

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

August 4, 2004

The Fair Housing Board Meeting was held at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia 23230. The following Board members were present:

David B. Rubinstein
James Schuyler
Bill A. Adkins
Kim D. Saunders
Martin Maples
Robert Ruais
Laura Dupuy
Rhonda M. Harmon

Board members not present:

Cynthia Clare
E. James Lucas
Nilkanth R. Bhatt

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

Louise Fontaine Ware, Director
Sandra Whitley Ryals, Chief Deputy Director
John Cancelleri, Fair Housing Administrator
Karen W. O'Neal, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Investigative Supervisor
Deanda Shelton, Fair Housing Investigator
Antonio Bedford, Fair Housing Investigator
Robert Whitaker, Conciliator
Camille C. Palmer, Administrative Assistant
Tamika Jones, Fair Housing Investigator
Karen Taylor, Fair Housing Administrative Investigator

Wayne Halbleib, Office of the Attorney General, was present.

Chairman Rubinstein **called the meeting to order** at 10:10 a.m.

Call to Order

A motion was made by Mr. Schuyler and seconded by Mr. Maples to approve the **Agenda**. The motion passed unanimously. Members voting "Yes" were

Agenda

Rubinstein, Schuyler, Adkins, Ruais, Saunders and Maples.

A motion was made by Mr. Maples and seconded by Mr. Schuyler to approve the minutes of the **June 23, 2004 Fair Housing Board Meeting**. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Ruais, Saunders and Maples. There were no negative votes.

Minutes

A motion was made by Mr. Schuyler and seconded by Mr. Adkins to approve the minutes of the **June 24, 2004 Fair Housing Board Training** as amended. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Ruais, Saunders and Maples. There were no negative votes.

No one addressed the Board during the **Public Comment Period**.

**Public Comment
Period**

Ms. Dupuy arrived to the meeting at 10:18 a.m.

Ms. Harmon arrived to the meeting at 11:00 a.m.

At 10:35 a.m., Ms. Dupuy made a motion which was seconded by Mr. Adkins, that the Board recess and the 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: Liz Hayes, Antonio Bedford and Wayne Halbleib

Closed Meeting

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

4. FHB File Number: 2004-00387 Robert de Beck and Elizabeth Lee v. The Townes at Cameron Parke Association, Inc., Pam Streeter, Chris Murphy, Cris Marchiori, Leslie Stewart and Armstrong Management Services, Inc.

At 11:40 a.m., a motion was made by Ms. Dupuy and seconded by Mr. Adkins 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: Rubinstein, Adkins, Maples, Ruais, Schuyler, Harmon, Dupuy and Saunders

NAYS: None

ABSENT DURING THE VOTE: None

ABSENT DURING THE MEETING: Lucas, Clare and Bhatt

In the matter of **FHB File Number: 2004-00387 Robert de Beck and Elizabeth Lee v. The Townes at Cameron Parke Association, Inc., Pam Streeter, Chris Murphy, Cris Marchiori, Leslie Stewart and Armstrong Management Services, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Kenneth Lehman, attorney for the complainants, Mr. Robert de Beck and Ms. Elizabeth Lee, complainants, were present and addressed the Board. Also, there were two interpreters present to interpret for Mr. de Beck and Ms. Lee. A motion was made by Mr. Ruais and seconded by Mr. Adkins to find no reasonable cause. The motion passed by majority vote. Members voting "Yes" were Ruais, Adkins, Harmon and Saunders. Members voting "No" were Schuyler, Dupuy and Maples. Mr. Rubinstein "Abstained" from the vote.

FHB File Number:
2004-00387
Robert de Beck and
Elizabeth Lee v. The
Townes at Cameron
Parke Association,
Inc., Pam Streeter,
Chris Murphy, Cris
Marchiori, Leslie
Stewart and
Armstrong
Management
Services, Inc.

The Board **recessed** at 12:20 p.m. and reconvened at 12:30 p.m.

Recess

In the matter of **FHB File Number: 2004-01438, Sue McGinnis v. Art Bunnell and Jeff Myers**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Ms. Harmon and seconded by Mr. Ruais finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

FHB File Number:
2004-01438
Sue McGinnis v. Art
Bunnell and Jeff
Myers

In the matter of **FHB File Number: 2004-02703, Rita Mae Price Stanaway v. Dorothy Waters, Pam Smith, GEM Management, Inc. and G.V.A. Limited Partnership**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Ruais and seconded by Ms. Harmon finding no reasonable cause and to close this case. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

FHB File Number:
2004-02703
Rita Mae Price
Stanaway v. Dorothy
Waters, Pam Smith,
GEM Management,
Inc. and G.V.A.
Limited Partnership

In the matter of **FHB File Number: 2004-02585, Kimberly Gandy v. Vinewood Homeowners Association, Eleanor Wilson, Kenneth Haynes and Al Woost**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Ruais and seconded by Ms. Harmon finding no reasonable cause and to close this case. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

FHB File Number:
2004-02585
Kimberly Gandy v.
Vinewood
Homeowners
Association, Eleanor
Wilson, Kenneth
Haynes and Al Woost

In the matter of **FHB File Number: 2004-03095, Christopher and Rhonda Dixon v. Baylor Heirs LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Ruais and seconded by Ms. Harmon finding no reasonable cause and to close this case. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

FHB File Number:
2004-03095
Christopher and
Rhonda Dixon v.
Baylor Heirs LLC

In the matter of **FHB File Number: 2004-03099, Regina Miles v. Andrea Moore**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Ruais and seconded by Ms. Harmon finding no reasonable cause and to close this case. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

FHB File Number:
2004-03099
Regina Miles v.
Andrea Moore

In the matter of **FHB File Number: 2004-03310, Yomi Martins v. Diane Gilmore and University Square LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Ruais and seconded by Ms. Harmon finding no reasonable cause and to close this case. The motion passed unanimously. Members voting “Yes” were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and

FHB File Number:
2004-03310
Yomi Martins v.
Diane Gilmore and
University Square
LLC

Ruais. There were no negative votes.

In the matter of **FHB File Number: 2004-04147, Tracy and Samuel Mustian v. Affordable Communities (A.R.C.), dba Green Acres Mobile Home Park and N'Tandem Properties, LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There was no representative present. A motion was made by Mr. Ruais and seconded by Ms. Harmon finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

FHB File Number:
2004-04147
Tracy and Samuel
Mustian v. Affordable
Communities
(A.R.C.), dba Green
Acres Mobile Home
Park and N'Tandem
Properties, LP

A motion was made by Ms. Harmon and seconded by Mr. Schuyler to approve the conciliation agreement in the following case:

Conciliation
Agreement

FHB File Number: 2004-01807, Virginia and Christopher Humphrey v. Angela Tregus and Great Atlantic Management Company, Inc.

Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

A motion was made by Ms. Harmon and seconded by Mr. Schuyler to approve the conciliation agreements in the following cases:

FHB File Number: 2004-03004, Pamela Barbour v. Shawn Fitzpatrick, General Investments & Development Management, Susan Kaminkas, Windsor at Fieldstone Limited Partnership

FHB File Number: 2004-03854, Doris L. Tyler v. Oliver Lawrence, Bayou Properties, LLC

FHB File Number: 2003-02858, John G. McDavitt v. Mr. and Mrs. McVey, Ellen Peters, Mac-Beth Ent.

Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

The Board acknowledged the hard work of the Fair Housing staff in reaching conciliation agreements.

In the matter of **FHB File Number: 2004-01442, Brenda Holmes v. Theresa Johnson, Robin Edmonds and Oakleys Townhomes, LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ms. Brenda Holmes was present and addressed the Board. A motion was made by Ms. Harmon and seconded

FHB File Number:
2004-01442
Brenda Holmes v.
Theresa Johnson,
Robin Edmonds and

by Mr. Schuyler to refer the case to the Office of the Attorney General for consultation while staff obtains further information. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

Oakleys Townhomes, LLC

In the matter of **FHB File Number: 2004-01443, Mary Holmes v. Theresa Johnson, Robin Edmonds and Oakleys Townhouses, LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ms. Mary Holmes was present. A motion was made by Ms. Harmon and seconded by Mr. Schuyler to refer the case to the Office of the Attorney General for consultation while staff obtains further information. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

FHB File Number: 2004-01443
Mary Holmes v. Theresa Johnson, Robin Edmonds and Oakleys Townhouses, LLC

In the matter of **FHB File Number: 2004-01444, Stacy Harmon v. Theresa Johnson, Robin Edmonds and Oakleys Townhouses, LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ms. Stacy Harmon was present. A motion was made by Ms. Harmon and seconded by Mr. Schuyler to refer the case to the Office of the Attorney General for consultation while staff obtains further information. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Harmon, Maples, Saunders and Ruais. There were no negative votes.

FHB File Number: 2004-01444
Stacy Harmon v. Theresa Johnson, Robin Edmonds and Oakleys Townhouses, LLC

Mr. Cancelleri introduced Deborah McGee, Carolyn El-Amin, and Sylvia Berry, representatives from the Department of Housing and Urban Development. Each representative gave brief remarks.

Fair Housing Administrator's Report

Mr. Cancelleri gave a caseload update.

Ms. Harmon left the meeting at 1:15 p.m.

Ms. Martine introduced Tammy Hall, Education Administrator.

Education Applications

The Board discussed what was needed to show evidence of financial responsibility and determined that the school will need to submit a certified Balance Sheet and Income Statement for the last two fiscal years.

The following **Education Applications** were presented to the Board for consideration:

A motion was made by Mr. Schuyler and seconded by Ms. Saunders to approve the application of **KSI Management** contingent upon receipt of a certified Income Statement and Balance Sheet subject to approval of the

Education Administrator. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Maples, Saunders and Ruais. There were no negative votes.

A motion was made by Ms. Saunders and seconded by Ms. Dupuy to approve the fair housing course application submitted by **KSI Management** contingent upon receipt of an approved instructor. The motion passed unanimously. Members voting "Yes" were Rubinstein, Schuyler, Adkins, Dupuy, Maples, Saunders and Ruais. There were no negative votes.

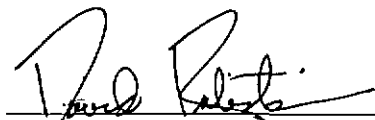
The Board discussed possible training for the future.

There was no **Old Business**.

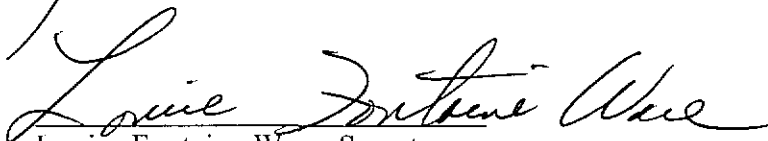
Old Business

The meeting adjourned at 2:20 p.m.

Adjourn



David B. Rubinstein, Chairman



Louise Fontaine Ware, Secretary

Copy Teste:

Custodian of the Record

**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: _____

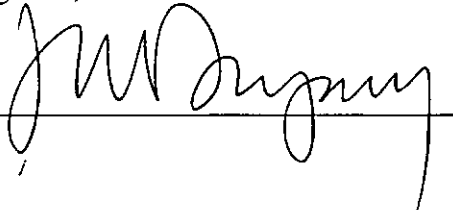
6. I declare that:

(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: August 4, 2004

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: _____

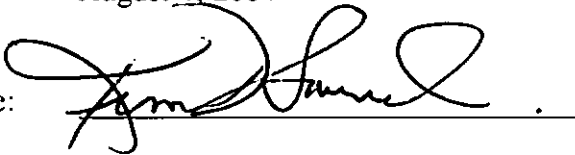
6. I declare that:

(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: August 4, 2004

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Rhonda M. Harmon
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: August 4, 2004

Signature: _____

**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: _____

_____ none _____

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

Dated: August 4, 2004

Signature: _____

David Rubinstein

**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: August 4, 2004

Signature: _____

James Schuyler

**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: August 4, 2004

Signature: _____

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Bill A. 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: August 4, 2004

Signature: Bill A. Adkins

**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: August 4, 2004

Signature: _____