

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

October 6, 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
Bill A. Adkins
Nilkanth R. Bhatt
Cynthia Clare
Kim D. Saunders
Martin Maples
Robert Ruais
Laura Dupuy
Rhonda M. Harmon

Board members not present:

James Schuyler
E. James Lucas

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, Program Conciliator
Camille C. Palmer, Administrative Assistant
Tamika Jones, Fair Housing Investigator
Karen Taylor, Fair Housing Administrative Investigator
Annie Wilson, 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 Ms. Clare and seconded by Mr. Ruais to approve the **Agenda**. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Ruais, Clare, Adkins, and Maples. There were no negative votes.

Agenda

A motion was made by Ms. Clare and seconded by Mr. Maples to approve the minutes of the **August 4, 2004 Fair Housing Committee Meeting**. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Ruais, Clare, Adkins, and Maples. There were no negative votes.

Minutes

A motion was made by Ms. Clare and seconded by Mr. Maples to approve the minutes of the **August 4, 2004 Fair Housing Board Meeting**. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Ruais, Clare, Adkins, and Maples. There were no negative votes.

A motion was made by Mr. Maples and seconded by Mr. Ruais to approve the minutes of the **October 5, 2004 Fair Housing Training** as amended. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Ruais, Clare, Adkins, 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 10:15 a.m.

Mr. Cancelleri presented the Fair Housing Report by discussing training, housing initiatives, upcoming conferences and presenting a Fair Housing case load update.

Fair Housing Report

Ms. Saunders arrived to the meeting at 10:20 a.m.

In the matter of **FHB File Number: 2004-02702, Linda Lucas v. Shelly Woodworth, Carmen Martorna and Victoria Place, L.P.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ms. Shelly Woodworth, Melanie Boles and Vivian Bryant, Victoria Place, L.P. representatives, were present and addressed the Board. A motion was made by Ms. Clare and seconded by Mr. Maples finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

**FHB File Number: 2004-02702
Linda Lucas v. Shelly Woodworth, Carmen Martorna and Victoria Place, L.P.**

Ms. Harmon arrived to the meeting at 10:27 a.m.

In the matter of **FHB File Number: 2004-04523, Roberto Robaina, Ofelia Robaina and Nancy Robaina v. Windsor Park Townhouses Association Board of Directors**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. and Mrs. Robaina, complainants and Ms. Robin Gray, attorney for the respondent, and Mr. Kenny Durbin, manager for Windsor Townhouses Association Board of Directors were present and addressed the Board. A motion was made by Ms. Harmon and seconded by Mr. Adkins finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-04523
Roberto Robaina, Ofelia Robaina and Nancy Robaina v. Windsor Park Townhouses Association Board of Directors

In the matter of **FHB File Number: 2004-04016, Donella Holmes v. Diane Samuels**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ms. Samuels, respondent, and Susan Jancarek, respondent's witness, were present and addressed the Board. A motion was made by Ms. Harmon and seconded by Ms. Clare finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-04016
Donella Holmes v. Diane Samuels

In the matter of **FHB File Number: 2004-03712, Robert Rodriquez v. Michael Sicheri and Peraiz Ahmed**, 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. Clare and seconded by Ms. Harmon finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-03712
Robert Rodriquez v. Michael Sicheri and Peraiz Ahmed

In the matter of **FHB File Number: 2004-03180, Kareem and Jennifer Morgan v. Sheri Bush and Toll Brothers**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Bruns, respondent's attorney, was present to answer any questions. 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, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-03180
Kareem and Jennifer Morgan v. Sheri Bush and Toll Brothers

In the matter of **FHB File Number: 2004-04106, Evelyn Kourey v. Culpepper Garden II, Inc. and Katie Scarbrough**, the Board reviewed the record which consisted of the Final Investigative Report and Case

FHB File Number: 2004-04106
Evelyn Kourey v.

Analysis and Recommendation. There were no representatives present. A motion was made by Ms. Clare and seconded by Mr. Ruais finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

Culpepper Garden II, Inc. and Katie Scarbrough

In the matter of **FHB File Number: 2004-04358, Abdul Khan v. Peggy Pimentel and Raana Raza**, 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. Dupuy finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-04358
Abdul Khan v. Peggy Pimentel and Raana Raza

In the matter of **FHB File Number: 2004-04401, Ruth Liddell v. Rolling Acres Properties, Inc. and Michelle Janke**, 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. Clare and seconded by Ms. Harmon finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-04401
Ruth Liddell v. Rolling Acres Properties, Inc. and Michelle Janke

In the matter of **FHB File Number: 2004-02495, Purav Shah v. King and Queen Apartments LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Shah was 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, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-02495
Purav Shah v. King and Queen Apartments LLC

In the matter of **FHB File Number: 2004-04762, James and Norma Torrey v. Lori Craig**, 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 Ms. Saunders finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-04762
James and Norma Torrey v. Lori Craig

In the matter of **FHB file Number: 2004-01063, Christina Worley v. John Hutchinson, Fern Hutchinson and Amelia Family Campground,**

FHB File Number: 2004-01063

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 Ms. Dupuy to refer the case to the Office of the Attorney General for consultation while staff obtains further information. The motion passed by majority vote. Members voting "Yes" were Harmon, Dupuy, Saunders, Maples and Rubinstein. Members voting "No" were Ruais, Adkins, Bhatt, and Clare.

Christina Worley v. John Hutchinson, Fern Hutchinson and Amelia Family Campground

In the matter of **FHB File Number: 2004-04522, Abram Ledbetter v. Scott and Nancy Johnson**, 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 Ms. Clare finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-04522
Abram Ledbetter v. Scott and Nancy Johnson

In the matter of **FHB File Number: 2004-01442, Brenda Holmes v. T. Johnson, R. Edmonds and Oakleys Townhomes, 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 Ms. Harmon and seconded by Mr. Bhatt finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-01442
Brenda Holmes v. T. Johnson, R. Edmonds and Oakleys Townhomes, LLC

In the matter of **FHB File Number: 2004-01443, Mary Holmes v. T. Johnson, R. Edmonds and Oakleys Townhomes, 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 Ms. Harmon and seconded by Mr. Bhatt finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-01443
Mary Holmes v. T. Johnson, R. Edmonds and Oakleys Townhomes, LLC

In the matter of **FHB File Number: 2004-01444, Stacy Harmon v. T. Johnson, R. Edmonds and Oakleys Townhomes, 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 Ms. Harmon and seconded by Mr. Bhatt finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders,

FHB File Number: 2004-01444
Stacy Harmon v. T. Johnson, R. Edmonds and Oakleys Townhomes, LLC

Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

In the matter of **FHB File Number: 2004-04107, Mohamed Elshabassy v. E. Wayne Powell**, 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 Ms. Clare finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-04107
Mohamed Elshabassy v. E. Wayne Powell

In the matter of **FHB File Number: 2004-02830, Marvin and Debra Brown v. Jean Thomas**, 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 Ms. Clare finding no reasonable cause and to close this case. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-02830
Marvin and Debra Brown v. Jean Thomas

In the matter of **FHB File Number: 2004-03235, Shelley T. Vega v. Varina Station Partnership, LP; FHB File Number: 2004-04712, Linda Fields v. Richard Robinette, Jr. and FHB File Number: 2004-05203, Karen Walden v. Niketa Cucio and Annie McCoy** no board action was necessary.

Administrative Closure

A motion was made by Ms. Clare and seconded by Ms. Saunders to approve the conciliation agreements in the following cases:

Conciliation Agreements

FHB File Number: 2004-04966, Raja Letts v. David Smith and Dartmoor Estates Homeowners Association

FHB File Number: 2005-00212, Tibebnesh S. Eshetu and Yared E. Gebremariam v. Realty Management Services, Inc.

FHB File Number: 2004-04985, Richard Hariton v. Charles Pine and Pine Motor Company, Inc.

FHB File Number 2005-00452, Eric Jonas v. George Stanley, Stanley Shield, LLC and Pohligh Paper Box Factory and

FHB File Number 2005-00698, Veronica Waddey v. Joseph Brian Chase and Landmark Property Services, Inc.

The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

In the matter of **FHB File Number: 2004-00692, Harvey Wayne Saunders v. Walter Johnson**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Johnson, respondent, was present and addressed the Board. A motion was made by Ms. Harmon and seconded by Mr. Bhatt to find reasonable cause for refusal to rent and to issue a charge and to submit the charge to the Board Chair for his signature within 30 days. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

FHB File Number: 2004-00692

Harvey Wayne Saunders v. Walter Johnson

A motion was made by Mr. Ruais and seconded by Ms. Clare to find no reasonable cause for refusal to make reasonable accommodations and for making a discriminatory statement. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

The Board discussed the **Virginia Fair Housing Board Case Decision Reconsideration Policy**. A motion was made by Ms. Harmon and seconded by Ms. Clare to adopt the Virginia Fair Housing Board Case Decision Reconsideration Policy as revised. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

Virginia Fair Housing Board Case Decision Reconsideration Policy

The Board **recessed** at 12:00 p.m. and reconvened at 12:20 p.m.

Recess

A motion was made by Ms. Clare and seconded by Ms. Harmon to have the Education Committee meet on November 30, 2004 at 2:00 p.m. to come up with guidelines/criteria for course and instructor applications. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

Education

A motion was made by Ms. Harmon and seconded by Ms. Clare to accept a CPA audit statement as evidence of financial responsibility. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

The Board considered the school application submitted by FutureLaw LLC. A motion was made by Ms. Harmon and seconded by Ms. Clare to approve the **school application submitted by FutureLaw LLC**. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples.

Education Applications

There were no negative votes.

The Board considered the school application for Edward Rose/Occidental Company. A motion was made by Ms. Harmon and seconded by Ms. Clare to approve the **school application for Edward Rose/Occidental Company** contingent upon submission of a statement of financial responsibility from a certified public accountant. The motion passed unanimously. Members voting “Yes” were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

The Board considered the course application submitted by Richmond Apartment Management Association (RAMA). A motion was made by Ms. Harmon and seconded by Mr. Maples to approve the **course application submitted by RAMA**. The motion passed unanimously. Members voting “Yes” were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

The Board considered the course application submitted by Edward Rose/Occidental Company. A motion was made by Ms. Clare and seconded by Mr. Bhatt to approve the **course application submitted by Edward Rose/Occidental Company** contingent upon the submission of current cases or administrative decisions under Fair Housing Laws and approval of staff. The motion passed unanimously. Members voting “Yes” were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

The Board considered the course application submitted by FutureLaw LLC. A motion was made by Ms. Harmon and seconded by Ms. Saunders to approve the **course application submitted by FutureLaw LLC** contingent upon the submission of current cases or administrative decisions under Fair Housing Laws and approval of staff. The motion passed unanimously. Members voting “Yes” were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

The Board considered the instructor application for Douglas Chasick. A motion was made by Ms. Clare and seconded by Ms. Harmon to approve the **instructor application for Douglas Chasick**. The motion passed unanimously. Members voting “Yes” were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

The Board considered the instructor application for John Dicks. A motion was made by Ms. Clare and seconded by Ms. Saunders to approve the

instructor application for John Dicks. The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

The Board considered the instructor application for Barrie Bowers. A motion was made by Ms. Clare and seconded by Ms. Saunders to approve the **instructor application for Barrie Bowers.** The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

Ms. Harmon left the meeting at 1:00 p.m.

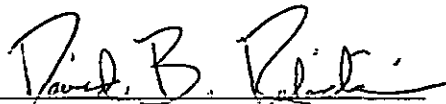
The Board considered the instructor application for Anne Andreas. A motion was made by Ms. Clare and seconded by Mr. Adkins to approve the **instructor application for Anne Andreas.** The motion passed unanimously. Members voting "Yes" were Rubinstein, Bhatt, Saunders, Harmon, Ruais, Clare, Dupuy, Adkins, and Maples. There were no negative votes.

Ms. Karen W. O'Neal, Deputy Director, conducted Board member training regarding Board Member Roles and Responsibilities. No Board action was necessary

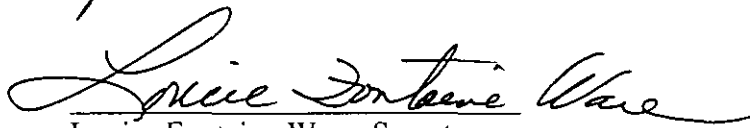
Board Member Training

The meeting adjourned at 1:30 p.m.

Adjourn



David B. Rubinstein, Chairman



Louise Fontaine Ware, Secretary

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Custodian of the Record