

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

January 25, 2006

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
Jeffrey Adkins
Cynthia Clare
Laura Dupuy (arrived at 10 58 AM)
Rhonda Harmon
Martin Maples
Robert Ruais
Kim Saunders
James Schuyler**

The following Board Members were not present Mark Berven and Neil Bhatt

DPOR Staff present for all or part of the meeting included

**Louise Fontaine Ware, Director
Brian Hannigan, Chief Deputy Director
Liz Hayes, Fair Housing Administrator
Karen W O'Neal, Deputy Director
Nick Christner, Deputy Director
C W Lawrence, Director of Investigations
Christine Martine, Executive Director
Chris Olson, Administrative Assistant
Tammie Hall, Education Administrator
Deanda Shelton, Fair Housing Investigator
Antonio Bedford, Fair Housing Investigator
Yvette Barnes, Fair Housing Investigator
Karen Taylor, Fair Housing Specialist
Annie Wilson, Fair Housing Specialist**

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

Chairman Rubinstein called the meeting to order at 10 13 AM

Call to Order

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

Agenda

No one addressed the Board during the Public Comment Period

Public Comment Period

A motion was made by Ms Clare and seconded by Mr Schuyler to approve the following minutes December 6, 2005, Fair Housing Board Emergency Telephone Conference and December 14, 2005, Fair Housing Board Meeting The motion passed unanimously Members voting "Yes" were Adkins, Clare, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

Minutes

In the matter of FHB File Number 2005-02335, Patricia Schaff v. Chat Hugney, Toni DiChiacchio, Ithaca Properties, LC, and AJAX LLC, the Board agreed without dissent to defer this case to their next scheduled Board meeting to allow staff the opportunity to collect additional documentation

FHB File Number 2005-02335, Patricia Schaff v. Chat Hugney, Toni DiChiacchio, Ithaca Properties, LC, and AJAX LLC

In the matter of FHB File Number 2005-04518, Barbara Johnson v. Delores Hill and Richmond Redevelopment & Housing Authority, 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 Mr Maples and seconded by Ms Clare to close the case with a finding of no reasonable cause The motion passed unanimously Members voting "Yes" were Adkins, Clare, Maples, Ruais, Rubinstein, and Schuyler

FHB File Number 2005-04518, Barbara Johnson v. Delores Hill and Richmond Redevelopment & Housing Authority

Ms Harmon and Ms Saunders recused themselves from the discussion and votes pertaining to this matter due to business relationships with the Respondent

In the matter of FHB File Number 2005-04005, Mark Benedict v. Mid-City Urban LLC, Parkside at Alexandria, Scott Nordheimer, Victoria Davis, and William Harvey, 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

FHB File Number 2005-04005, Mark Benedict v. Mid-City Urban LLC, Parkside at Alexandria, Scott Nordheimer, Victoria Davis, and William Harvey

unanimously Members voting "Yes" were Adkins, Maples, Ruais, Rubinstein, Saunders, and Schuyler

Ms Clare and Ms Harmon recused themselves from the discussion and votes pertaining to this matter due to business relationships with the Respondent

In the matters of FHB File Number 2005-03838, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright), the Board agreed without dissent to defer discussion on this matter until their next Board meeting to allow staff to collect additional information

FHB File Number 2005-03838, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)

In the matters of FHB File Number 2005-04444, Lillian Craft v. Wilson S. Coleman, Jr., 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 Schuyler to refer this matter to the Attorney Generals Office for official consultation The motion passed unanimously Members voting "Yes" were Adkins, Clare, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

FHB File Number 2005-04444, Lillian Craft v. Wilson S. Coleman, Jr.

Louise Fontaine Ware introduced C W Lawrence as the new Director of Investigations

Introduction of Director of Investigations

In the matter of FHB File Number 2005-04897, Bobbie Canterbury v. Sue Newcomb and Arthur Newcomb the Board agreed without dissent to defer discussion on this matter until their next Board meeting to allow staff to collect additional information

FHB File Number 2005-04897, Bobbie Canterbury v. Sue Newcomb and Arthur Newcomb

Board Member Laura Dupuy arrived at 10 58 AM

Arrival of Board Member

In the matter of FHB File 2006-00077, Marjorie Bivens v. Martin Blaney and Tina Raatz, 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 Saunders to close the case with a finding of no reasonable cause The motion passed unanimously Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

FHB File 2006-00077, Marjorie Bivens v. Martin Blaney and Tina Raatz

In the matter of FHB File Number 2005-02812 LaDonna Pond and Richie Staton v. Carybrook Associates, 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 Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-02812 LaDonna Pond and Richie Staton v. Carybrook Associates, LP

In the matter of FHB File Number 2005-00577, Tamara Williams v. Kathy Shaw, F.V.A. Limited Partnership and GEM Management Group, 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 Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-00577, Tamara Williams v. Kathy Shaw, F.V.A. Limited Partnership and GEM Management Group

In the matter of FHB File Number 2004-03853 Thomas Handy v. Ruth Shobe and David Evans, 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 Mr Adkins and seconded by Ms Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2004-03853 Thomas Handy v. Ruth Shobe and David Evans

In the matter of FHB File Number 2005-04765, Selena and Kenneth Daniel v. Basheer/Edgemoore - River Falls, LLC, 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 Mr Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

FHB File Number 2005-04765, Selena and Kenneth Daniel v. Basheer/Edgemoore - River Falls, LLC

In the matter of FHB File Number 2006-00702, Brenda Keretz and Steven Bilsky v. Stuart Harrell and Harrell Properties, LLC, 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

FHB File Number 2006-00702, Brenda Keretz and Steven Bilsky v. Stuart Harrell and Harrell Properties, LLC

seconded by Mr Schuyler to close the case with a finding of no reasonable cause The motion passed unanimously Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

In the matter of FHB File Number 2005-01241, Aaron and Theresa Smith v. Brigitt Lopresti, 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 Schuyler to close the case with a finding of no reasonable cause The motion passed unanimously Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

FHB File Number 2005-01241, Aaron and Theresa Smith v. Brigitt Lopresti

In the matter of FHB File Number 2006-00224, Jerry Crum v. Sarwat ATA and Karim Sarwat ATA, 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 Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

FHB File Number 2006-00224, Jerry Crum v. Sarwat ATA and Karim Sarwat ATA

In the matter of FHB File Number 2006-00075, Aijaz H. Kazilbash v. Ralph A. Drees, t/a The Drees Company, 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 to close the case with a finding of no reasonable cause The motion passed unanimously Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

FHB File Number 2006-00075, Aijaz H. Kazilbash v. Ralph A. Drees, t/a The Drees Company

The Board considered the matters of Anne Miles v. Jennifer Sinks and Edinburgh Square Foundation, FHB File Number 2006-01232, Kimberly Halbohn and Jason Fletcher v. Wolf Property Corporation and Mark Wolf, FHB File Number 2005-02750, Peggy and Gerald Stroud v. Harles Daniel Graham, FHB File Number 2006-02236, DaNell and Nikia Clark and Housing Opportunities Made Equal v. Percy and Juanita Eason, FHB File Numbers 2005-03493, 2005-03494. A motion was made by Ms Clare and seconded by Mr Maples to approve the terms of the conciliation agreements as agreed to by the parties The motion passed unanimously Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders,

Conciliation Agreements

and Schuyler

The Board recessed from 11 40 AM to 12 10 PM

Break

Liz Hayes, Fair Housing Administrator, discussed the report formats and stated that they will be standardized using the TEAPOTS format currently in place with HUD No action was taken by the Board

**Fair Housing
Administrators Report**

At 12 05 PM Ms Clare made a motion which was seconded by Mr Maples, that the Board recess and the 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, Deanda Shelton, Louise Ware, and Nick Christner

Closed Meeting

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

6. FHB File Number 2005-04006, Lucinda Pitt v. Alcat Two, LLC

20. FHB File Number 2004-04017, Priscilla Marrow v. Oliver Lawrence, Bayou Properties and Roy James Smith

New Business: City of Manassas Zoning Ordinance

At 1 00 PM , a motion was made by Ms Clare and seconded by Ms Saunders 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 and 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, (1) 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 9-0

AYES Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

NAYS None

ABSENT DURING THE VOTE None

ABSENT DURING THE MEETING Berven, Bhatt

In the matter of FHB File Number 2004-04017, Priscilla Marrow v. Oliver Lawrence, Bayou Properties and Roy James Smith the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation No representatives were present A motion was made by Mr Ruais and seconded by Ms Harmon to find reasonable cause against the respondents in the matter, due to discrimination based on sex/female with regard to sexual harassment which in a hostile environment was created In addition, the Board requests that the Attorney General's Office move to issue a charge as soon as possible The motion passed unanimously Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

FHB File Number 2004-04017, Priscilla Marrow v. Oliver Lawrence, Bayou Properties and Roy James Smith

In the matter of FHB File Number 2005-04006, Lucinda Pitt v. Alcat Two, LLC the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation No representatives were 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 Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

FHB File Number 2005-04006, Lucinda Pitt v. Alcat Two, LLC

The Board made note of certain policies that are troubling and there effect on individuals with disabilities A motion was made by Ms Dupuy and seconded by Mr Maples to create a committee to discuss policies which trouble the Board The motion passed unanimously Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler

A motion was made by Mr Rubinstein and seconded by Mr Schuyler that the Fair Housing Board initiate a complaint against the City of Manassas regarding its ordinance on the definition of family composition. The motion passed unanimously. Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

Administrative Issues

Tammie Hall, Education Administrator, gave the Education Committee Report. A motion was made by Ms Clare and seconded by Ms Harmon to approve one Proprietary school and one course. The motion passed unanimously. Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Ruais, Rubinstein, Saunders, and Schuyler.

Education Report

The Board discussed the Process Improvement Team Recommendations and Draft Policies. A motion was made by Ms Clare and seconded by Mr Schuyler to approve PIT recommendation number two concerning conciliation agreements as amended. The motion passed by majority vote. Members voting "Yes" were Adkins, Clare, Dupuy, Harmon, Maples, Rubinstein, Saunders, and Schuyler. Member voting "No" was Ruais.

**Process Improvement
Team Recommendations**

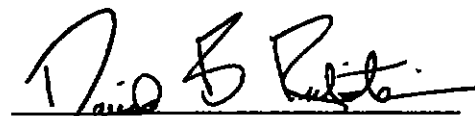
A motion was made by Mr Schuyler and seconded by Ms Harmon to approve PIT recommendation number one concerning preliminary no reasonable cause determinations as amended. The motion passed by majority vote. Members voting "Yes" were Adkins, Dupuy, Harmon, Maples, Rubinstein, and Schuyler. Members voting "No" were Clare, Ruais, and Saunders.

The Board Chair and Board thanked Louise Ware for her hard work during her time as the Director of the Department of Professional & Occupational Regulation.

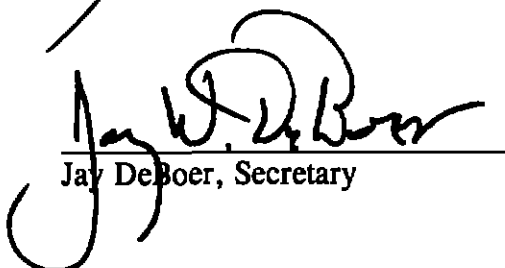
Other Business

The meeting adjourned at 2:45 PM.

Adjourn



David B. Rubinstein, Chairman



Jay DeBoer, Secretary

**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 _____

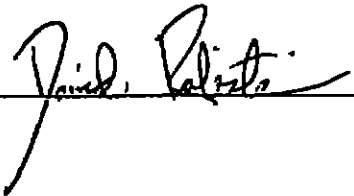
_____ N/A _____

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 January 25, 2006

Signature 

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

TRANSACTIONAL DISCLOSURE STATEMENT

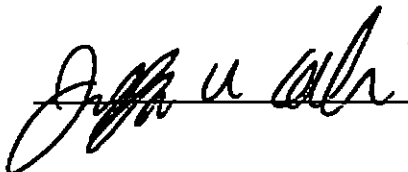
1 Name Jeffrey Wayne Adkins
2 Title Member - Virginia Fair Housing Board
3 Agency Department of Professional and Occupational Regulation
4 Transaction Board Meeting
5 Nature of Personal Interest Affected by Transaction _____

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 January 25, 2006

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 Heard case at Gov.
2/1 Board - member of board

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 _____
2005-04518

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated January 25, 2006

Signature Cynthia M. Clare

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

TRANSACTIONAL DISCLOSURE STATEMENT

1 Name Laura N Dupuy
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 January 25, 2006

Signature Laura N Dupuy

**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 My husband's firm
represents Mid City Urban in this matter, and Richmond
Redevelopment & Housing Authority is one of his clients
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 Benedict v. Mid City Urban;
Johnson v. Debris Hill; Richmond RHA

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated January 25, 2006

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 January 25, 2006

Signature 

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

TRANSACTIONAL DISCLOSURE STATEMENT

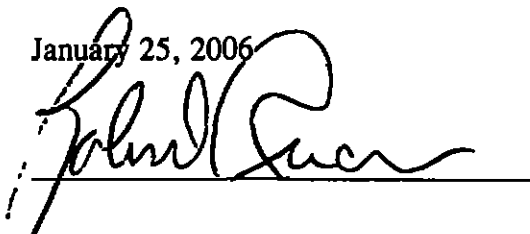
1 Name Robert D Ruais
2 Title Member - Virginia Fair Housing Board
3 Agency Department of Professional and Occupational Regulation
4 Transaction Board Meeting
5 Nature of Personal Interest Affected by Transaction _____

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 January 25, 2006

Signature 

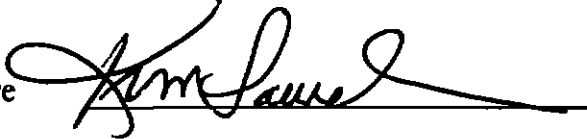
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1 Name Kim D Saunders
2 Title Member - Virginia Fair Housing Board
3 Agency - of Professional and Occupational Regulation
4 Transaction Board Meeting
5 Nature of Personal Interest Affected by Transaction Richmond Redevelopment & Housing Authority (is a bank customer)
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 but will recuse myself from voting.

Dated January 25, 2006
Signature 

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

TRANSACTIONAL DISCLOSURE STATEMENT

1 Name James H Schuyler
2 Title Vice 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 _____

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 January 25, 2006

Signature 