

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

February 9, 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
Cynthia Clare
Rhonda M. Harmon
Martin Maples
Robert Ruais
Kim D. Saunders (departed at 12:00 p.m.)

Board members not present:

Bill A. Adkins
Nilkanth R. Bhatt
Laura Dupuy
E. James Lucas
James H. Schuyler

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

Louise Fontaine Ware, Director
John Cancelleri, Fair Housing Administrator
Karen W. O'Neal, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Investigative Supervisor
Chris Olson, Administrative Assistant
Deanda Shelton, Fair Housing Investigator
Antonio Bedford, Fair Housing Investigator
Robert Whittaker, Program Conciliator
Bryan Carver, Fair Housing Investigator
Tamika Jones, Fair Housing Investigator
Karen Taylor, Fair Housing Specialist
Annie Wilson, Fair Housing Specialist

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

Chairman Rubinstein called the meeting to order at 10:15 a.m.

Call to Order

A motion was made by Ms. Saunders and seconded by Ms. Clare to approve the **Agenda**. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

Agenda

A motion was made by Ms. Clare and seconded by Mr. Ruais to approve the minutes of the **December 1, 2004, Fair Housing Board Meeting** as amended. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

Minutes

The **Public Comment Period** was deferred to later in the meeting in order to hear the cases while the Board had a quorum.

Public Comment Period

Louise Ware discussed House Bill 1992 with the Board. A motion was made by Mr. Maples and seconded by Ms. Saunders to oppose House Bill 1992 and any effort to weaken Virginia's Fair Housing Law. The motion passed with a majority vote. Members voting "Yes" were Clare, Maples, Ruais, Rubinstein, and Saunders. Members voting "No" were Harmon.

Legislation

In the matter of **FHB File Number 2005-00371, Bishop Richard Hall v. Historic Petersburg Foundation**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Hall, complainant, and Neil Talegoankar, Attorney for respondent, were 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 Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2005-00371, Bishop Richard Hall v. Historic Petersburg Foundation

In the matter of **FHB File Number 2004-04711, Susan Lickey v. Parham-Oxford Associates/AIMCO Properties**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ms. Lickey, complainant and Freddie Goode, Attorney for complainant, were present and addressed the Board. A motion was made by Ms. Clare and seconded by Ms. Harmon to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2004-04711, Susan Lickey v. Parham-Oxford Associates/AIMCO Properties

In the matter of **FHB File Number 2004-01010, Lewis Feldman v. CFM Management Services, Inc., Allen Atkins, James Phillips, Betsy Benitez, H.A. Deck, Mike Hivnor, Stan Zimmerman, and Stan Reid, and FHB File Number 2004-01011, Robert Pickett v. CFM Management Services, Inc., Allen Atkins, James Phillips, Betsy Benitez, H.A. Deck, Mike Hivnor, Stan Zimmerman, and Stan Reid** the Board reviewed the records which consisted of the Final Investigative Reports and Case Analysis' and Recommendations, as well as supplemental materials provided at the Board meeting. Sheila Salmon, Attorney for Lewis Feldman and Robert Pickett, and Peter Philbin, Attorney for respondent, were present and addressed the Board. A motion was made by Ms. Clare and seconded by Mr. Maples to close both cases with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2004-01010, Lewis Feldman v. CFM Management Services, Inc., Allen Atkins, James Phillips, Betsy Benitez, H.A. Deck, Mike Hivnor, Stan Zimmerman, and Stan Reid,
FHB File Number 2004-01011, Robert Pickett v. CFM Management Services, Inc., Allen Atkins, James Phillips, Betsy Benitez, H.A. Deck, Mike Hivnor, Stan Zimmerman, and Stan Reid

In the matter of **FHB File Number 2004-00744, Kenya Rock v. Khalid Khadduri**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Khalid Khadduri, respondent, was present and addressed the Board. A motion was made by Mr. Ruais and seconded by Ms. Clare to find reasonable cause that the respondent refused to rent to the complainant based on familial status and issue a charge. The motion passed by majority. Members voting "Yes" were Clare, Maples, Ruais, Rubinstein, and Saunders. Member voting "No" was Harmon.

FHB File Number 2004-00744 Kenya Rock v. Khalid Khadduri

In the matter of **FHB File Number 2003-02979 George and Paulette Friday v. Wells Fargo Home Mortgage and Peter Wissinger**, 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. Harmon and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2003-02979 George and Paulette Friday v. Wells Fargo Home Mortgage and Peter Wissinger

In the matter of **FHB File Number 2004-04956, Connie Clinkscale v. Foxwood Associates, LP, ARCAP, LC, Robert Ruais, Rebecca Roach, Foxwood Village Mobile Home Park, and Kathy Frischnecht**, the Board agreed by consensus to defer this matter to the April 13, 2005, Board meeting as there would not be a quorum present

FHB File Number 2004-04956, Connie Clinkscale v. Foxwood Associates, LP, ARCAP, LC, Robert Ruais, Rebecca Roach,

once Mr. Ruais recused himself from the meeting.

Foxwood Village Mobile
Home Park, and Kathy
Frischnecht

In the matter of **FHB File Number 2005-00973 Winfred Allen v. Joanne Izaguirre and Summerland Heights LP**, 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. Harmon and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2005-
00973 Winfred Allen v.
Joanne Izaguirre and
Summerland Heights LP

In the matter of **FHB File Number 2005-01550 Evelyn and Richard Gandee v. Jim Taylor, Americana Park East and Merry Oaks, LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, as well as supplemental materials provided at the Board meeting. There were no representatives present. A motion was made by Ms. Clare and seconded by Ms. Harmon to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2005-
01550 Evelyn and
Richard Gandee v. Jim
Taylor, Americana Park
East and Merry Oaks,
LLC

In the matter of **FHB File Number 2004-04196 Debra and Marvin Brown v. Marvin Clair**, 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. Harmon and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2004-
04196 Debra and Marvin
Brown v. Marvin Clair

In the matter of **FHB File Number 2005-00374 Pedro McAllister and Lena Montoya v. Keith Wright**, 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. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2005-
00374 Pedro McAllister
and Lena Montoya v.
Keith Wright

In the matter of **FHB File Number 2003-02355 Angela Riegel v. William Larry Dotson**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, as well as supplemental materials provided at the Board Meeting. There were no representatives present. A motion was made by Ms. Harmon and seconded by Mr. Rubinstein to refer this matter to the Office of Attorney General for official consultation. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

FHB File Number 2003-02355 Angela Riegel v. William Larry Dotson

In the matter of **REB File Number 2005-00744 Mohammad and Abeer Abbasi v. Denise Regan**, 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. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

REB File Number 2005-00744 Mohammad and Abeer Abbasi v. Denise Regan

In the matter of **FHB File Number 2005-00644 Michael Edelson and Ann Redding v. Langley Properties**, 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 failed due to a lack of majority vote. Members voting "Yes" were Clare, Ruais, and Saunders. Members voting "No" were Harmon, Maples, and Rubinstein.

FHB File Number 2005-00644 Michael Edelson and Ann Redding v. Langley Properties

After further discussion a motion was made by Ms. Harmon and seconded by Mr. Rubinstein to refer the matter back to the Office of Attorney General for official consultation to determine if there is disparate impact. The motion passed by majority. Members voting "Yes" were Harmon, Maples, Saunders, and Rubinstein. Members voting "No" were Clare and Ruais.

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

Conciliation Agreements

FHB File Number 2005-01227 Jeannie Q. Clark v. James City County Housing Authority Housing and Community Development, Richard Hanson; and

FHB File Number 2005-00366 Marleeta Thompson v. Charlie Nemo, F&W Management Company, Krista Manuel, Maxine Finch, Laurel Pines, LP.

The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

No one addressed the Board during the public comment period.

Public Comment

The Education Committee met on February 9, 2005 prior to the Fair Housing Board Meeting.

Education Committee Report

The Committee voted to accept the following applications:

Realty Way Academy Proprietary School Application

Realty Way Academy's six (6) hour fair housing course application

Instructor applications for:

Nadeen Green, Esquire, Smyrna, GA

John B. Raftery, Esquire, Bethesda, MD

Sheila Alkire, Germantown, MD

The Board voted to defer the following applications, due to lack of a quorum:

The Mark Winkler Company Proprietary School Application

Instructor applications for:

Cynthia Clare, Alexandria, VA

Patricia BremPELL, Alexandria, VA.

A motion was made by Ms. Harmon and seconded by Ms. Clare to adopt the minutes of the Education Committee. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

A motion was made by Ms. Harmon and seconded by Ms. Clare to adopt the minutes of the November 30, 2004 Education Committee meeting. The motion passed unanimously. Members voting "Yes" were Clare, Harmon, Maples, Ruais, Rubinstein, and Saunders.

Mr. Cancelleri updated the Board on Partnership Initiatives.

Fair Housing
Administrators Report

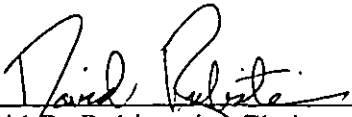
Wayne Halbleib, Assistant Attorney General, updated the Board on cases currently with the Office of Attorney General

The Board members had no **other business** for discussion.

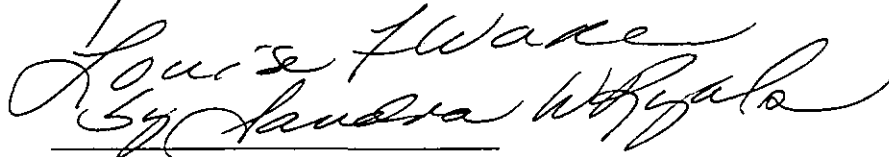
Other Business

The meeting adjourned at 12:25 p.m.

Adjourn



David B. Rubinstein, Chairman



Louise Fontaine Ware, Secretary

**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: None
-

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: February 9, 2005

Signature. Rhonda M. Harmon

**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: February 9, 2005

Signature:



**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 _____

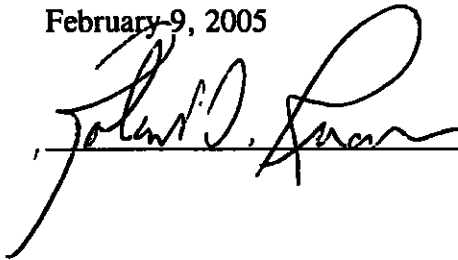
6. I declare that:

(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: February 9, 2005

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Cynthia M Clare
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: Approval of
Instructor - John Raftery - attorney for our
Company
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. February 9, 2005

Signature: Cynthia M Clare

**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: _____

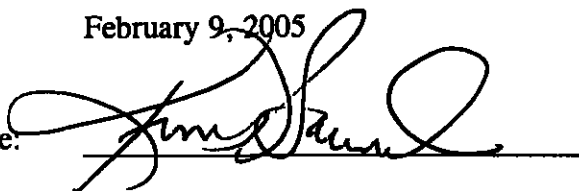
6. I declare that:

(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: February 9, 2005

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: _____

_____ *none* _____

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: February 9, 2005

Signature: 