

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

August 29, 2018

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, Chair
Myra Howard, Vice-Chair
Candice L. Bennett
Dean A. Lynch
Stephen Northup
Linda Melton
Valerie L.T. Roth
John Crouse
Abigail Spanberger

The following Board members were absent: Robert Schaberg
Larry Murphy

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

Jay DeBoer, Director
Christine Martine, Executive Director
James Chapman, Board Administrator
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 Mosby, Fair Housing Investigator
Dominica McGowen, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator

Tom Payne and Mona Siddiqui, Assistant Attorney Generals with the Office of the Attorney General, were present.

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

A motion was made by Ms. Howard and seconded by Mr. Crouse to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Northup, Reisinger, Roth and Spanberger.

Agenda

A motion was made by Mr. Lynch and seconded by Ms. Spanberger to approve the June 6, 2018, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Northup, Reisinger, Roth and Spanberger.

Minutes

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 2018-02409, Cheryl Hardy v. Stephen Timberlake and Community Management Corporation**, the Board reviewed the record which consisted of the Final Investigative Report, Supplemental Final Investigative Reports and Case Analysis. A motion was made by Mr. Crouse and seconded by Mr. Northup to find no reasonable cause that the respondents discriminated against the complainant in terms and conditions or by failing to make a reasonable accommodation based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Northup, Reisinger, Roth and Spanberger.

FHB File Number 2018-02409, Cheryl Hardy v. Stephen Timberlake and Community Management Corporation

Board member Linda Melton departed at 10:14 A.M.

**Departure of Board
Member**

In the matter of **FHB File Number 2018-00071, John and Kasey Shea v. Association Community Services West, Inc. and The Villages of Longmeadow Association, Inc.**, 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.

FHB File Number 2018-00071, John and Kasey Shea v. Association Community Services West, Inc. and The Villages of Longmeadow Association, Inc.

At 10:18 A.M., Ms. Roth offered a motion which was seconded by Ms. Spanberger, that the Board meeting be recessed and that the Fair Housing Board immediately

Closed Session

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: Jay DeBoer, Tom Payne, Mona Siddiqui, Liz Hayes and Dominica McGowen.

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

5. FHB File Number 2018-00071, John and Kasey Shea v. Association Community Services West, Inc. and The Villages of Longmeadow Association, Inc.

At 11:10 A.M., a motion was made by Ms. Howard and seconded by Ms. Roth 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: Bennett, Crouse, Howard, Lynch, Northup, Reisinger, Roth and Spanberger.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Melton, Murphy and Schaberg.

In the matter of **FHB File Number 2018-00071, John and Kasey Shea v. Association Community Services West, Inc. and The Villages of Longmeadow Association, Inc.**, a motion was made by Mr. Lynch and seconded by Ms. Bennett to find no reasonable cause the respondents discriminated against the complainants by imposing discriminatory terms and conditions in the provisions of services or facilities based upon familial status and no reasonable cause the respondents discriminated against the complainants by making discriminatory statements based on familial status. The motion passed by majority vote. Members voting "Yes" were Bennett, Lynch, Northup, Reisinger and Spanberger. Members voting "No" were Crouse, Howard and Roth.

FHB File Number 2018-00071, John and Kasey Shea v. Association Community Services West, Inc. and The Villages of Longmeadow Association, Inc.

In the matter of **FHB File Number 2018-00305, David S. Turnbull v. William Daniel Winn and Winn Properties, LLC**, a motion was made by Ms. Howard and seconded by Ms. Bennett to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Northup, Reisinger, Roth and Spanberger.

FHB File Number 2018-00305, David S. Turnbull v. William Daniel Winn and Winn Properties, LLC

In the matter of **FHB File Number 2017-02501, Berta Rodgers and DaWawn Farmer v. Sentinel Properties, Inc. and Ruxton Associates**, a motion was made by Ms. Spanberger and seconded by Ms. Howard to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Northup, Reisinger, Roth and Spanberger. A motion was made by Mr. Crouse and seconded by Ms. Spanberger to approve the request for non-disclosure of the agreement pursuant to §36-96.13.C of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Northup, Reisinger, Roth and Spanberger.

FHB File Number 2017-02501, Berta Rodgers and DaWawn Farmer v. Sentinel Properties, Inc. and Ruxton Associates

In the matter of **FHB File Number 2017-02467, Cassandra Greene v. Capital Associates**, a motion was made by Ms. Spanberger and seconded by Mr. Lynch to approve the terms

FHB File Number 2017-02467, Cassandra Greene v. Capital Associates

of the conciliation agreement as agreed to by the parties and to approve the request for non-disclosure of the terms pursuant to §36-96.13.C of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Northup, Reisinger, Roth and Spanberger.

A motion was made by Ms. Howard and seconded by Ms. Bennett to approve the August 29, 2018, Fair Housing Education Committee report. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Northup, Reisinger, Roth and Spanberger. **New Business**

Tom Payne gave the Board a litigation update.

At 11:27 A.M., Ms. Roth offered a motion which was seconded by Mr. Lynch, 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: Jay DeBoer, Tom Payne, Liz Hayes and Mona Siddiqui. **Closed Session**

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

Litigation summary case – FHB File No.: 2015-01648 – Donyll Smith v. The Four Winds Club, Inc. and David R. Rutland

At 11:50 A.M., a motion was made by Mr. Crouse and seconded by Mr. Reisinger 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: Bennett, Crouse, Howard, Lynch, Northup, Reisinger, Roth and Spanberger.

NAYS: None.

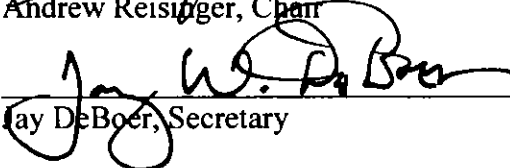
ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Melton, Murphy and Schaberg.

The Board adjourned at 11:53 A.M.



Andrew Reisinger, Chair



Jay DeBoer, Secretary

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

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

1. Name: Dean A. Lynch
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 29, 2018
(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

8/29/18

Date

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

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

1. Name: Candice L. Bennett
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 29, 2018
(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

8/29/2018
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: August 29, 2018
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

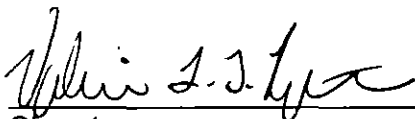
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

8/29/18
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: August 29, 2018
(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

8/29/2018
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: August 29, 2018
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

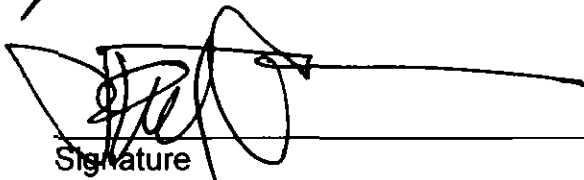
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

8-29-18
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: August 29, 2018
(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

8-29-18
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: August 29, 2018
(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

8/29/18
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: August 29, 2018
(Date)

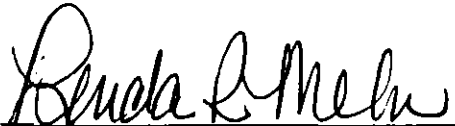
5. I have a personal interest in the following transaction:

_____ (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

8/29/2018
Date

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

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

1. Name: Abigail D. Spanberger
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 29, 2018
(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.

Abigail D. Spanberger
Signature

29 August 2018
Date