

# VIRGINIA FAIR HOUSING BOARD

## MINUTES OF MEETING

August 26, 2020

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:

Myra Howard, Chair  
Candice L. Bennett  
Sherman Gillums  
Valerie L.T. Roth  
Dean A. Lynch  
T. Nicole Hebbe  
Amanda Buyalos

Board member absent from the meeting: Larry Murphy, Vice-Chair  
Stephen Northup  
John Crouse  
Linda Melton  
Scott Astrada

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

Mary Broz-Vaughan, Director  
Christine Martine, Executive Director  
Jim Chapman, 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  
Loraine Schroeder, Fair Housing Investigator

Tom Payne, Senior Assistant Attorney General, and Helen Hardiman, Assistant Attorney General, with the Office of the Attorney General were present.

Ms. Howard called the meeting to order at 10:05 A.M.

**Call to Order**

A motion was made by Mr. Lynch and seconded by Ms. Bennett to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**Agenda**

A motion was made by Ms. Bennett and seconded by Ms. Buyalos to approve the March 4, 2020, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**Minutes**

There was no public comment.

**Public Comment**

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

**Fair Housing  
Administrator's Report**

In the matter of **FHB File Number 2019-00219, Mary Bennett-Browning and George Hunter-Browning v. Baird Stokes and Turtle Creek Home Owner's Association, Inc.**, the Board deferred the matter.

**FHB File Number 2019-00219, Mary Bennett-Browning and George Hunter-Browning v. Baird Stokes and Turtle Creek Home Owner's Association, Inc.**

In the matter of **FHB File Number 2019-02754, Anna Finney Miles and Neale Tyler v. Gates Hudson Community Management, LLC and The Unit Owners Association of Harbor Point West Condominium at Belmont Bay**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Eileen Geller, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Bennett and seconded by Mr. Lynch to find no reasonable cause that the respondents discriminated against the complainants by intimidating, coercing or retaliating based upon disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2019-02754, Anna Finney Miles and Neale Tyler v. Gates Hudson Community Management, LLC and The Unit Owners Association of Harbor Point West Condominium at Belmont Bay**

In the matter of **FHB File Number 2020-01549, Sarah and Cleo Lynn Page v. Carlson Properties, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Lynch and seconded by Ms. Roth to find no reasonable cause that the respondents discriminated against the complainants by refusing to rent based upon race. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-01549, Sarah and Cleo Lynn Page v. Carlson Properties, LLC**

In the matter of **FHB File Number 2020-01455, Brenda Ellis v. Keith Burchette and Norton Redevelopment and Housing Authority**, 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 complainants by offering discriminatory terms and conditions based upon race. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-01455, Brenda Ellis v. Keith Burchette and Norton Redevelopment and Housing Authority**

In the matter of **FHB File Number 2020-02186, Melinda Scott v. Wise County Redevelopment & Housing Authority**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Roth and seconded by Mr. Lynch to find no reasonable cause that the respondents discriminated against the complainants by offering discriminatory terms and conditions, by refusing to rent or intimidating, harassing or coercing complainant based upon familial status. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-02186, Melinda Scott v. Wise County Redevelopment & Housing Authority**

In the matter of **FHB File Number 2018-01101, Michael Williams and Patricia Thomas v. PRG Ashton Creek Associates, LLC and PRG Real Estate Management, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, Supplemental Final Investigative Report and Official Consultation Memorandum from the Office of the Attorney General. Robert Perrow, attorney for the respondents, was present and addressed the Board.

**FHB File Number 2018-01101, Michael Williams and Patricia Thomas v. PRG Ashton Creek Associates, LLC and PRG Real Estate Management, Inc.**

At 10:20 A.M., Ms. Roth offered a motion which was seconded by Mr. Lynch, 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: Tom Payne, Helen Hardiman, Liz Hayes and Angela Keefe-Thomas.

**Closed Session**

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

**13. FHB File Number 2018-01101, Michael Williams and Patricia Thomas v. PRG Ashton Creek Associates, LLC dba Ashton Creek Apartments and PRG Real Estate Management, Inc.**

At 10:27 A.M., a motion was made by Mr. Lynch and seconded by Mr. Gillums 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: 7-0

AYES: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

NAYS: None.

ABSENT DURING THE VOTE: Astrada, Crouse, Melton, Murphy and Northup.

ABSENT DURING THE MEETING: Astrada, Crouse, Melton, Murphy and Northup.

In the matter of **FHB File Number 2018-01101, Michael FHB File Number 2018-**

**Williams and Patricia Thomas v. PRG Ashton Creek Associates, LLC and PRG Real Estate Management, Inc.**, a motion was made by Ms. Roth and seconded by Mr. Lynch to find no reasonable cause the respondents discriminated against the complainants by refusing to make a reasonable accommodation to transfer units and by refusing to remediate soot in complainant's unit; and find reasonable cause respondents discriminated against complainants by refusing to make a reasonable accommodation to waive early termination fees. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**01101, Michael Williams and Patricia Thomas v. PRG Ashton Creek Associates, LLC and PRG Real Estate Management, Inc.**

In the matter of **FHB File Number 2019-02670, Monica Anderson v. W. V. McClure, Inc. and Mike McLane**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Monica Anderson, complainant, was present and addressed the Board. A motion was made by Mr. Lynch and seconded by Ms. Hebbe to find no reasonable cause that the respondents discriminated against the complainant by refusing to sell to or deal with complainant or subjecting complainant to discriminatory terms and conditions based upon race. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2019-02670, Monica Anderson v. W. V. McClure, Inc. and Mike McLane**

In the matter of **FHB File Number 2019-03215, Carrie Blaylock v. Katelyn Rushing, Springfield Affordable, LLC and Dalcour Management, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Carrie Blaylock, complainant, was present and addressed the Board. A motion was made by Mr. Lynch and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent or subjecting complainant to discriminatory terms and conditions based on complainant's boyfriend's race. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2019-03215, Carrie Blaylock v. Katelyn Rushing, Springfield Affordable, LLC and Dalcour Management, LLC**

In the matter of **FHB File Number 2020-00385, Jessica Smith and Johnathan Smith v. Eagle Point Estates Section One Homeowner's Association, Steve Crumpton and Ray Justice**, the Board reviewed the record which consisted of the Final Investigative Report, and Case

**FHB File Number 2020-00385, Jessica Smith and Johnathan Smith v. Eagle Point Estates Section One Homeowner's**

Analysis. A motion was made by Ms. Hebbe and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainants by refusing to permit a reasonable modification or subjecting complainants to discriminatory terms and conditions based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**Association, Steve Crumpton and Ray Justice**

In the matter of **FHB File Number 2019-02358, Herbert Gillispie v. Melloney Sadauskas and LTT Associates, LLC**, 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 Ms. Roth to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent or imposing discriminatory terms and conditions based on race. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2019-02358, Herbert Gillispie v. Melloney Sadauskas and LTT Associates, LLC**

In the matter of **FHB File Number 2019-02563, Tameka Washington v. CAMG-C Incorporated, Suzanne Davis and Megan Zinck**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis, and Supplemental Final Investigative Report. Tameka Washington, complainant, was present and addressed the Board. A motion was made by Mr. Lynch and seconded by Ms. Hebbe to find no reasonable cause that the respondents discriminated against the complainant by imposing discriminatory terms and conditions; by refusing to make a reasonable accommodation; or making, printing or publishing discriminatory statements based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2019-02563, Tameka Washington v. CAMG-C Incorporated, Suzanne Davis and Megan Zinck**

In the matter of **FHB File Number 2019-03192, Danny Toliver and Monique Moody v. Providence Homeowner's Association, Inc. and Community Group, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Eileen Geller, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Roth and seconded by Ms. Bennett to find no reasonable cause that the respondents

**FHB File Number 2019-03192, Danny Toliver and Monique Moody v. Providence Homeowner's Association, Inc. and Community Group, Inc.**

discriminated against the complainants by subjecting the complainants to different terms and conditions or intimidating, coercing or interfering with the complainant's fair housing rights based upon race. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

In the matter of **FHB File Number 2020-00839, Dorothy Flowers v. Hopewell Redevelopment & Housing Authority & Steve Benham**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Hebbe and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by refusing to make a reasonable accommodation or retaliated against complainant for exercising her fair housing rights based upon disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-00839, Dorothy Flowers v. Hopewell Redevelopment & Housing Authority & Steve Benham**

In the matter of **FHB File Number 2019-01218, Lauren Korshak v. Potowmack Crossing Condominium, Inc., CFF Management International, Inc., Suzanne Plum and Pauline Mitchell**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Mr. Plum, representative for Suzanne Plum, respondent, and Eileen Geller, attorney for the respondents, were present and addressed the Board. 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 harassing, intimidating or coercing complainant based upon disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2019-01218, Lauren Korshak v. Potowmack Crossing Condominium, Inc., CFF Management International, Inc., Suzanne Plum and Pauline Mitchell**

In the matter of **FHB File Number 2019-01252, Lynn Harrison v. Property Management Associates LLC, John McPartland, Foster Haynes and Cedar Lawn Homeowner's Association, 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. Lynn Harrison, complainant, was present and addressed the Board. A motion was made by Mr. Lynch and seconded by Ms. Hebbe to find no reasonable cause that the respondents discriminated

**FHB File Number 2019-01252, Lynn Harrison v. Property Management Associates LLC, John McPartland, Foster Haynes and Cedar Lawn Homeowner's Association, Inc.**

against the complainant by refusing to make a reasonable modification for accessible parking markings and/or signage based upon disability; no reasonable cause the respondents discriminated against the complainant by discriminating in terms, conditions or privileges of her occupancy based on disability and elderliness; and no reasonable cause the respondents discriminated against the complainant by retaliating against the complainant for exercising her fair housing rights. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

In the matter of **FHB File Number 2020-00118, William Jackson v. JJBD LLC., and JJBC LLC., and Billy Stanley**, a motion was made by Ms. Roth and seconded by Ms. Bennett to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-00118, William Jackson v. JJBD LLC., and JJBC LLC., and Billy Stanley**

In the matter of **FHB File Number 2020-00679, Housing Opportunities Made Equal of Virginia, Inc. v. Asset Campus Housing, Inc. and Samantha Gray**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-00679, Housing Opportunities Made Equal of Virginia, Inc. v. Asset Campus Housing, Inc. and Samantha Gray**

In the matter of **FHB File Number 2020-02279, Andrew Goynes and Santina Walters v. Occidental Development, LLC**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-02279, Andrew Goynes and Santina Walters v. Occidental Development, LLC**

In the matter of **FHB File Number 2020-02493, Erika Smith and Evan Smtih v. Highland Hills III LP and Koogler Southerington Associates LLC**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-02493, Erika Smith and Evan Smtih v. Highland Hills III LP and Koogler Southerington Associates LLC**

In the matter of **FHB File Number 2020-02407, April Ellis v. Manchester Place LLC and Grubb Management LLC**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-02407, April Ellis v. Manchester Place LLC and Grubb Management LLC**

In the matter of **FHB File Number 2020-01495, Ashley Burnley v. Piedmont Housing Alliance and Albermarle Housing Associates, LP**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-01495, Ashley Burnley v. Piedmont Housing Alliance and Albermarle Housing Associates, LP**

In the matter of **FHB File Number 2018-02887, Delphine Davis, Ulessie Davis and James Scott v. Joyce Eggleston, and Linda Wells**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2018-02887, Delphine Davis, Ulessie Davis and James Scott v. Joyce Eggleston, and Linda Wells**

In the matter of **FHB File Number 2020-02036, Alan S. Abrahams v. CAPIX Blacksburg LLC and Reliant Group Management**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-02036, Alan S. Abrahams v. CAPIX Blacksburg LLC and Reliant Group Management**

In the matter of **FHB File Number 2020-00491, Cedric Price and Catrechia L. Price v. Morgan Stallion of Buckner Farms Homeowners Association, Inc.**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-00491, Cedric Price and Catrechia L. Price v. Morgan Stallion of Buckner Farms Homeowners Association, Inc.**

In the matter of **FHB File Number 2020-02192, Kimberly**

**FHB File Number 2020-**

**Aponte v. Jabez Enterprises LLC and Fenner Street Properties LLC**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**02192, Kimberly Aponte v. Jabez Enterprises LLC and Fenner Street Properties LLC**

In the matter of **FHB File Number 2020-02800, Tynell Johnson v. Bell Fund VI Arlington, LLC**, a motion was made by Mr. Lynch and seconded by Ms. Buyalos to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Buyalos, Gillums, Hebbe, Howard, Lynch and Roth.

**FHB File Number 2020-02800, Tynell Johnson v. Bell Fund VI Arlington, LLC**

A motion was made by Ms. Bennett and seconded by Mr. Lynch to approve the proposed amendments to the Fair Housing regulations as presented and to file an exempt regulatory action.

**Administrative Issues**

The Board reviewed the Board financial statements. No action was taken by the Board.

**New Business**

Mr. Payne provided the Board with the litigation update.

The Board adjourned at 11:18 A.M.

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Myra Howard, Chair

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Mary Broz-Vaughan, Secretary