VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

FEBRUARY 13, 2008

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:

David B. Rubinstein, Chairman
James Schuyler, Vice Chair
Neil Bhatt
Cynthia Clare
Penny Johnson
Stephen McMaster
Robert Ruais
Laura Dupuy (arrived at 10:12A.M.)
Tonye Epps
Jim Ginnell

The following Board Members were not present: Jeffrey Adkins and Martin
Maples

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

Saba Shami, Chief Deputy
Mark Courtney, Deputy Director
Liz Hayes, Fair Housing Administrator
Christine Martine, Executive Director
Emily Trent, Administrative Assistant
Deanda Shelton, Assistant Fair Housing Administrator
Trudy Miller, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Karen Taylor, Fair Housing Specialist
Iris Street, Program Conciliator
Yvette Barnes, Fair Housing Investigator
Arthur Ryan, Fair Housing Investigator

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

Chairman Rubinstein called the meeting to order at 10:01 <u>Call to Order</u> A.M.

A motion was made by Mr. Schuyler and seconded by Ms. Agenda Clare to approve the Agenda. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

The Board members took the opportunity to introduce Introductions themselves to the new Board member, Jim Ginnell. Saba Shami, Chief Deputy and Mark Courtney, Deputy Director were also introduced and welcomed by the Board into their new positions.

No one addressed the Board during the Public Comment Public Comment period.

A motion was made by Mr. Bhatt and seconded by Ms. Clare to approve the following minutes: December 12, 2007, Fair Housing Board Meeting. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

Minutes 1

Liz Hayes updated the Board on the current investigative Fair Housing case load. Ms. Hayes also announced that the next Administrator's Report Regulatory Review Committee Meeting would be held on March 19, 2008. No action was taken by the Board.

In the matter of FHB File Number 2008-00549, Michelle Evans and Michael Lucas v. Tiffany Patterson, Honesto Gregory and Somerset Apartments LP, the Board agreed without dissent to defer this matter to their next scheduled Board meeting to allow staff the opportunity to collect additional information.

FHB File Number 2008-00549, Michelle Evans and Michael Lucas v. Tiffany Patterson, Honesto Gregory and Somerset Apartments <u>LP</u>

Board member Laura Dupuy arrived at 10:12A.M.

Board Member Arrival

In the matter of FHB File Number 2008-01363, Valeria Jones v. Jessica Jackson, Edgewood Management Corporation and Y.S. Portsmouth, LP, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Final Investigative Report Supplement. Valeria Jones, Complainant, and Yoora Pak, Attorney for the Respondents, were present and addressed the Board. A motion was made

FHB File Number 2008-01363, Valeria Jones v. Jessica Jackson. Edgewood Management Corporation and Y.S. Portsmouth, LP

by Ms. Johnson and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion passed by majority vote. Members voting "Yes" were: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, and Rubinstein. Member voting "No" was: Schuyler.

In the matter of FHB File Number 2007-02336, Tuan FHB File Number 2007-Revnolds v. Roanoke Redevelopment and Housing 02336, Tuan Reynolds v. Authority, Ellis Henry, Earl Saunders, Jr. and Jackie Smith, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Daniel Summerlin, Attorney for the Respondents was present and addressed the Board. A motion was made by Ms. Clare and seconded by Mr. Schuyler to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

Roanoke Redevelopment and Housing Authority. Ellis Henry, Earl Saunders, Jr. and Jackie Smith

In the matter of FHB File Number 2008-01095, Saundra Lynette Cuff dba Saundra Cuff v. Mary Louise Burton, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Janie Whitlow, Witness for Complainant, and J. C. Cancelleri, Attorney for the Complainant, were present and addressed the Board.

FHB File Number 2008-01095, Saundra Lynette Cuff dba Saundra Cuff v. Mary Louise Burton

At 11:00 A.M., Ms. Clare offered a motion which was Closed Session seconded by Ms. Johnson, 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, Liz Hayes, and Arthur Ryan.

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

11. FHB File Number 2008-01095, Saundra Lynette Cuff dba Saundra Cuff v. Mary Louise Burton

At 11:20 A.M., a motion was made by Ms. Johnson and seconded by Mr. Schuyler that the Board reconvene in open

session.

WHEREAS, the Fair Housing Board has convened a closed Certification 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: 10-0

AYES: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

NAYS: None

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Adkins and Maples.

The Board recessed from 11:21 A.M. to 11:26 A.M.

Break

In the matter of FHB File Number 2008-01095, Saundra FHB File Number 2008-Lynette Cuff dba Saundra Cuff v. Mary Louise Burton, a motion was made by Ms. Clare and seconded by Ms. Johnson Cuff dba Saundra Cuff to close the case with a finding of no reasonable cause of v. Mary Louise Burton discrimination in terms and conditions based on race. The motion passed by unanimous vote. Members voting "Yes" Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

01095, Saundra Lynette

In the matter of FHB File Number 2008-01109, Sandra FHB File Number 2008-Sarkozi v. Ralph Pullen, the Board reviewed the record 01109, Sandra Sarkozi v.

which consisted of the Final Investigative Report, and Case Ralph Pullen Analysis, Recommendation and Final Investigative Report Supplement. Sandra Sarkozi, Complainant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Mr. McMaster to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Bhatt, Clare. Johnson, Epps. Ginnell. McMaster. Ruais. Dupuy. Rubinstein and Schuyler.

In the matter of FHB File Number 2007-01497, Shelby James v. Berkley South LP, the Board reviewed the record 01497, Shelby James v. which consisted of the Final and Case Analysis and Berkley South LP Recommendation and Official Consultation Memorandum from the Office of the Attorney General. Shelby James, Complainant, and Ray Suttle, Jr., Attorney for the Respondents, were present and addressed the Board.

FHB File Number 2007-

At 11:45 A.M., Ms. Johnson offered a motion which was Closed Session seconded by Ms. Dupuy, 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, Liz Hayes, and Angela Keefe-Thomas.

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

15. FHB File Number 2007-01497, Shelby James v. **Berkley South LP**

At 12:00 P.M., a motion was made by Ms. Johnson and seconded by Mr. Schuyler that the Board reconvene in open session.

WHEREAS, the Fair Housing Board has convened a closed Certification 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: 10-0

AYES: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Adkins and Maples.

In the matter of FHB File Number 2007-01497, Shelby James v. Berkley South LP, a motion was made by Ms. Clare and seconded by Mr. Schuyler to find reasonable cause against the respondents for discrimination in the terms and conditions based on sex and to defer issuing the charge for thirty days in order to pursue conciliation. The motion passed unanimously. Members voting "Yes" were: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

FHB File Number 2007-01497, Shelby James v. Berkley South LP

In the matter of FHB File Number 2007-03107, Emanuel and Damita Danzy v. Jean S. Lockett, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Mr. McMaster and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

FHB File Number 2007-03107, Emanuel and Damita Danzy v. Jean S. Lockett

In the matter of FHB File Number 2008-00609, Sandra FHB File Number 2008-Slayton v. Cindy Pearce and Vac Limited Partnership, 00609, Sandra Slayton v.

the Board reviewed the record which consisted of the Final Investigative and Case Analysis Report, and Recommendation and Final Investigative Report Supplement. A motion was made by Ms. Clare and seconded by Mr. McMaster to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

Cindy Pearce and Vac Limited Partnership

In the matter of FHB File Number 2007-05241, Stacy Vankinscott v. James McLean II, the Board reviewed the record which consisted of the Final Investigative Report, and Vankinscott v. James Case Analysis and Recommendation. A motion was made by Mr. Ruais and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Bhatt, Clare, Epps. Ginnell. Johnson, McMaster, Ruais, Dupuy. Rubinstein and Schuyler.

FHB File Number 2007-05241, Stacy McLean II

In the matter of FHB File Number 2008-01428, Nancy McGuire v. Huntington on the James Apartments, LLC, the Board reviewed the record which consisted of the Final Investigative and Case Analysis Report, and Recommendation. A motion was made by Ms. Clare and seconded by Mr. Schuyler to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

FHB File Number 2008-01428, Nancy McGuire v. Huntington on the James Apartments, LLC

In the matter of FHB File Number 2008-01198, Florida Weightman v. Sue Jones and Sierra Communities, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation, and an e-mail from the Complainant addressed to the Board. A motion was made by Mr. Ruais and seconded by Mr. Schuyler to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Bhatt, Clare, Dupuy. Epps. Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

FHB File Number 2008-01198, Florida Weightman v. Sue Jones and Sierra Communities

In the matter of FHB File Number 2008-01692, Amy O. FHB File Number 2008-Henley v. Cambridge Partners, LLC, Tom Robertson, 01692, Amy O. Henley v. Robertson Marketing, Inc. and Cambridge Partnership, Cambridge Partners,

the Board reviewed the record which consisted of the Final LLC, Tom Robertson, and Case Analysis Investigative Report. and Final Investigative Recommendation, Supplement. A motion was made by Ms. Clare and seconded Partnership by Mr. Schuyler to close the case with a finding of no The motion passed unanimously. reasonable cause. Members voting "Yes" were: Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

and Robertson Marketing, Report Inc. and Cambridge

In the matter of FHB File Number 2008-01491, Johnny FHB File Number 2008-Hartsock v. Tim Corriher, Helen Shampine, Glenda 01491, Johnny Hartsock Edwards and Roanoke Redevelopment and Housing Authority, a motion was made by Mr. Schuyler and Shampine, Glenda seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The Redevelopment and motion passed unanimously. Members voting "Yes" were Housing Authority Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

v. Tim Corriher, Helen **Edwards and Roanoke**

Cindy Clare, Fair Housing Board Education Committee Administrative Issues Chair reported the following to the Board:

- 1. One Fair Housing Course Application from an Approved proprietary school was approved unanimously:
 - 57822 Fair Housing Hot Topics in Fair a. Housing: Real Estate Sales and Subprime Lending Issues. 2 hours. Housing Opportunities Made Equal of Virginia, Inc.

A motion was made by Mr. Schuyler and seconded by Ms. Epps to approve the course as reported in the Education Report. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Epps, Ginnell, Johnson, McMaster, Ruais, Rubinstein and Schuyler.

Ms. Haves announced staff scheduled fair housing training for the Board all day June 10, 2008 at DPOR.

Tom Payne updated the Board on the status of pending Old Business litigation. No action was taken by the Board.

There being no further business, the meeting adjourned at Adjourn 12:27 P.M.

David B. Rubinstein, Chairman

Jay W. NeBoer, Secretary

1.	Name:
2.	(Name of Board Member) Title: Board Member
3.	Agency: Fair Housing Board (Name of Board)
4.	Meeting/IFF Date: February 13, 2008 (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 \frac{2/13/88}{Date

.gency: Meeting	(Name of Board Member) Fair Housing Board
Meeting	(Name of Board) /IFF Date. February 13, 2008 (Date)
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	(Agenda Item)
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□ I di	d not participate in the transaction.
l do	not have a personal interest in any transactions taken at this meeting.
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1.	Name: Cynthia Clare
2.	(Name of Board Member) Title: Board Member
	Agency: Fair Housing Board (Name of Board)
4.	Meeting/IFF Date: February 13, 2008 (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.
	☐ I did not participate in the transaction.
6.	I do not have a personal interest in any transactions taken at this meeting.
	Conthan 2/13/08 Signature Date

1.	Name:
2.	(Name of Board Member) Title: Board Member
	Agency: Fair Housing Board (Name of Board)
4.	Meeting/IFF Date February 13, 2008 (Date)
5.	I have a personal interest in the following transaction.
	(Agenda Item)
	Nature of Personal Interest Affected by Transaction:
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	☐ I did not participate in the transaction.
6.	I do not have a personal interest in any transactions taken at this meeting.
	Signature Date

1.	Name: Tonye R. Epps	
2.	(Name of Board Member) Title: Board Member	
3.	Agency: Fair Housing Board (Name of Board)	
4.	Meeting/IFF Date: February 13, 2008 (Date)	
5	I have a personal interest in the following transaction:	
	N/A	
	(Agenda Item)	
	Nature of Personal Interest Affected by Transaction:	
	N/A	
	I declare that I am a member of the following business, profession, occuproup, the members of which are affected by the transaction:	pation or
	N/A	
	☐ I am able to participate in this transaction fairly, objectively, and in interest.	the public
	☐ I did not participate in the transaction	
6.	I do not have a personal interest in any transactions taken at this m	eeting.
	Long 2-13-2008	
	Signature Date	

1.	Name: Penny Johnson
2.	(Name of Board Member) Title: Board Member
3.	Agency. Fair Housing Board (Name of Board)
4	Meeting/IFF Date: February 13, 2008 (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.
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	Signature

٦.	Name: Jim Ginnell
2	(Name of Board Member) Title: Board Member
_	Title
3.	Agency Fair Housing Board (Name of Board)
4.	Meeting/IFF Date: February 13, 2008
5.	I have a personal interest in the following transaction:
	(Agenda Item)
	(Agenda Item)
	Nature of Personal Interest Affected by Transaction:
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	I declare that I am a member of the following business, profession, occupation o group, the members of which are affected by the transaction.
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	☐ 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 Date
	Signature Date

1,	Name: Neil Bhatt
2.	(Name of Board Member) Title: Board Member
3.	Agency Fair Housing Board (Name of Board)
4.	Meeting/IFF Date: February 13, 2008 (Date)
5.	I have a personal interest in the following transaction:
	(Agenda Item)
	Nature of Personal Interest Affected by Transaction:
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	☐ I am able to participate in this transaction fairly, objectively, and in the public interest.
	☐ I did not participate in the transaction.
6.	I do not have a personal interest in any transactions taken at this meeting.
	2.13.2008
	Signature Date

1.	Name ⁻ Robert Ruais
2.	(Name of Board Member) Title. Board Member
3.	Agency: Fair Housing Board (Name of Board)
4.	Meeting/IFF Date: February 13, 2008 (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 of 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.
	☐ I did not participate in the transaction.
8.	□ I do not have a personal interest in any transactions taken at this meeting.
	Signature Date

1	Name: Laura Dupuy
2	(Name of Board Member) Title: Board Member
3.	Agency. Fair Housing Board (Name of Board)
1	Meeting/IFF Date: February 13, 2008 (Date)
5.	I have a personal interest in the following transaction:
	(Agenda Item)
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	☐ I did not participate in the transaction.
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	Signature Date