

## FAIR HOUSING BOARD

### TENTATIVE AGENDA

August 25, 2021- 10:00 a.m.

2<sup>nd</sup> 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. June 14, 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. Sarah Vialette and Kendall Zortman v. CBM Mortgage Inc.  
FHB File Number: 2021-01590  
HUD File Number: 03-21-7587-8  
*Appointment – Sarah Vialette, complainant*
2. Janet and Autumn Pakravan v. Virginia Beach Department of Housing and Neighborhood Preservation Homeless Program and PIN Ministry  
FHB File Number: 2021-01610  
HUD File Number: 03-21-8002-8
3. Thomas S. Bryant v. Daniel U.S. Properties, Lp And Arc Imperial Plaza, LLC  
FHB File Number: 2021-00140  
HUD File Number: 03-20-6036-8  
*Appointment – Margaret Scheele, attorney for respondents*
4. Melissa White v. Green Tree Apartments LLC. and Oak Grove Associates LLC  
dba Templeton Property  
FHB File Number: 2021-00734  
HUD File Number: 03-21-7028-8
5. Harold Walker v. CAPREIT Residential Management, LLC and St. Luke Apartments, LLC  
FHB File Number: 2021-01681  
HUD File Number: 03-21-8184-8

6. Sahira and Blanca Khan v. Kim Istvan, North Beauregard Associates LP and Kay Management Co. Inc.

FHB File Number: 2021-00375

HUD File Number: 03-20-6280-8

***Appointment – B. Patrick O’Grady, Esq., attorney for the respondents***

7. Tatiana Anikina-Dick and Norman Dick Jr. v. The Woods Association

FHB File Number: 2020-02280

HUD File Number: 03-20-4881-8

***Appointments – Tatiana Anikina-Dick and Norman Dick, Jr., complainants***

8. Bryan Dillon and Susanna Dillon v. Joshua Nabatkhorian and 1009 ½ King Street LLC

FHB File Number: 2019-00856

HUD File Number: 03-19-1471-8

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

9. Chastity Garcia v. Lawrence White Everett

FHB File Number: 2020-02805

HUD File Number: 03-20-6321-8

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

10. Housing Opportunities Made Equal v. Lawrence White Everett

FHB File Number: 2020-02928

HUD File Number: 03-20-6321-8

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

11. Yolanda Madyun v. CRC Property Management LLC and Potomac Station LP

FHB File Number: 2021-01326

HUD File Number: 03-21-7281-8

*{Conciliation}*

12. Amy Cloeter and John Cloeter v. Windward Condominium Unit Owners Association, Inc.

FHB File Number: 2021-02096

HUD File Number: 03-21-8394-8

*{Conciliation: Disability}*

13. The Equal Rights Center v. Cartwright Associates LLC

FHB File No.: 2021-02279

HUD File No.: Non-covered

*{Conciliation: Source of Funds}*

14. Virginia Fair Housing Office v. Beardsworth Properties LLC

FHB File Number: 2021-02666

HUD File Number: 03-21-8818-8

*{Conciliation: Disability, Elderliness; Familial Status, Source of Funds}*

**VI. ADMINISTRATIVE ISSUES**

**VII. OLD BUSINESS**

**VIII. NEW BUSINESS**

- Board financial statement
- Exempt Regulatory Actions
- COIA training

**IX. ADJOURNMENT**

**NEXT MEETING SCHEDULED FOR WEDNESDAY, NOVEMBER 3, 2021**

\*\* 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

June 14, 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:

Myra Howard, Chair  
Larry Murphy, Vice-Chair  
Candice L. Bennett  
Linda Melton  
Dean A. Lynch  
Alyia Gaskins  
Colin Arnold  
Amanda Pohl  
Amanda Buyalos  
Sherman Gillums

Board member absent from the meeting: Scott Astrada  
T. Nicole Hebbe

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

Tom Payne, Senior Assistant Attorney General, and Helen Hardiman, Assistant Attorney General, with the Office of the Attorney General were present.

Ms. Howard called the meeting to order at 10:04 A.M.

**Call to Order**

A motion was made by Mr. Lynch and seconded by Ms. Bennett to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**Agenda**

DRAFT AGENDA  
Materials contained in this agenda are proposed topics for discussion and are not to be construed as official Board position.  
DRAFT AGENDA

A motion was made by Ms. Bennett and seconded by Ms. Gaskins to approve the February 24, 2021, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy 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

Mr. Payne provided the Board with the litigation update.

### Litigation Summary

In the matter of **FHB File Number 2020-00518, Stephanie Stotts v. Lisa Benasher & Harrisonburg Redevelopment & Housing Authority**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Stephanie Stotts, complainant, address the Board by teleconference. A motion was made by Mr. Lynch and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent; subjecting her to discriminatory terms and conditions, or retaliating against her based upon race or sex. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

### FHB File Number 2020- 00518, Stephanie Stotts v. Lisa Benasher & Harrisonburg Redevelopment & Housing Authority

In the matter of **FHB File Number 2020-01372, LaTanya White v. AGPM Virginia LLC and BPP Newport Commons LLC**, 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. Buyalos to find no reasonable cause that the respondents discriminated against the complainant by refusing to make a reasonable accommodation or imposing discriminatory terms and conditions based upon disability. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard,

### FHB File Number 2020- 01372, LaTanya White v. AGPM Virginia LLC and BPP Newport Commons LLC

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Lynch, Melton, Murphy and Pohl.

In the matter of **FHB File Number 2020-02737, Robin Pullen v. Crelor Land Development Company LLC and Denise Eure**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Robin Pullen, complainant, addressed the Board by teleconference. A motion was made by Mr. Lynch and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by imposing discriminatory terms and conditions or intimidating, coercing or harassment based upon sex. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**FHB File Number 2020-02737, Robin Pullen v. Crelor Land Development Company LLC and Denise Eure**

In the matter of **FHB File Number 2020-01684, David Cooper v. Hope Hill Crossing South Homeowners and First Service Residential**, the Board reviewed the record which consisted of the Final Investigative Report, Supplemental Final Investigation Report, Case Analysis, and revised Case Analysis. Michelle Benitez Jessee, Esq., attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Bennett and seconded by Mr. Gillums to find no reasonable cause that the respondents discriminated against the complainant by refusing to make a reasonable accommodation, permitting a reasonable modification or offering discriminatory terms and conditions based upon disability. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**FHB File Number 2020-01684, David Cooper v. Hope Hill Crossing South Homeowners and First Service Residential**

In the matter of **FHB File Number 2021-00058, Joseph E. L. Sullivan v. Alexandria Redevelopment & Housing Authority**, the Board reviewed the record which consisted of the Final Investigative Report, Supplemental Final Investigative Report, Case Analysis and revised Case Analysis. Joseph E. L. Sullivan, complainant, was present and addressed the Board. A motion was made by Mr. Lynch and seconded by Ms. Bennett to find no reasonable cause that the respondent discriminated against the complainant by otherwise making housing unavailable, offering discriminatory terms and conditions, refusing to make a reasonable accommodation and intimidation, coercion and

**FHB File Number 2021-00058, Joseph E. L. Sullivan v. Alexandria Redevelopment & Housing Authority**

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harassment based upon disability. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

In the matter of **FHB File Number 2020-01430, Mary McNeal v. Gates Hudson Community Management LLC and Greenwich Hill Homeowners Association**, 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 McNeal, complainant, was present and addressed the Board. A motion was made by Mr. Murphy and seconded by Mr. Gillums to find reasonable cause that the respondents discriminated against the complainant by imposing discriminatory terms and conditions based upon race. The motion passed by majority vote. Members voting "Yes" were: Arnold, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl. Member voting 'No' was Bennett.

**FHB File Number 2020-01430, Mary McNeal v. Gates Hudson Community Management LLC and Greenwich Hill Homeowners Association**

In the matter of **FHB File Number 2020-01431, Linda Artson v. Gates Hudson Community Management LLC and Greenwich Hill Homeowners Association**, 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. Linda Artson, complainant, was present and addressed the Board. A motion was made by Mr. Murphy and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainant by retaliating against her based on the prior housing discrimination complaint. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**FHB File Number 2020-01431, Linda Artson v. Gates Hudson Community Management LLC and Greenwich Hill Homeowners Association**

A motion was made by Mr. Murphy and seconded by Ms. Melton to find reasonable cause that the respondents discriminated against the complainant by imposing discriminatory terms and conditions based upon race. The motion passed by majority vote. Members voting "Yes" were: Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl. Member voting 'No' were Arnold and Bennett.

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In the matter of **FHB File Number 2020-00805, Tracy Ferrell v. The Coleman Group, LLC, VC Solutions, LLC, Gail Furman and Carla Purdy**, 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 Mr. Lynch and seconded by Ms. Bennett to find reasonable cause that The Coleman Group, LLC, VC Solutions, LLC, and Carla Purdy, respondents, discriminated against the complainant by imposing discriminatory terms and conditions based upon familial status. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Murphy and Pohl.

A motion was made by Mr. Lynch and seconded by Ms. Gaskins to find reasonable cause that The Coleman Group, LLC, VC Solutions, LLC, and Carla Purdy, respondents, discriminated against the complainant in violation of §36-96.3.A.3 of the *Code of Virginia* by making discriminatory statements based upon familial status. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Murphy and Pohl.

A motion was made by Mr. Lynch and seconded by Ms. Bennett to find no reasonable cause that Gail Furman, respondent, discriminated against the respondents based on familial status. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Murphy and Pohl.

Due to potential conflict of interest, Ms. Melton abstained from voting in this matter.

In the matter of **FHB File Number 2020-01179, Housing Opportunities Made Equal, Inc. v. The Coleman Group, LLC, VC Solutions, LLC, Gail Furman and Carla Purdy**, 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 Mr. Lynch to find reasonable cause that The Coleman Group, LLC, VC Solutions, LLC, and Carla Purdy, respondents, discriminated against the complainant by

**FHB File Number 2020-00805, Tracy Ferrell v. The Coleman Group, LLC, VC Solutions, LLC, Gail Furman and Carla Purdy**

**FHB File Number 2020-01179, Housing Opportunities Made Equal, Inc. v. The Coleman Group, LLC, VC Solutions, LLC, Gail Furman and Carla Purdy**

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imposing discriminatory terms and conditions based on familial status. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Murphy and Pohl.

A motion was made by Ms. Bennett and seconded by Mr. Lynch to find no reasonable cause that Gail Furman, respondent, discriminated against the respondents based on familial status. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Murphy and Pohl.

Due to potential conflict of interest, Ms. Melton abstained from voting in this matter.

In the matter of **FHB File Number 2019-00801, Armani Thornton v. Ernest Hairston, III and Gia Hairston**, a motion was made by Mr. Lynch 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: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**FHB File Number 2019-00801, Armani Thornton v. Ernest Hairston, III and Gia Hairston**

In the matter of **FHB File Number 2021-00896, Kyler Williams v. UDR Newport Village, LLC; Denise Brewer and Michelle D. Chey**, a motion was made by Mr. Lynch 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: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**FHB File Number 2021-00896, Kyler Williams v. UDR Newport Village, LLC; Denise Brewer and Michelle D. Chey**

In the matter of **FHB File Number 2021-01852, Donna Fryar v. Central Virginia Housing Coalition, Inc., Armiger Management Corporation and Jackson Village Residential, LLC**, a motion was made by Mr. Lynch 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: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**FHB File Number 2021-01852, Donna Fryar v. Central Virginia Housing Coalition, Inc., Armiger Management Corporation and Jackson Village Residential, LLC**

In the matter of **FHB File Number 2021-02079, Christopher Muhlbaier v. Oak Grove Associates, LLC**,

**FHB File Number 2021-02079, Christopher**

**DBA Templeton Properties**, a motion was made by Mr. Lynch 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: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**Muhlbaier v. Oak Grove Associates, LLC, DBA Templeton Properties**

A motion was made by Ms. Bennett and seconded by Ms. Lynch to approve the June 14, 2021, Fair Housing Education Committee report. The motion passed unanimously. Members voting "Yes" were: Arnold, Bennett, Buyalos, Gaskins, Gillums, Howard, Lynch, Melton, Murphy and Pohl.

**Administrative Issues**

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

**New Business**

The Board adjourned at 11:09 A.M.

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Dean Lynch, Acting Chair

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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**

**June 2021**

	June 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - June 2019	July 2020 - June 2021
<b>Cash/Revenue Balance Brought Forward</b>			0
<b>Revenues</b>	2,500	30,700	30,130
<b>Cumulative Revenues</b>			30,130
<b>Cost Categories:</b>			
<b>Board Expenditures</b>	1,200	8,040	7,171
<b>Board Administration</b>	0	0	0
<b>Administration of Exams</b>	0	0	0
<b>Enforcement</b>	27,446	633,166	628,313
<b>Legal Services</b>	14,337	107,430	113,320
<b>Information Systems</b>	0	0	0
<b>Facilities and Support Services</b>	17	1,730	763
<b>Agency Administration</b>	0	0	0
<b>Other / Transfers</b>	(719,438)	(719,667)	(719,438)
<b>Total Expenses</b>	(676,437)	30,700	30,130
<b>Transfer To/(From) Cash Reserves</b>	(0)	0	(678,937)
<b>Ending Cash/Revenue Balance</b>			678,937

<b>Cash Reserve Beginning Balance</b>	(678,937)	0	0
<b>Change in Cash Reserve</b>	(0)	0	(678,937)
<b>Cash Reserve Ending Balance</b>	(678,937)	0	(678,937)

<b>Number of Regulators</b>	
Current Month	1,920
Previous Biennium-to-Date	2,183