion was made by Mr. Ginnell and seconded by Mr. Stevens to find reasonable cause that the Respondent discriminated against the Complainant by making discriminatory statements based upon Complainant's disability. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

FHB File Number 2011-02837, Brian Tatum v. John Vanevander

In the matter of **FHB File Number 2012-01721, Angela Addison and Nathaniel Yates v. Greens at Northridge, LP**, 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 Ms. Broady-Myers to close the case with a

FHB File Number 2012-01721, Angela Addison and Nathaniel Yates v. Greens at Northridge, LP

finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

In the matter of **FHB File Number 2012-00683, Mohammad Morovati v. Gregory Letcher**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Kim and seconded by Mr. Gifford to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

FHB File Number 2012-00683, Mohammad Morovati v. Gregory Letcher

Mr. Eck turned the position of Chair over to Mr. Ginnell and recused himself from the meeting.

Transfer of Chair

In the matter of **FHB File Number 2012-01338, Shearon Anderson v. Bank of America and BAC Home Loans Servicing, L.P.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Kim and seconded by Mr. Gifford to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Gifford, Ginnell, Kim, Reisinger and Stevens. Mr. Eck recused himself due to a potential conflict of interest.

FHB File Number 2012-01338, Shearon Anderson v. Bank of America and BAC Home Loans Servicing, L.P.

Mr. Eck returned and assumed the position of Chair.

Transfer of Chair

In the matter of **FHB File Number 2012-02862, Vickie Kennedy and Otis Etheridge v. Dennis Graf, Graf Construction Two, LLC, and S. Grey Folkes, Jr.**, a motion was made by Mr. Adkins and seconded by Mr. Gifford to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

FHB File Number 2012-02862, Vickie Kennedy and Otis Etheridge v. Dennis Graf, Graf Construction Two, LLC, and S. Grey Folkes, Jr.

A motion was made by Mr. Adkins and seconded by Mr. Gifford to accept the June 14, 2012, Education Committee report as presented. The motion passed unanimously.

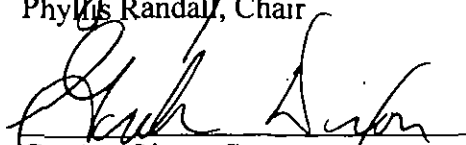
Administrative Issues

Members voting "Yes" were: Adkins, Broady-Myers, Eck, Gifford, Ginnell, Kim, Reisinger and Stevens.

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

The Board adjourned at 11:34 A.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: Jim Ginnell
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: June 14, 2012
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

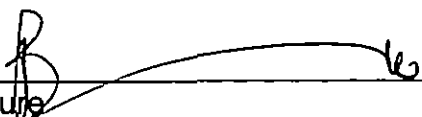
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

6/14/12
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: June 14, 2012
(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.

Linda Broady-Myers
Signature

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: June 14, 2012
(Date)

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

None
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

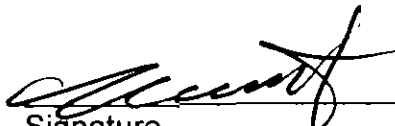
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

6/14/2012
Date

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

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

1. Name: Francis Stevens
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: June 14, 2012
(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.

Francis Stevens
Signature

6/14/12
Date

**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: June 14, 2012
(Date)

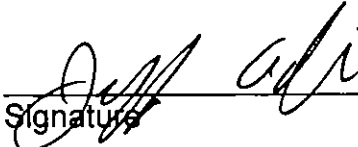
5. I have a personal interest in the following transaction:

(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

7/14/12
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: June 14, 2012
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

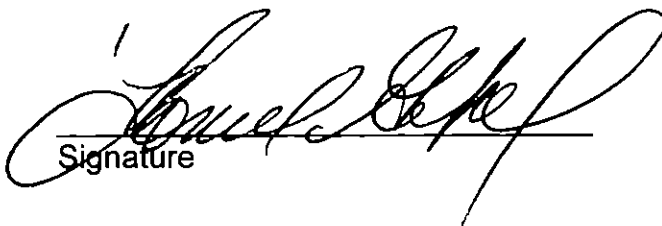
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

6/14/12
Date

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

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

1. Name: Andrew Reisinger
(Name of Board Member)

2. Title: Board Member

3. Agency: Fair Housing Board
(Name of Board)

4. Meeting/IFF Date: June 14, 2012
(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

6-14-12

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: June 14, 2012
(Date)
5. I have a personal interest in the following transaction:
#7 2012-01338
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____
Potential employment

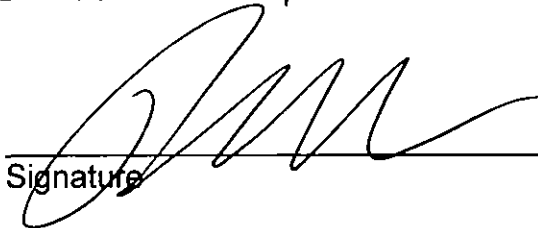
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

6/14/2012
Date