

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

March 7, 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
Larry Murphy
Candice L. Bennett
Valerie L.T. Roth
Dean A. Lynch
Stephen Northup
Linda Melton
John Crouse

The following Board members were absent: Robert Schaberg
Abigail Spanberger

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

Jay DeBoer, Director
Christine Martine, Executive Director
James Chapman, 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 Ms. **Agenda**

Melton to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup, Reisinger and Roth.

A motion was made by Mr. Lynch and seconded by Ms. Melton to approve the December 13, 2017, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup, Reisinger and Roth.

There was no public comment.

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

In the matter of **FHB File Number 2018-00427, Hanh Allgood and Wayne Allgood v. Chesapeake House on the Bay, Inc., Kelly Washburn and Noreene Hasell**, 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 Mr. Northup to find no reasonable cause that the respondents discriminated in the terms, conditions and privileges or in services or facilities based on national origin. The motion passed by majority vote. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Northup, Reisinger and Roth. Member voting "No" was Murphy.

In the matter of **FHB File Number 2017-00010, Yolanda Viera Paz v. Josh Bilder, Wayside Townhouse Apartments II, LLC, Sterling Management Corporation of Virginia, and Javier Echavarria**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Alexander Simon, attorney for the respondents, was present and addressed the Board.

At 10:20 A.M., Ms. Howard offered a motion which was seconded by Ms. Bennett, 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-

Minutes

Public Comment

Fair Housing Administrator's Report

FHB File Number 2018- 00427, Hanh Allgood and Wayne Allgood v. Chesapeake House on the Bay, Inc., Kelly Washburn and Noreene Hasell

FHB File Number 2017- 00010, Yolanda Viera Paz v. Josh Bilder, Wayside Townhouse Apartments II, LLC, Sterling Management Corporation of Virginia, and Javier Echavarria

Closed Session

members will be in attendance to reasonably aid the consideration of the topic: Jay DeBoer, Tom Payne, Mona Siddiqui, Liz Hayes and Angela Keefe-Thomas.

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

5. FHB File Number 2017-00010, Yolanda Viera Paz v. Josh Bilder, Wayside Townhouse Apartments II, LLC, Sterling Management Corporation of Virginia, and Javier Echavarria

At 10:40 A.M., a motion was made by Mr. Crouse and seconded by Ms. Melton 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: 9-0

AYES: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup, Reisinger and Roth.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Schaberg and

Spanberger.

In the matter of **FHB File Number 2017-00010, Yolanda Viera Paz v. Josh Bilder, Wayside Townhouse Apartments II, LLC, Sterling Management Corporation of Virginia, and Javier Echavarria**, a motion was made Mr. Northup and seconded by Ms. Roth to find reasonable cause the respondents, Wayside Townhouse Apartments II, LLC and Sterling Management Corporation of Virginia, discriminated against complainant by refusing to renew her lease and forcing her removal thereby making housing unavailable to her based on her sex. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Murphy, Northup, Reisinger and Roth. Melton abstained from voting in this matter.

FHB File Number 2017-00010, Yolanda Viera Paz v. Josh Bilder, Wayside Townhouse Apartments II, LLC, Sterling Management Corporation of Virginia, and Javier Echavarria

A motion was made Mr. Northup and seconded by Ms. Roth to find reasonable cause the respondents, Wayside Townhouse Apartments II, LLC and Sterling Management Corporation of Virginia, discriminated against the complainant by interfering with the complainant's fair housing rights to enjoy habitation in her apartment unit in a healthy and safe manner, and retaliated against her through non-renewal of lease and forced renewal on account of her having exercised her Fair Housing rights. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Murphy, Northup, Reisinger and Roth. Melton abstained from voting in this matter.

A motion was made Mr. Crouse and seconded by Mr. Northup to find no reasonable cause the respondents, Josh Bilder and Javier Echavarria, in their individual capacities, *discriminated against complainant by refusing to renew her lease and forcing her removal thereby making housing unavailable to her based on her sex or interfered with the complainant's fair housing rights to enjoy habitation in her apartment unit in a healthy and safe manner, and retaliated against her through non-renewal of lease and forced renewal on account of her having exercised her Fair Housing rights.* The motion passed by majority vote. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Northup, Reisinger and Roth. Member voting "No" was Murphy. Melton abstained from voting in this matter.

In the matter of **FHB File Number 2017-00132, Anna**

FHB File Number 2017-

Elliott v. Cape Towers Council of Co-Owners, Inc. Deborah Robitaille, and Lawrence Jones, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and supplemental Final Investigative Report.

00132, Anna Elliott v. Cape Towers Council of Co-Owners, Inc. Deborah Robitaille, and Lawrence Jones

At 10:50 A.M., Mr. Murphy offered a motion which was seconded by Ms. Melton, 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, Mona Siddiqui, Liz Hayes and Loraine Schroeder.

Closed Session

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

6. FHB File Number 2017-00132, Anna Elliott v. Cape Towers Council of Co-Owners, Inc. Deborah Robitaille, and Lawrence Jones

At 11:01 A.M., a motion was made by Mr. Murphy and seconded by Mr. Crouse 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: 9-0

AYES: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup, Reisinger and Roth.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Schaberg and Spanberger.

In the matter of **FHB File Number 2017-00132, Anna Elliott v. Cape Towers Council of Co-Owners, Inc. Deborah Robitaille, and Lawrence Jones**, a motion was made Ms. Roth and seconded by Mr. Murphy to find no reasonable cause the respondents discriminated against complainant by offering discriminatory terms, conditions, or privileges in connection with a rental based on race, color, national origin; and no reasonable cause the respondents discriminated against the complainant by interfering with the complainant's right to have guests at her residence or with her attempt to purchase the dwelling from Davenport. The motion passed by majority vote. Members voting "Yes" were: Howard, Lynch, Melton, Murphy, Reisinger and Roth. Members voting "No" were Bennett, Crouse and Northup.

FHB File Number 2017-00132, Anna Elliott v. Cape Towers Council of Co-Owners, Inc. Deborah Robitaille, and Lawrence Jones

In the matter of **FHB File Number 2017-03200, Patricia Novello v. Palm Leaf Mobile Home Park, Inc. and Linda B. Cole: Owner**, a motion was made by Mr. Crouse and seconded by Mr. Northup 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, Melton, Murphy, Northup, Reisinger and Roth.

FHB File Number 2017-03200, Patricia Novello v. Palm Leaf Mobile Home Park, Inc. and Linda B. Cole: Owner

In the matter of **FHB File Number 2018-01277, Sandra Hazelgrove v. Frontier Management, LLC, Sharon Lassiter, Property Manager; 1602 Merrimac Associates, LLC**, a motion was made by Mr. Crouse and seconded by Mr. Northup to approve the terms of the conciliation

FHB File Number 2018-01277, Sandra Hazelgrove v. Frontier Management, LLC, Sharon Lassiter, Property Manager; 1602

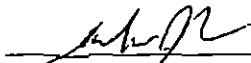
agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup, Reisinger and Roth.

Merrimac Associates,
LLC


Tom Payne gave the Board a litigation update.

New Business

The Board adjourned at 11:16 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: Stephen A. Northup
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: March 7, 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

3/7/2018
Date

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: March 7, 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.

Larry B. Murphy
Signature

3/7/18
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: March 7, 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

3-7-18
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: March 7, 2018
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

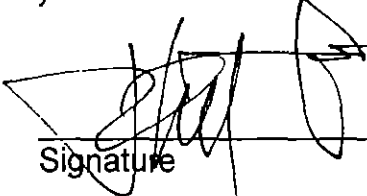
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

3-7-18

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: March 7, 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

3/7/2018
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: March 7, 2018
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

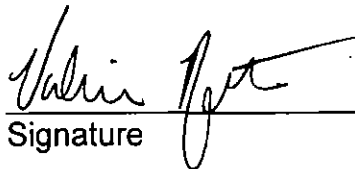
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

5/7/18

Date

**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: March 7, 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



Date

3/7/18

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: March 7, 2018
(Date)

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

Agenda #5 FHB file # 2017-00010
(Agenda Item)

Nature of Personal Interest Affected by Transaction: Atty for respondents
~~respondent~~ has served as a family atty for my family

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

family member

- 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

3/7/18
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: March 7, 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

3-7-18
Date