

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

September 13, 2017

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:

Andrew Reisinger, Chair  
Larry Murphy  
Valerie L.T. Roth  
Robert Schaberg (arrived at 10:12 A.M.)  
Candice L. Bennett  
Abigail Spanberger  
Dean A. Lynch

The following Board members were absent:            Myra Howard  
                                                                                 Stephen Northup  
                                                                                 Linda Melton  
                                                                                 John Crouse

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

Jay DeBoer, Director  
James Chapman, Board Administrator  
Jeffrey Williams, 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

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

Mr. Reisinger called the meeting to order at 10:05 A.M.            **Call to Order**

A motion was made by Ms. Roth and seconded by Ms. **Agenda**  
Bennett to approve the Agenda. The motion passed

unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth and Spanberger.

A motion was made by Ms. Roth and seconded by Ms. Bennett to approve the June 7, 2017, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth and Spanberger.

There was no public comment.

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

Board member Robert Schaberg arrived at 10:12 A.M.

In the matter of **FHB File Number 2017-02550, Stacy Stutz v. Luanne Hall, Gretchen Simard and Simard Real Estate, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and supplemental Final Investigative Report. Stacy Stutz, complainant, Luanne Hall and Gretchen Simard, respondents, were present and addressed the Board. A motion was made by Mr. Murphy and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent or otherwise making housing unavailable, by offering discriminatory terms and conditions of a rental and by making a discriminatory statement based on familial status. The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

In the matter of **FHB File Number 2017-00342, Shameka Guilty and Shavone Walker v. Michelle Folks, Garden Management Group and Evergreen Apartments, LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. John P. Williamson, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Bennett and seconded by Mr. Schaberg to find no reasonable cause that the respondents discriminated against the complainants by refusing to rent or otherwise making housing unavailable or denying housing, and by failing to make a reasonable accommodation based on disability. The motion passed

### Minutes

### Public Comment

### Fair Housing Administrator's Report

### Arrival of Board Member

### FHB File Number 2017- 02550, Stacy Stutz v. Luanne Hall, Gretchen Simard and Simard Real Estate, LLC

### FHB File Number 2017- 00342, Shameka Guilty and Shavone Walker v. Michelle Folks, Garden Management Group and Evergreen Apartments, LLC

unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

In the matter of **FHB File Number 2017-02143, Ahnjala Hemphill-Martin v. Robert B. Hickman**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Bennett and seconded by Mr. Lynch to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent or otherwise making housing unavailable and by failing to make a reasonable accommodation based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

**FHB File Number 2017-02143, Ahnjala Hemphill-Martin v. Robert B. Hickman**

In the matter of **FHB File Number 2016-02682, Karen Garnett v. Alfreda Hagan, Fore Courthouse Seniors, LP and Fore Property Company**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation, Supplemental Case Analysis and Official Consultation Memorandum from the Office of the Attorney General. Karen Garnett, complainant, and Bryan Grimes Creasy, attorney for the respondents, were present and addressed the Board.

**FHB File Number 2016-02682, Karen Garnett v. Alfreda Hagan, Fore Courthouse Seniors, LP and Fore Property Company**

At 10:43 A.M., Ms. Bennett offered a motion which was seconded by Mr. Reisinger, 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 will be in attendance to reasonably aid the consideration of the topic: Jay DeBoer, Tom Payne, Liz Hayes and Angela Keefe-Thomas.

**Closed Session**

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

**7. FHB File Number 2016-02682, Karen Garnett v. Alfreda Hagan, Fore Courthouse Seniors, LP and Fore Property Company**

At 11:06 A.M., a motion was made by Mr. Murphy and seconded by Mr. Resinger 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

**FHB File Number 2016-02682, Karen Garnett v. Alfreda Hagan, Fore Courthouse Seniors, LP and Fore Property Company**

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: 7-0

AYES: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Crouse, Howard, Melton and Northup.

In the matter of **FHB File Number 2016-02682, Karen Garnett v. Alfreda Hagan, Fore Courthouse Seniors, LP and Fore Property Company**, a motion was made by Ms. Bennett and seconded by Mr. Lynch to find no reasonable cause the respondents, Fore Courthouse Seniors, LP and Fore Property Company, discriminated against the complainant by refusal to make a reasonable accommodation based on disability. The motion passed by majority vote. Members voting "Yes" were Bennett, Lynch, Schaberg and Reisinger. Members voting "No" were Murphy, Roth and Spanberger.

**FHB File Number 2016-02682, Karen Garnett v. Alfreda Hagan, Fore Courthouse Seniors, LP and Fore Property Company**

A motion was made Ms. Roth and seconded by Ms. Spanberger to find reasonable cause the respondents, Fore Courthouse Seniors, LP and Fore Property Company, discriminated against complainant by interfering with the complaint's fair housing rights by non-renewing her lease in violation of §36-96.5 of the *Code of Virginia*. The motion passed by majority vote. Members voting "Yes" were Lynch, Murphy, Roth and Spanberger. Members voting "No" were Bennett, Schaberg and Reisinger.

A motion was made by Mr. Murphy and seconded by Ms. Roth to find no reasonable cause Alfreda Hagan, respondent, discriminated against the complainant, in her individual capacity, by refusing to make a reasonable accommodation and interfering with the complainant's fair housing rights. The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

In the matter of **FHB File Number 2017-01966, Barbara Lester v. Metropolitan Property Management, Inc., Theresa Reed and Parree Porter Sr. Housing Inc.**, 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.

**FHB File Number 2017-01966, Barbara Lester v. Metropolitan Property Management, Inc., Theresa Reed and Parree Porter Sr. Housing Inc.**

At 11:16 A.M., Ms. Bennett offered a motion which was seconded by Mr. Reisinger, 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 will be in attendance to reasonably aid the consideration of the topic: Jay DeBoer, Tom Payne, Liz Hayes and Angela Keefe-Thomas.

**Closed Session**

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

**8. FHB File Number 2017-01966, Barbara Lester v. Metropolitan Property Management, Inc., Theresa Reed and Parree Porter Sr. Housing Inc.**

At 11:25 A.M., a motion was made by Mr. Murphy and seconded by Mr. Resinger 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

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: 7-0

AYES: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Crouse, Howard, Melton and Northup.

In the matter of **FHB File Number 2017-01966, Barbara Lester v. Metropolitan Property Management, Inc., Theresa Reed and Parree Porter Sr. Housing Inc.**, a motion was made by Ms. Bennett and seconded by Mr. Murphy to find reasonable cause the respondents, Metropolitan Property Management, Inc., and Parree Porter Sr. Housing, Inc., discriminated against the complainant by refusing to make a reasonable accommodation based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger,

**FHB File Number 2017-01966, Barbara Lester v. Metropolitan Property Management, Inc., Theresa Reed and Parree Porter Sr. Housing Inc.**

**FHB File Number 2017-01966, Barbara Lester v. Metropolitan Property Management, Inc., Theresa Reed and Parree Porter Sr. Housing Inc.**

Roth, Schaberg and Spanberger.

A motion was made Ms. Roth and seconded by Mr. Lynch to find no reasonable cause the respondents, Metropolitan Property Management, Inc., and Parree Porter Sr. Housing, Inc., discriminated against complainant by interfering with the complainants fair housing rights by seeking to terminate the lease in violation of §36-96.5 of the *Code of Virginia*. The motion passed by majority vote. Members voting "Yes" were Bennett, Lynch, Reisinger, Roth, Schaberg and Spanberger. Member voting "No" was Murphy.

A motion was made by Mr. Schaberg and seconded by Mr. Murphy to find no reasonable cause Theresa Reed, respondent, discriminated against the complainant, in her individual capacity, by refusing to make a reasonable accommodation and by interfering with the complainant's fair housing rights in violaton of §36-96.5 of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

A motion was made by Mr. Reisinger and seconded by Mr. Resolution Murphy to adopt the following resolution to honor the years of dedicated service by former Board Member Erica Woods-Warrior to the Board:

#### **RESOLUTION IN HONOR OF**

##### Erica Woods-Warrior

WHEREAS, **Erica Woods-Warrior**, has faithfully and diligently served as a member of the Fair Housing Board since 2013; and

WHEREAS, **Erica Woods-Warrior**, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, **Erica Woods-Warrior**, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Fair Housing Board wishes to acknowledge its gratitude and deepest appreciation for

devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Fair Housing Board this thirteenth day of September, 2017 that **Erica Woods-Warrior** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Fair Housing Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

A motion was made by Mr. Reisinger and seconded by Mr. **Resolution** Murphy to adopt the following resolution to honor the years of dedicated service by former Board Member Rosemary Wilson to the Board:

#### **RESOLUTION IN HONOR OF**

Rosemary Wilson

WHEREAS, **Rosemary Wilson**, has faithfully and diligently served as a member of the Fair Housing Board since 2011; and

WHEREAS, **Rosemary Wilson**, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, **Rosemary Wilson**, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Fair Housing Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.



NOW THEREFORE BE IT RESOLVED, by the Fair Housing Board this thirteenth day of September, 2017 that **Rosemary Wilson** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Fair Housing Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

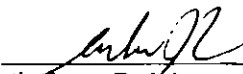
Tom Payne gave the Board a litigation update.

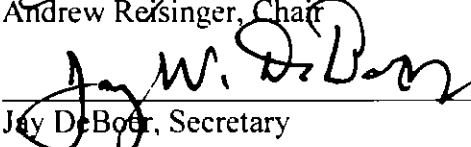
**New Business**

A motion was made by Mr. Reisinger and seconded by Mr. Murphy to approve the September 13, 2017, Fair Housing Education Committee report. The motion passed unanimously. Members voting "Yes" were: Bennett, Lynch, Murphy, Reisinger, Roth, Schaberg and Spanberger.

Candice Bennett volunteered to be on the Fair Housing Education Committee.

The Board adjourned at 11:37 A.M.

  
\_\_\_\_\_  
Andrew Reisinger, Chair

  
\_\_\_\_\_  
Jay DeBoer, Secretary

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

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

1. Name: Larry B. Murphy  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: September 13, 2017  
(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.

Larry B. Murphy  
Signature

9/13/17  
Date

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

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

1. Name: Abigail D. Spanberger  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: September 13, 2017  
(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.

Abigail D. Spanberger  
Signature

9/13/2017  
Date

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

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

1. Name: Valerie L. T. Roth  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: September 13, 2017  
(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.

Valerie L. T. Roth  
Signature

9/13/17  
Date

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

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

1. Name: Robert W. Schaberg  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: September 13, 2017  
(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.

Robert W. Schaberg  
Signature

09/13/17  
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: September 13, 2017  
(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

9-13-17  
\_\_\_\_\_  
Date

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

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

1. Name: Dean A. Lynch  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: September 13, 2017  
(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:

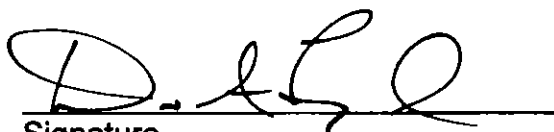
\_\_\_\_\_

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

9/13/17  
Date

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

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

1. Name: Candice L. Bennett  
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board  
(Name of Board)
4. Meeting/IFF Date: September 13, 2017  
(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

9/13/17  
\_\_\_\_\_  
Date