

FAIR HOUSING BOARD

TENTATIVE AGENDA

November 3, 2021- 10:00 a.m.

2nd Floor – Board Room 2

Department of Professional and Occupational Regulation

9960 Mayland Drive

Richmond, Virginia 23233

(804) 367-8526

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

1. Approval of Agenda
2. Approval of Minutes:
 - A. August 25, 2021 - Fair Housing Board Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORT

1. Fair Housing Administrator's Report
2. Litigation Summary

V. FAIR HOUSING CASES

1. Dix and ChevMonte Properties, LLC
FHB File Number: 2021-01562
HUD File Number: 03-21-8425-8
2. Medenia Bush v. Brookdale Apartments Mark Center Owner LLC., Morgan Properties Management Company LLC., and Marieglorie Zapata
FHB File Number: 2021-01729
HUD File Number: 03-21-8395-8
Appointment – Medenia Bush, complainant
Appointment – Carol Ashley, attorney for respondent
3. Zachary Thompson v. Paradigm Management II LP and Courthouse High Rise I, LP
FHB File Number: 2021-01106
HUD File Number: 03-21-7059-8
Appointment – Jan Haub, representative for Paradigm Management II, LP, respondent
4. Caleb King v. Equity Residential Management LLC and EQR Madison & Henry LLC
FHB File Number: 2021-01791
HUD File Number: 03-21-7859-8
Appointment – Caleb King, complainant

5. Caleb King v. Paradigm Management II LP and Paradigm 2250 Mill LLC

FHB File Number: 2021-02235

HUD File Number: 03-21-8341-8

Appointment – Jan Haub, representative for Paradigm Management II, LP, respondent

- ~~6. Trina Bullock v. Myhome Properties LLC, Annika Schunn,~~

~~Gisa Beate Schunn and Christian Schunn~~

~~FHB File Number: 2019-03221~~

~~HUD File Number: 03-19-2999-8~~

~~*{Referred to A.G. for Official Consultation}*~~

7. Harold Walker v. St. Luke Apartments, LLC and Carpeit Residential Management, LLC

FHB File Number: 2021-01681

HUD File Number: 03-21-8184-8

{Referred to A.G. for Official Consultation}

8. DaYarna Randall v. Abberly Center Pointe LLC and HHHunt Property Management, Inc.

FHB File Number: 2021-02715

HUD File Number: N/A

{Conciliation: Source of Funds}

9. Holly Brown v. TM Associates Management, Inc. and Parkway Village Apartments, LP

FHB File Number: 2022-00024

HUD File Number: 03-21-8880-8

{Conciliation: Race}

10. Catherine Felicia “Catt” McWilliams v. Mark-Dana Management, LLC and Creekside Manor, LLC

FHB File Number: 2022-00039

HUD File Number: 03-21-9333-8

{Conciliation: Race, Sex, and Disability}

11. Mamie T. Grady v. 908 Oliver Hill Way LLC, Steelhead Management LLC, and Melissa Brown

FHB File Number: 2021-02647

HUD File Number: N/A

{Conciliation: Source of Funds}

12. Mohamed Kakay v. Dweck Properties LTD and Towers Associates II LLC

FHB File Number: 2021-02438

HUD File Number: 03-21-8466-8

{Conciliation: Race}

13. Tracy Ferrell v. VC Solutions LLC, The Coleman Group, LLC and Carla Purdy

FHB File Number: 2020-00805

HUD File Number: 03-20-4180-8

{Conciliation: Familial Status}

14. Housing Opportunities Made Equal of Virginia, Inc. v. VC Solutions LLC,
The Coleman Group, LLC and Carla Purdy
FHB File Number: 2020-01179
HUD File Number: 03-20-4258-8
{Conciliation: Familial Status}

VI. ADMINISTRATIVE ISSUES

- 2022 Board Meeting dates
- Resolution

VII. OLD BUSINESS

VIII. NEW BUSINESS

- Board financial statement

IX. ADJOURNMENT

NEXT MEETING SCHEDULED FOR WEDNESDAY, FEBRUARY 22, 2022

** 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

August 25, 2021

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:

Dean Lynch
Candice L. Bennett
Alyia Gaskins
Amanda Pohl
Amanda Buyalos
Scott Astrada
T. Nicole Hebbe

Board member absent from the meeting:

Myra Howard, Chair
Larry Murphy, Vice-Chair
Sherman Gillums
Linda Melton
Colin Arnold

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
Dominica McGowen, 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.

Mr. Dean called the meeting to order at 10:08 A.M.

Call to Order

A motion was made by Ms. Bennett and seconded by Ms. Buyalos to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Astrada,

Agenda

Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

A motion was made by Ms. Bennett and seconded by Ms. Gaskins to approve the June 14, 2021, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

Minutes

Ms. Martine went through the names on the board meeting sign in sheet asking each person who signed it if they wanted to address the board. She then told these individuals that they would have the opportunity to speak when their agenda item was called.

Attendance

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 2021-01590, Sarah Vialette and Kendall Zortman v. CBM Mortgage Inc.**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Sarah Vialette, complainant, was present and addressed the Board. Robert J. Light, Esq., attorney for the respondent, addressed the Board by teleconference. A motion was made by Ms. Bennett and seconded by Ms. Pohl to find no reasonable cause that the respondent discriminated against the complainants by subjecting them to discriminatory financing based upon religion. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

**FHB File Number 2021-
01590, Sarah Vialette and
Kendall Zortman v. CBM
Mortgage Inc.**

In the matter of **FHB File Number 2021-01610, Janet and Autumn Pakravan v. Virginia Beach Department of Housing and Neighborhood Preservation Homeless Program and PIN Ministry**, 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. Gaskins to find no reasonable cause that the respondents discriminated against the complainants by offering discriminatory terms and conditions; retaliating against the complainants or refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were: Astrada,

**FHB File Number 2021-
01610, Janet and Autumn
Pakravan v. Virginia
Beach Department of
Housing and
Neighborhood
Preservation Homeless
Program and PIN
Ministry**

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Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

In the matter of **FHB File Number 2021-00140, Thomas S. Bryant v. Daniel U. S. Properties, LP and Somerby Imperial Plaza, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Supplemental Final Investigative Report. A motion was made by Ms. Bennett and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainants by offering discriminatory terms and conditions of rental based upon race and disability. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

FHB File Number 2021-00140, Thomas S. Bryant v. Daniel U. S. Properties, LP and Somerby Imperial Plaza, LLC

In the matter of **FHB File Number 2021-00734, Melissa White v. Green Tree Apartments LLC, and Oak Grove Associates LLC dba Templeton Property**, the case was deferred for additional information.

FHB File Number 2021-00734, Melissa White v. Green Tree Apartments LLC, and Oak Grove Associates LLC dba Templeton Property

In the matter of **FHB File Number 2021-01681, Harold Walker v. CAPREIT Residential Management, LLC and St. Luke Apartments, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, Supplemental Final Investigation Report, and Case Analysis. Eileen Heasley, representative for the respondents, was present and addressed the Board. A motion was made by Ms. Bennett and seconded by Mr. Astrada to find no reasonable cause that the respondents discriminated against the complainant by offering discriminatory terms and conditions, privileges or in services and facilities or refusing to make a reasonable accommodation based upon disability. The motion passed by majority vote. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe and Lynch. Member voting "No" was Pohl.

FHB File Number 2021-01681, Harold Walker v. CAPREIT Residential Management, LLC and St. Luke Apartments, LLC

In the matter of **FHB File Number 2021-00375, Sahira and Blanca Khan v. Kim Istvan, North Beauregard Associates LP and Kay Management Co. Inc.**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. B. Patrick O'Grady, Esq., attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Bennett and seconded by Ms. Buyalos to find no reasonable cause

FHB File Number 2021-00375, Sahira and Blanca Khan v. Kim Istvan, North Beauregard Associates LP and Kay Management Co. Inc.

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that the respondents discriminated against the complainants by making a discriminatory statement or by offering discriminatory terms and conditions based upon national origin. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

In the matter of **FHB File Number 2020-02280, Tatiana Anikina-Dick and Norman Dick Jr. v. The Woods Association**, the Board reviewed the record which consisted of the Final Investigative Report, revised Final Investigative Report, and Case Analysis. Tatiana Anikina-Dick and Norman Dick, Jr., complainants, submitted a written statement, which was presented to the Board. A motion was made by Ms. Bennett and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainants by imposing discriminatory terms and conditions based upon national origin or disability. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

FHB File Number 2020-02280, Tatiana Anikina-Dick and Norman Dick Jr. v. The Woods Association

In the matter of **FHB File Number 2019-00856, Bryan Dillon and Susanna Dillon v. Joshua Nabatkhorian and 1009 King Street, LLC**, 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. A motion was made by Ms. Bennett and seconded by Ms. Hebbe to find no reasonable cause that the respondents discriminated against the complainants by refusing to rent, imposing discriminatory terms and conditions and refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

FHB File Number 2019-00856, Bryan Dillon and Susanna Dillon v. Joshua Nabatkhorian and 1009 King Street, LLC

In the matter of **FHB File Number 2020-02805, Chastity Garcia v. Lawrence White Everett**, the Board reviewed the record which consisted of the Final Investigative Report, Supplemental Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of the Attorney General. A motion was made by Ms. Gaskins and seconded by Ms. Pohl to find reasonable cause that the respondent discriminated against the complainant by refusing to rent and making discriminatory statements based upon familial status. The motion passed unanimously.

FHB File Number 2020-02805, Chastity Garcia v. Lawrence White Everett

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Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

In the matter of **FHB File Number 2020-02928, Housing Opportunities Made Equal, Inc. v. Lawrence White Everett**, the Board reviewed the record which consisted of the Final Investigative Report, Supplemental Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of the Attorney General. A motion was made by Ms. Bennett and seconded by Mr. Astrada to find reasonable cause that the respondent discriminated against the complainant by refusing to rent based on familial status and making discriminatory statements based on familial status. The motion passed by majority vote. Members voting "Yes" were: Astrada, Bennett, Gaskins, Hebbe, Lynch and Pohl. Member voting "No" was Buyalos.

FHB File Number 2020-02928, Housing Opportunities Made Equal, Inc. v. Lawrence White Everett

In the matter of **FHB File Number 2021-01326, Yolanda Madyun v. CRC Property Management LLC and Potomac Station LP**, a motion was made by Ms. Bennett and seconded by Ms. Gaskins to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

FHB File Number 2021-01326, Yolanda Madyun v. CRC Property Management LLC and Potomac Station LP

In the matter of **FHB File Number 2021-02096, Amy Cloeter and John Cloeter v. Windward Condominium Unit Owners Association, Inc.**, a motion was made by Ms. Bennett and seconded by Ms. Gaskins to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

FHB File Number 2021-02096, Amy Cloeter and John Cloeter v. Windward Condominium Unit Owners Association, Inc.

In the matter of **FHB File Number 2021-02279, The Equal Rights Center v. Cartwright Associates LLC**, a motion was made by Ms. Bennett and seconded by Ms. Gaskins to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

FHB File Number 2021-02279, The Equal Rights Center v. Cartwright Associates LLC

In the matter of **FHB File Number 2021-02666, Virginia Fair Housing Office v. Beardsworth Properties LLC**, a motion was made by Ms. Bennett and seconded by Ms.

FHB File Number 2021-02666, Virginia Fair Housing Office v.

Gaskins to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

**Beardsworth Properties
LLC**

Mr. Payne provided the Board with the litigation update.

Administrative Issues

A motion was made by Ms. Bennett and seconded by Ms. Buyalos to approve the August 25, 2021, Fair Housing Education Committee report. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

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

New Business

A motion was made by Ms. Buyalos and seconded by Ms. Bennett to accept the amended regulations as presented and file an exempt regulatory action. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

The Board members completed Conflict of Interest Act training.

In the matter of **FHB File Number 2020-01681, Harold Walker v. CAPREIT Residential Management, LLC and St. Luke Apartments, LLC**, a motion was made by Ms. Gaskins and seconded by Ms. Buyalos to reconsider the matter. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

FHB File Number 2020-01681, Harold Walker v. CAPREIT Residential Management, LLC and St. Luke Apartments, LLC

A motion was made by Ms. Bennett and seconded by Mr. Astrada to discuss rescinding the motion to find no reasonable cause respondents discriminated against complainant. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

A motion was made by Ms. Gaskins and seconded by Ms. Buyalos to rescind the board's finding no reasonable cause respondents discriminated against complainant by offering discriminatory terms and conditions, privileges or in services and facilities or refusing to make a reasonable

accommodation based upon disability. The motion passed by majority vote. Members voting "Yes" were: Astrada, Buyalos, Gaskins, Hebbe, Lynch and Pohl. Member voting "No" was Bennett.

A motion was made by Ms. Gaskins and seconded by Ms. Buyalos to send the case back to staff for further investigation. The motion passed unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Gaskins, Hebbe, Lynch and Pohl.

The Board adjourned at 12:08 P.M.

Myra Howard, Chair

Mary Broz-Vaughan, Secretary

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Fair Housing Board
954630**

2020-2022 Biennium

September 2021

	September 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - September 2019	July 2020 - September 2021
Cash/Revenue Balance Brought Forward			0
Revenues	2,300	37,400	37,705
Cumulative Revenues			37,705
Cost Categories:			
Board Expenditures	1,058	10,351	9,255
Board Administration	0	0	0
Administration of Exams	0	0	0
Enforcement	89,389	882,626	911,140
Legal Services	9,994	140,539	138,263
Information Systems	0	0	0
Facilities and Support Services	32	2,092	926
Agency Administration	0	0	0
Other / Transfers	0	(719,667)	(719,438)
Total Expenses	100,473	315,942	340,147
Transfer To/(From) Cash Reserves	(0)	0	(678,937)
Ending Cash/Revenue Balance			376,495

Cash Reserve Beginning Balance	(678,937)	0	0
Change in Cash Reserve	(0)	0	(678,937)
Cash Reserve Ending Balance	(678,937)	0	(678,937)

Number of Regulators	
Current Month	1,919
Previous Biennium-to-Date	2,173