

FAIR HOUSING BOARD

TENTATIVE AGENDA

August 30, 2023- 10:00 a.m.

2nd 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 7, 2023 - Fair Housing Board Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORT

1. Fair Housing Administrator's Report

V. FAIR HOUSING CASES

1. Kendall Slatton v. Quicken Loans LLC, dba Rocket Mortgage
FHB File Number: 2021-01664
HUD File Number: 03-21-7659-8
2. Tanya Henman v. FirstService Residential DC Metro LLC and Montclair Property Owners Association, Inc.
FHB File Number: 2021-01287
HUD File Number: 03-21-7241-8
Appointment: Tanya Henman, complainant
3. Dikshit Dutia, AKA D. Dutia v. Hope Hill Crossing North Homeowners Association and Service First Management and Consulting, Inc.
FHB File Number: 2021-02746
HUD File Number: 03-21-8773-8
4. Tammy Cabell v. Flavio Garcia and Chelsea Garcia
FHB File Number: 2023-00411
HUD File Number: 03-22-2003-8
Appointment: Flavio Garcia and Chelsea Garcia, respondents
5. Kensley & Danielle Dougan v. Cardinal Management Group, Inc. and Saranac Community Association
FHB File Number: 2021-00895

HUD File Number: 03-21-16818-8

Appointment: Mr. Allen, attorney for complainants

6. Troy Anthony Bailey Jr. v. CIA Potomac Ridge LLC, Capital Investment Advisors LLC and Lynnett Harris
FHB File Number: 2022-02721
HUD File Number: N/A
7. Bernard Wells and Vanessa Wells v. Mary T. Ribero and Joseph Ribero
FHB File Number: 2023-02064
HUD File Number: 03-23-3224-8
8. Natalie and Daniel Douglas v. Fieldstone Townhome Association, Inc., Sentry Management Inc., Lisa Sharma, and Anand Chavi Trustee Under the Solara Trust
FHB File Number: 2022-00236
HUD File Number: 03-21-9064-8
Appointment: Richard Armstrong, attorney for the respondents
9. Fred Weaver v. Carlton Views I LLC, Piedmont Housing Alliance, Tyericka Clark, Bernita Johson and Charlene Green
FHB File Number: 2022-01157
HUD File Number: 03-22-0653-8
10. Wendy Webber v. Axiom Realty Partnersc, LLC, Julie Dunn and Maple Ridge Apartments, LLC
FHB File Number: 2022-00529
HUD File Number: N/A
11. Kathy Andrews v. RAH Winthrop Manor, LLC and Celestine D. Hicks
FHB File Number: 2021-02330
HUD File Number: 03-21-8399-8
12. James A. Martin, Sr. v. Battleground Estates at Celebrate Virginia Community Association, Elite Community Management LLC, Stacy Tipton, Tiffany Brown, Tanika Carter and Kailey Crabtree
FHB File Number: 2021-02683
HUD File Number: 03-21-9269-8
Appointment: Chad Rinard, attorney for respondent, Battleground Estates at Celebrate Virginia Community Association
13. Kevin Grayson v. Robert Hill and Sharron Hill
FHB File Number: 2021-01683
HUD File Number: 03-21-7699-8
14. Tamika Thomas v. Foliang Chen and Shipping Peng
FHB File Number: 2022-00602
HUD File Number: 03-21-9431-9

{referred to OAG for official consultation}

15. Amanda & Michael Mills v. Regina Turner

FHB File Number: 2023-01858

HUD File Number: 03-23-3179-8

{referred to OAG for official consultation}

Appointment: Amanda Mills, complainant

16. Ty Owens and Chom Ye Owens v. Rosewood Management and Consulting Services and Carisbrooke Homeowners Association

FHB File Number.: 2023-00014

HUD File Number.: 03-22-1614-8

{Conciliation: Race}

VI. ADMINISTRATIVE ISSUES

- Litigation update
- Regulatory review
- Election of Officers

VII. OLD BUSINESS

VIII. NEW BUSINESS

- Board financial statement

IX. ADJOURNMENT

NEXT MEETING SCHEDULED FOR: DECEMBER 6, 2023

** 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 7, 2023

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:

Dean Lynch
Candice L. Bennett
Colin Arnold
Amanda Buyalos
Amanda Pohl
Owen R. Morgan
Scott Astrada (arrived at 10:04 a.m.)
Morton 'Tracy' Marks, III (arrived at 11:08 a.m.)

Board members absent from the meeting: Myra Howard, Chair
Larry Murphy, Vice-Chair
Stuart 'Gray' Gilchrist

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

Demetrios Melis, Director
Tom Payne, Deputy Director
Stephen Kirschner, Deputy Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Emily Trent, Administrative Coordinator
Angela Keefe-Thomas, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Donnitria Mosby, Fair Housing Investigator

Nathan Moberley, Assistant Attorney General, with the Office of the Attorney General was present.

Mr. Lynch called the meeting to order at 10:03 A.M.

Call to Order

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

Agenda

Board member Scott Astrada arrived at 10:04 A.M.

Board Member Arrival

A motion was made by Ms. Bennett and seconded by Mr. Arnold to approve the February 22, 2023, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

Minutes

Laura Timberlake addressed the Board regarding the reconsideration request made in FHB File Number 2021-00480, Joseph and Laura Timberlake v. Longhill Woods Community Company. Ms. Timberlake also addressed issues that she believes existed with the Agency's processing of her reasonable accommodation request related to participating in the reconsideration process. No action was taken by the Board.

Public Comment

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

**Fair Housing
Administrator's Report**

In the matter of **FHB File Number 2020-01475, Theresa Jerinsky v. Unit Owners Association of the Hawthorn Condominium, Robin Wilcox and Jason Leff**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Andrew T. Bodoh, attorney for the complainant, was present and addressed the Board. 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 intimidating, coercing or harassing based upon race. The motion passed by majority vote. Members voting "Yes" were: Astrada, Bennett, Buyalos, Lynch, and Morgan. Members voting "No" was Arnold and Pohl.

FHB File Number 2020-01475, Theresa Jerinsky v. Unit Owners Association of the Hawthorn Condominium, Robin Wilcox and Jason Leff

In the matter of **FHB File Number 2021-00245, Gina McCoy v. VAB 23rd Street, LLC and Rajendra Jariwala**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Gina McCoy, complainant, was present and addressed the Board. A motion was made by Ms. Buyalos and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by offering discriminatory terms and conditions or making discriminatory statements based upon sex. The motion passed by majority vote. Members voting "Yes" were: Astrada, Bennett, Buyalos, Lynch, Morgan and

FHB File Number 2021-00245, Gina McCoy v. VAB 23rd Street, LLC and Rajendra Jariwala

DRAFT AGENDA
Materials retained in this format are proposed topics for discussion in future meetings.
DRAFT AGENDA
FHB
construed as regulation or official Board position.

Pohl. Member voting "No" was Arnold.

In the matter of **FHB File Number 2021-00695, Lana Lamont v. ICAFS, Inc. and THWC, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Scott Fisher, attorney for the respondents, was present and addressed the Board. A motion was made by Mr. Morgan and seconded by Mr. Arnold to find no reasonable cause that the respondents discriminated against the complainant by imposing discriminatory terms and conditions or failing to make a reasonable accommodation based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2021-00695, Lana Lamont v. ICAFS, Inc. and THWC, LLC

In the matter of **FHB File Number 2022-02317, Dianne McClurg v. The Solomon Organization LLC, Walden Owner 1 LLC, Walden Owner 2 LLC, Walden Owner 3 LLC, and LaTasha Williams**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Dianne McClurg, complainant, was present and addressed the Board. A motion was made by Mr. Arnold and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by refusing to make a reasonable accommodation or in terms and conditions of a rental based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2022-02317, Dianne McClurg v. The Solomon Organization LLC, Walden Owner 1 LLC, Walden Owner 2 LLC, Walden Owner 3 LLC, and LaTasha Williams

In the matter of **FHB File Number 2020-02747, Aldo Avanzini, Aldo I. Avanzini and Ana C. Avanzini v. Gretchen Surv and Amir Pirasteh**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Morgan and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainants in terms and conditions of a rental, making discriminatory statements, or intimidation, coercion, or harassment based upon religion. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2020-02747, Aldo Avanzini, Aldo I. Avanzini and Ana C. Avanzini v. Gretchen Surv and Amir Pirasteh

In the matter of **FHB File Number 2020-02086, Ana**

FHB File Number 2020-

Yamashiro v. Roseland Residential Trust, Crystal House Apartments Investors LLC and Lily Calderon, 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 Mr. Arnold to find no reasonable cause that the respondents discriminated against the complainant in terms and conditions of a rental or refusal to make a reasonable accommodation based upon disability. The motion passed by majority vote. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch and Morgan. Member voting "No" was: Pohl.

02086, Ana Yamashiro v. Roseland Residential Trust, Crystal House Apartments Investors LLC and Lily Calderon

In the matter of **FHB File Number 2022-02296, Tony Alan Keyes, Annette Keyes & Sheniqua Keyes v. Tower Park Management, Inc., F/V Selma Inc., Tracey White and Bianca Blount**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Irving B. 'Chip' Goldstein, Esq., attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Buyalos and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainants in terms and conditions, privileges, services and facilities or otherwise make housing unavailable based upon race. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2022-02296, Tony Alan Keyes, Annette Keyes & Sheniqua Keyes v. Tower Park Management, Inc., F/V Selma Inc., Tracey White and Bianca Blount

In the matter of **FHB File Number 2020-02753, Earl A. Watson v. Chandler Residential Inc. & Kensington Crossing LLC**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Arnold and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainant in terms and conditions of a rental based upon race. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2020-02753, Earl A. Watson v. Chandler Residential Inc. & Kensington Crossing LLC

In the matter of **FHB File Number 2021-01076, Jennifer Atchinson & Ricardo Redwood v. Richmond Chesapeake, LLC and Westminster Management**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Brett C. Herbert, attorney for the respondents, was present and addressed the

FHB File Number 2021-01076, Jennifer Atchinson & Ricardo Redwood v. Richmond Chesapeake, LLC and Westminster Management

DRAFT AGENCY COMMENTS
Materials submitted in this manner are not to be considered for regulation or official Board position.

Board. A motion was made by Mr. Morgan and seconded by Mr. Arnold to find no reasonable cause that the respondents discriminated against the complainants by refusing to provide a reasonable accommodation or offering discriminatory terms and conditions based upon their son's disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

In the matter of **FHB File Number 2021-01282, Michelle Clark v. Danville Rentals LLC and Johnnie Meritt**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by otherwise making housing unavailable or refusing to provide a reasonable accommodation based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2021-01282, Michelle Clark v. Danville Rentals LLC and Johnnie Meritt

In the matter of **FHB File Number 2022-00720, Dianna Breznik and Aimee Ames v. Karen Bercaw**, 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 Mr. Arnold to find no reasonable cause that the respondent discriminated against the complainants by otherwise making housing unavailable, refusing to provide a reasonable accommodation, intimidating, harassing, or coercing, or offering discriminatory terms and conditions based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2022-00720, Dianna Breznik and Aimee Ames v. Karen Bercaw

In the matter of **FHB File Number 2022-01499, Elizabeth Herbert v. City Line Associates, LLC, Female Manager (name unknown), and CAPREIT Residential Management, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis, Supplemental Final Investigative Report and Supplemental Case Analysis. Eileen Heasley, representative for the respondents, was present and addressed the Board. A motion was made by Ms. Pohl and seconded by Ms. Buyalos to find no reasonable cause that the respondents

FHB File Number 2022-01499, Elizabeth Herbert v. City Line Associates, LLC, Female Manager (name unknown), and CAPREIT Residential Management, LLC

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discriminated against the complainant by offering discriminatory terms and conditions, refusing to rent, or making discriminatory statements based upon religion. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

In the matter of **FHB File Number 2022-02751, Sydney Ford v. Austin Cook and the Cook Family Trust**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Morgan and seconded by Ms. Pohl to find no reasonable cause that the respondents discriminated against the complainant by otherwise making housing unavailable, refusing to provide a reasonable accommodation, or offering discriminatory terms and conditions based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2022-02751, Sydney Ford v. Austin Cook and the Cook Family Trust

In the matter of **FHB File Number 2022-02416, Laverne Taylor v. Kings Grant Associates, LP and Karen (last name unknown) and Kings Grant Associates, LP**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos and seconded by Mr. Arnold to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent or discriminating in terms and conditions based upon race, disability, or source of funds. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2022-02416, Laverne Taylor v. Kings Grant Associates, LP and Karen (last name unknown) and Kings Grant Associates, LP

In the matter of **FHB File Number 2021-02381, Kawaniki Rush v. Barbara Snapp**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Kawaniki Rush, complainant, submitted a written statement which was read by the Board. A motion was made by Ms. Bennett and seconded by Mr. Morgan to find no reasonable cause that the respondent discriminated against the complainant by making discriminatory statements based upon race, or source of funds. The motion passed by majority vote. Members voting "Yes" were: Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl. Member voting "No" was: Arnold.

FHB File Number 2021-02381, Kawaniki Rush v. Barbara Snapp

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In the matter of **FHB File Number 2020-01465, Jennifer Warnasch v. Kellie Dickerson, Henry Ridge, and Hamp, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent, discriminating in terms and conditions, or by intimidating, coercing, or harassing based upon her race or her fiancée's race. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2020-01465, Jennifer Warnasch v. Kellie Dickerson, Henry Ridge, and Hamp, Inc.

In the matter of **FHB File Number 2021-02806, Joan Levy v. BRG Meridian Parkside, Bonaventure Realty Group LLC and Jessica Turner**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Arnold and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by otherwise making housing unavailable or imposing discriminatory terms and conditions based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2021-02806, Joan Levy v. BRG Meridian Parkside, Bonaventure Realty Group LLC and Jessica Turner

In the matter of **FHB File Number 2022-00628, Darren Eugene Winebrenner v. The Alleghany Building LP, South River Development Corporation, Inc. and Belinda Gartner**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Morgan and seconded by Mr. Astrada to find no reasonable cause that the respondents discriminated against the complainant by otherwise making housing unavailable, imposing discriminatory terms and conditions, failing to make a reasonable accommodation, or retaliating based upon disability. The motion passed by unanimously. Members voting "Yes" were: Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2022-00628, Darren Eugene Winebrenner v. The Alleghany Building LP, South River Development Corporation, Inc. and Belinda Gartner

Due to possible conflict of interest, Mr. Arnold did not vote or participate in the discussion in this matter.

In the matter of **FHB File Number 2021-02282, Lamiaa Elfar v. FirstService Residential DC Metro LLC and Lashann Johnson**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos and seconded by Mr. Morgan to find no reasonable cause that the respondents discriminated against the complainant by imposing discriminatory terms and conditions or harassment based upon race, color or religion. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2021-02282, Lamiaa Elfar v. FirstService Residential DC Metro LLC and Lashann Johnson

In the matter of **FHB File Number 2021-00915, Brigette Jones, Thessalonia Higgs and Whitney Jones v. MBR Property Management, LLC and 7077 Adeline Business**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Arnold and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainants by refusing to rent, imposing discriminatory terms and conditions, failing to make a reasonable accommodation, or retaliation based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2021-00915, Brigette Jones, Thessalonia Higgs and Whitney Jones v. MBR Property Management, LLC and 7077 Adeline Business

In the matter of **FHB File Number 2023-00176, Larry Wexler and Therese A. Wexler v. Lynnhaven Dunes Condominium Association, Inc., United Property Associates, Inc. and Andrew Paul**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Morgan and seconded by Mr. Arnold to find no reasonable cause that the respondents discriminated against the complainants by imposing discriminatory terms and conditions or by failing to make a reasonable accommodation based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2023-00176, Larry Wexler and Therese A. Wexler v. Lynnhaven Dunes Condominium Association, Inc., United Property Associates, Inc. and Andrew Paul

In the matter of **FHB File Number 2021-02865, Ashley Grube and Bryan Grube v. Intown Suites Virginia Beach, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos and seconded by Ms.

FHB File Number 2021-02865, Ashley Grube and Bryan Grube v. Intown Suites Virginia Beach, LLC

DRAFT AGENDA
Materials for agenda are not to be used for official Board position.

Bennett to find no reasonable cause that the respondent discriminated against the complainants by otherwise making housing unavailable, imposing discriminatory terms and conditions, or by failing to permit a reasonable accommodation based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

In the matter of **FHB File Number 2020-02327, Melanie Motta-Sanchez v. Robert Bhat**, 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 respondent discriminated against the complainant in terms, conditions, privileges, or services and facilities, otherwise denied or made housing unavailable or failed to make a reasonable accommodation based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Morgan and Pohl.

FHB File Number 2020-02327, Melanie Motta-Sanchez v. Robert Bhat

Board member Morton 'Tracy' Marks, III, arrived at 11:08 a.m.

Arrival of Board Member

In the matter of **FHB File Number 2021-01838, Gladys Tucker v. Lori Nance, Central Virginia Resource Corporation, Patrice Freeman and Virginia Housing**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Arnold and seconded by Ms. Pohl to find no reasonable cause that the respondents discriminated against the complainant by refusing to make a reasonable accommodation based upon disability. The motion passed by unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

FHB File Number 2021-01838, Gladys Tucker v. Lori Nance, Central Virginia Resource Corporation, Patrice Freeman and Virginia Housing

In the matter of **FHB File Number 2022-02731, David Hinchey v. Heartland Manassas Limited Partnership and Heartland Realty Investors, Inc.**, a motion was made by Ms. Buyalos and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

FHB File Number 2022-02731, David Hinchey v. Heartland Manassas Limited Partnership and Heartland Realty Investors, Inc.

The Board recessed from 11:11 a.m.-11:25 a.m.

Break

In the matter of FHB File Number 2020-00957, Ashley Outlaw and Ashraf Yacout v. Ingram & Associates Property Management, Inc., Crystal Williams, Terrence J. McElroy and Carol A. McElroy, 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. P. George Eliades, II, attorney for the respondents, was present and addressed the Board.

FHB File Number 2020-00957, Ashley Outlaw and Ashraf Yacout v. Ingram & Associates Property Management, Inc., Crystal Williams, Terrence J. McElroy and Carol A. McElroy

At 11:41 A.M., Ms. Buyalos offered a motion which was seconded by Mr. Marks, 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: Tom Payne, Liz Hayes, Stephen Kirschner, Demetrios Melis and Nathan Moberley.

Closed Session

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

25. FHB File Number 2020-00957, Ashley Outlaw and Ashraf Yacout v. Ingram & Associates Property Management, Inc., Crystal Williams, Terrence J. McElroy and Carol A. McElroy

At 12:14 P.M., a motion was made by Mr. Lynch and seconded by Mr. Marks 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: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Gilchrist, Howard, and Murphy.

In the matter of **FHB File Number 2020-00957, Ashley Outlaw and Ashraf Yacout v. Ingram & Associates Property Management, Inc., Crystal Williams, Terrence J. McElroy and Carol A. McElroy**, a motion was made by Ms. Bennett and seconded by Mr. Arnold to find there is reasonable cause to believe the respondents failed to make a reasonable accommodation for the complainants in violation of §36-96.3.B.ii of the *Code of Virginia*; there is reasonable cause to believe the respondents refused or otherwise made housing unavailable to the complainants based upon disability in violation of §36-96.3.A.8 of the *Code of Virginia*; and there is reasonable cause to believe the respondents retaliated against the complainants for requesting an accommodation for their child's disability in violation of §36-96.5 of the *Code of Virginia*. The motion passed by majority vote. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Marks, Morgan and Pohl. The motion passed unanimously. Member voting "No" was: Lynch.

FHB File Number 2020-00957, Ashley Outlaw and Ashraf Yacout v. Ingram & Associates Property Management, Inc., Crystal Williams, Terrence J. McElroy and Carol A. McElroy

In the matter of **FHB File Number 2019-02830, Cheree S. Francis v. Cromwell Park at Salem Condominium Association, Inc. and Community First Management, Inc.**, the Board reviewed the record which consisted of the

FHB File Number 2019-02830, Cheree S. Francis v. Cromwell Park at Salem Condominium

DRAFT AGENDA
Materials and agenda are proposed for review and are not to be construed as regulation or official Board position.

Final Investigative Report, Case Analysis and Official Consultation Memorandum from the Office of the Attorney General. Jeanne S. Lauer, Esq., attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Bennett and seconded by Mr. Morgan to find there is no reasonable cause to believe the respondents violated §36-96.3.B.ii of the *Code of Virginia* by refusing to allow a reasonable accommodation to afford the complainant an equal opportunity to use and enjoy her residence based upon her disability related need/request for an assistance animal. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

**Association, Inc. and
Community First
Management, Inc.**

A motion was made by Ms. Bennett and seconded by Ms. Buyalos to find there is no reasonable cause to believe the respondents violated §36-96.3.A.9 of the *Code of Virginia* by discriminating in the terms, conditions, or privileges in the provision of services or facilities in connection with the complainant's dwelling because of her disability related need/request for an assistance animal. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

A motion was made by Ms. Bennett and seconded by Ms. Buyalos to find there is no reasonable cause to believe the respondents violated §36-96.3.A.2 of the *Code of Virginia* by discriminating in the terms, conditions, or privileges in the provision of services or facilities in connection with the complainant's dwelling based upon race. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

A motion was made by Ms. Bennett and seconded by Ms. Buyalos to find there is no reasonable cause to believe the respondents violated §36-96.5 of the *Code of Virginia* by coercing, intimidating, threatening, or interfering with the complainant's exercise or enjoyment of her rights under the Virginia Fair Housing Law. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

In the matter of **FHB File Number 2021-01940, Anthony Matais Dunston and Angel Francis Blizzard v. Nancy Moss and Michelle Bethea**, the Board reviewed the record

**FHB File Number 2021-
01940, Anthony Matais
Dunston and Angel**

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 Ms. Buyalos to find there is reasonable cause to believe the respondents refused to renew the lease or otherwise made rental housing unavailable to the complainants based upon familial status and sex in violation of §36-96.3.A.1 of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

Francis Blizzard v. Nancy Moss and Michelle Bethea

A motion was made by Ms. Bennett and seconded by Mr. Marks to find there is reasonable cause to believe with respect to the rental of a dwelling that the respondents discriminated against the complainants in terms, conditions, or privileges of rental of a dwelling based upon familial status and sex in violation of §36-96.3.A.2 of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

A motion was made by Ms. Bennett and seconded by Ms. Buyalos to find there is reasonable cause to believe with respect to the rental of a dwelling that the respondents made discriminatory statements to the complainants based upon familial status and sex in violation §36-96.3.A.3 of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

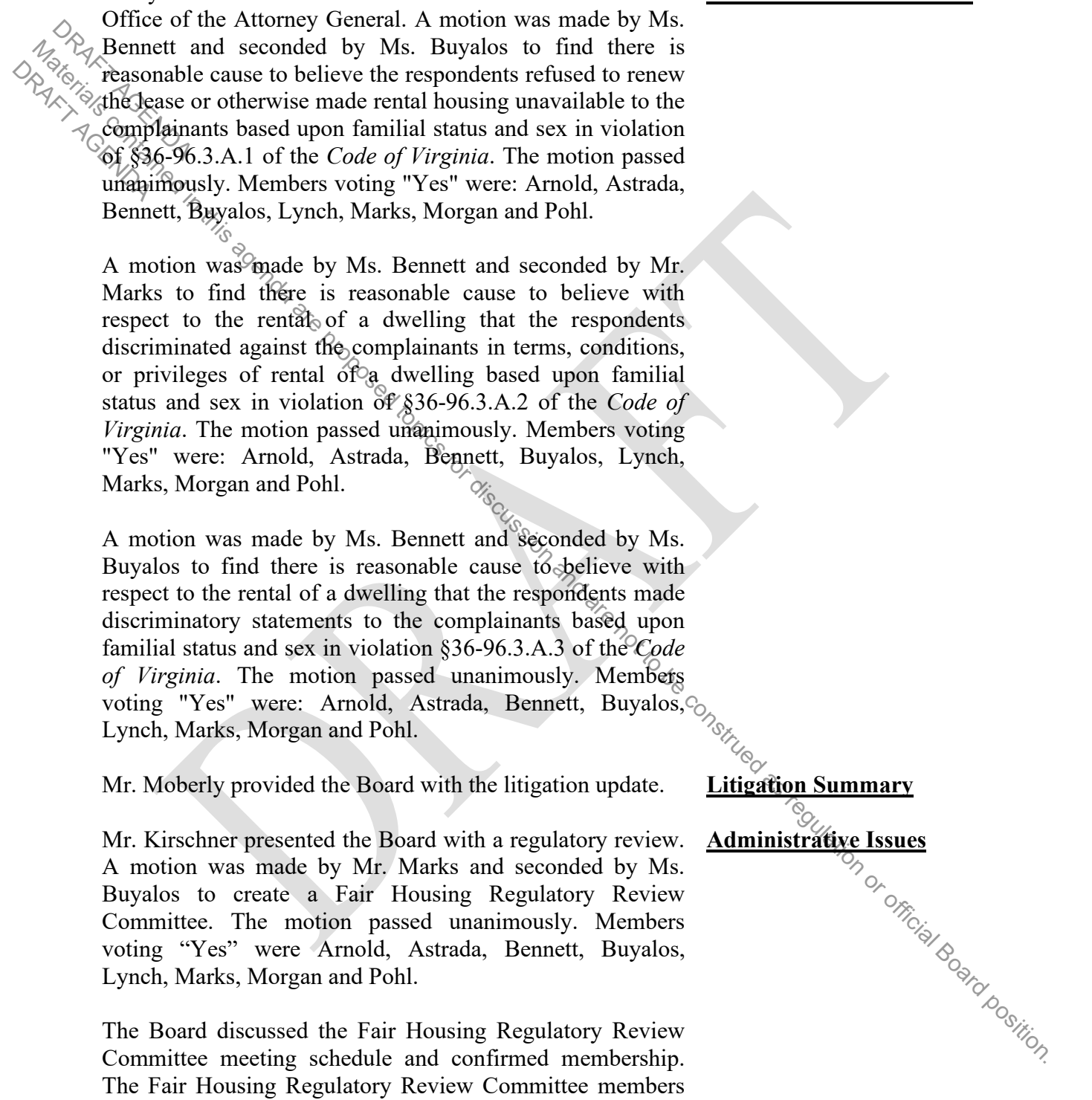
Mr. Moberly provided the Board with the litigation update.

Litigation Summary

Mr. Kirschner presented the Board with a regulatory review. A motion was made by Mr. Marks and seconded by Ms. Buyalos to create a Fair Housing Regulatory Review Committee. The motion passed unanimously. Members voting "Yes" were Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

Administrative Issues

The Board discussed the Fair Housing Regulatory Review Committee meeting schedule and confirmed membership. The Fair Housing Regulatory Review Committee members are Colin Arnold, Scott Astrada, Amanda Buyalos, Tracy Marks and Amanda Pohl.



Mr. Kirschner requested the Board establish a formal election policy to govern Board elections for Chair and Vice Chair of the Fair Housing Board. A motion was made by Ms. Buyalos and seconded by Mr. Marks to hold an election for Chair and Vice Chair each year at the Board meeting following July or at the first meeting after the Governor makes appointments to the Board. The motion passed unanimously. Members voting "Yes" were Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

The Board recessed from 12:34 P.M. to 12:45 P.M.

Break

A motion was made by Ms. Bennett and seconded by Mr. Marks to approve the June 7, 2023, Fair Housing Education Committee report. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Bennett, Buyalos, Lynch, Marks, Morgan and Pohl.

New Business

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

The Fair Housing Board training was deferred to the next Board meeting.

The Board discussed the Fair Housing Education Committee and confirmed current membership. The Fair Housing Education Committee members are Tracy Marks, Scott Astrada, Amanda Buyalos, and Owen Morgan.

Ms. Bennett departed the Board meeting at 1:04 P.M.

Departure of Board Member

The Board adjourned at 1:07 P.M.

Myra Howard, Chair

Demetrios J. Melis, Secretary

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Fair Housing Board
954630**

2022-2024 Biennium

June 2023

	June 2023 Activity	Biennium-to-Date Comparison	
		July 2020 - June 2021	July 2022 - June 2023
Cash/Revenue Balance Brought Forward			949,415
Revenues	3,175	30,130	33,050
Cumulative Revenues			982,465
Cost Categories:			
Board Expenditures	808	7,171	8,526
Board Administration	0	0	0
Administration of Exams	0	0	0
Enforcement	86,310	628,313	567,914
Legal Services	28839	113,320	135,115
Information Systems	0	0	0
Facilities and Support Services	62	763	567
Agency Administration	0	0	0
Other / Transfers	(679,071)	(719,438)	(679,071)
Total Expenses	(563,052)	30,130	33,051
Transfer To/(From) Cash Reserves	0	0	(111,235)
Ending Cash/Revenue Balance			1,060,649

Cash Reserve Beginning Balance	(1,060,649)	0	(949,415)
Change in Cash Reserve	0	0	(111,235)
Cash Reserve Ending Balance	(1,060,649)	0	(1,060,649)

Number of Regulants

Current Month	2,156
Previous Biennium-to-Date	2,183

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