

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

December 7, 2016

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:

Andrew Reisinger, Vice-Chair
Larry Murphy
Myra Howard
Linda Melton
Stephen Northup
Valerie L.T. Roth
Erica Woods-Warrior, Ed.D.
John Crouse

The following Board members were absent: Jim Ginnell, Chair
 Rosemary Wilson
 Robert Schaberg

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

Jay DeBoer, Director
Christine Martine, Executive Director
Jeffrey Williams, 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
Donnitria Whitfield, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator

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

Mr. Reisinger called the meeting to order at 10:04 A.M. **Call to Order**

A motion was made by Ms. Melton and seconded by Ms. **Agenda**
Roth to approve the Agenda. The motion passed

unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

A motion was made by Ms. Melton and seconded by Ms. Roth to approve the September 22, 2016, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

There was no public comment.

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

In the matter of **FHB File Number 2016-03296, Michael Buscemi v. Liberty Management, Inc., Jefferson Housing LP, and Brenda Waller**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and supplemental Final Investigative Report and revised Case Analysis. Michael Buscemi, complainant, was present and addressed the Board. A motion was made by Mr. Northup and seconded by Ms. Howard to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

In the matter of **FHB File Number 2015-00057, Zipporah Taylor v. DTC Apartments West, LLC, Lerner Corporation and Kathleen McGrath**, 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. Zipporah Taylor, complainant, Joseph Wardenski, attorney for the complainant, and J. Patrick May, attorney for the respondents, were present and addressed the Board.

At 10:35 A.M., Mr. Murphy offered a motion which was seconded by Ms. Howard, 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

Minutes

Public Comment

Fair Housing Administrator's Report

FHB File Number 2016- 03296, Michael Buscemi v. Liberty Management, Inc., Jefferson Housing LP, and Brenda Waller

FHB File Number 2015- 00057, Zipporah Taylor v. DTC Apartments West, LLC, Lerner Corporation and Kathleen McGrath

Closed Session

consideration of the topic: Jay DeBoer, Tom Payne, Liz Hayes and Trudy Miller.

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

9. FHB File Number 2015-00057, Zipporah Taylor v. DTC Apartments West, LLC, Lerner Corporation and Kathleen McGrath

At 11:10 A.M., a motion was made by Mr. Northup and seconded by Mr. Murphy 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: 8-0

AYES: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Ginnell, Schaberg and Wilson.

In the matter of **FHB File Number 2015-00057, Zipporah Taylor v. DTC Apartments West, LLC, Lerner Corporation and Kathleen McGrath**, a motion was made by Mr. Northup and seconded by Mr. Murphy to find reasonable cause the respondents discriminated against the complainant by refusing to rent based upon race. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior. A motion was made by Mr. Northup and seconded by Dr. Woods-Warrior to find no reasonable cause the respondents discriminated of availability against the complainant by making false representations based upon race. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

FHB File Number 2015-00057, Zipporah Taylor v. DTC Apartments West, LLC, Lerner Corporation and Kathleen McGrath

In the matter of **FHB File Number 2016-03451, Jing Han Sim v. Lauren Jones, Coal Tower Associates, LLC and MCO Management, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Mr. Murphy and seconded by Ms. Roth to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

FHB File Number 2016-03451, Jing Han Sim v. Lauren Jones, Coal Tower Associates, LLC and MCO Management, Inc.

In the matter of **FHB File Number 2017-00568, Mary Marple v. Barbara Caldwell and J. C. Caldwell, Jr.**, 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. Mary Marple, complainant, was present and addressed the Board. A motion was made by Mr. Reisinger and seconded by Dr. Woods-Warrior to find reasonable cause the respondents discriminated against the complainant by refusing to rent, by making discriminatory statements and by refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

FHB File Number 2017-00568, Mary Marple v. Barbara Caldwell and J. C. Caldwell, Jr.

In the matter of **FHB File Number 2016-02859, Gregory and Kim Lewis v. Bay Shore Appraisals, Inc. and**

FHB File Number 2016-02859, Gregory and Kim

Quicken Loans, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Mr. Crouse and seconded by Ms. Melton to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

Lewis v. Bay Shore Appraisals, Inc. and Quicken Loans

In the matter of **FHB File Number 2017-00108, KaSonya Young v. Village on Bull Run LLC and Amgulf Corporation**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Dr. Woods-Warrior and seconded by Mr. Murphy to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

FHB File Number 2017-00108, KaSonya Young v. Village on Bull Run LLC and Amgulf Corporation

In the matter of **FHB File Number 2017-00279, Stacy Abrams and Darlene Abrams v. BGB Properties LLC, Broughman Properties, LLC, Bernard Broughman and Victoria Broughman**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and supplemental Final Investigative Report and revised Case Analysis. A motion was made by Ms. Roth and seconded by Ms. Melton to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

FHB File Number 2017-00279, Stacy Abrams and Darlene Abrams v. BGB Properties LLC, Broughman Properties, LLC, Bernard Broughman and Victoria Broughman

In the matter of **FHB File Number 2016-02526, Christopher Mathena v. Sara Saleeb**, a motion was made by Ms. Howard and seconded by Mr. Crouse to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Roth and Woods-Warrior.

FHB File Number 2016-02526, Christopher Mathena v. Sara Saleeb

In the matter of **FHB File Number 2016-03124, Landon Ryan v. Fountain Court Mobile Home Park, Chad Vaught, and Lisa Lynn Vaught**, a motion was made by Ms. Howard and seconded by Mr. Crouse to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup,

FHB File Number 2016-03124, Landon Ryan v. Fountain Court Mobile Home Park, Chad Vaught, and Lisa Lynn Vaught

Reisinger, Roth and Woods-Warrior.

In the matter of **FHB File Number 2016-00326, Mabel Nelson v. AIMCO Foxchase LP**, the case was deferred to the next Board meeting.

FHB File Number 2016-00326, Mabel Nelson v. AIMCO Foxchase LP

A motion was made by Mr. Reisinger and seconded by Mr. Murphy to approve the December 7, 2016, Fair Housing Education Committee report. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Melton, Murphy, Northup, Reisinger, Schaberg and Wilson.


Administrative Issues

A motion was made by Ms. Howard and seconded by Ms. Melton to approve the proposed language for 18 VAC 62-10 and file the regulatory action as fast track to amend the Public Participation Guidelines regulations. The motion passed unanimously. Members voting "Yes" were Crouse, Howard, Melton, Murphy, Northup, Reisinger, Schaberg and Wilson.

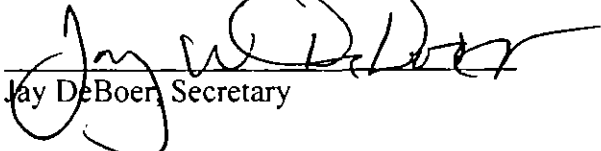
Tom Payne gave the Board a litigation update.

New Business

The Board adjourned at 11:36 A.M.



Andrew Reisinger, Vice-Chair



Jay DeBoer, Secretary

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Larry B. Murphy
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 7, 2016
(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.

Larry B. Murphy
Signature

12/7/16
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: John H. Crouse
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 7, 2016
(Date)

5. I have a personal interest in the following transaction:

NONE
(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]
Signature

12/7/16
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Myra Howard
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 7, 2016
(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.

Myra Howard
Signature

12-7-16
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Linda R. Melton
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 7, 2016
(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.

Linda R. Melton
Signature

December 7, 2016
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Erica Woods-Warrior
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 7, 2016
(Date)

5. I have a personal interest in the following transaction:

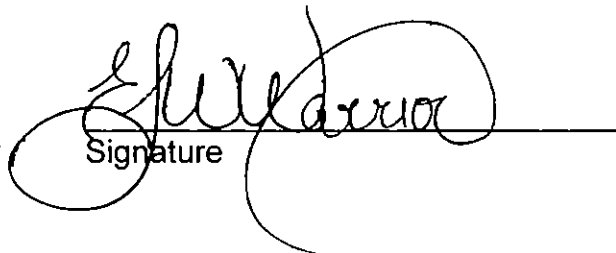
(Agenda Item)

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

12.7.16
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Valerie L. T. Roth
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 7, 2016
(Date)

5. I have a personal interest in the following transaction:

_____ (Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

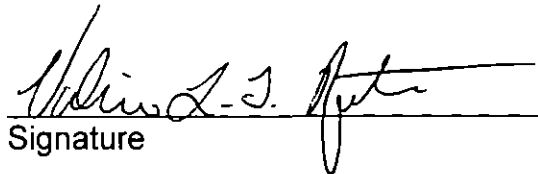
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

12/7/16
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Andrew Reisinger
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 7, 2016
(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

12-7-16

Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Stephen A. Northup
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 7, 2016
(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

12/7/2016
Date