

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

August 30, 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:

Scott Astrada
Amanda Buyalos
Stuart Gilchrist
Dean Lynch
Owen R. Morgan
Angelo Phillos
Angela West

Board members absent from the meeting: Myra Howard, Larry Murphy, Morton Marks III, and Amanda Pohl.

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

Anika Coleman, Executive Director
Demetrios Melis, Director
Tom Payne, Deputy Director
Stephen Kirschner, Deputy Director
Joseph Haughwout, Regulatory Affairs Manager
Amy Goobic, Executive Assistant
Angela Keefe-Thomas, Fair Housing Investigator
Alex Gordon, Fair Housing Investigator
Donnitria Mosby, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator

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

Mr. Astrada called the meeting to order at 10:02 A.M.

Call to Order

Mr. Kirschner informed the Board that agenda items 13 and 14 would be deferred.

Agenda

Mr. Lynch moved to approve the agenda as amended. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

Ms. Buyalos moved to approve the minutes from the June 7, 2023 Board meeting. Mr. Lynch seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

Minutes

Mr. Astrada welcomed and introduced new Board members Angela West and Angelo Phillos. Mr. Astrada also welcomed and introduced Anika Coleman, new Executive Director of the Fair Housing Board.

Welcome and Introductions

There was no public comment.

Public Comment

Angela Keefe-Thomas, Fair Housing Investigator, updated the Board on the current investigative case load.

**Fair Housing
Administrator's Report**

In the matter of **FHB File Number 2021-01287, Tanya Henman v. FirstService Residential DC Metro LLC and Montclair Property Owner's Association, Inc.** the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Tanya Henman, was present and addressed the Board. A motion was made by Mr. Lynch to find no reasonable cause to believe the respondents discriminated against the complainant by imposing discriminatory terms and conditions or failing to make a reasonable modification based on the complainant's disability. Mr. Lynch seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

FHB File Number 2021-01287, Tanya Henman v. FirstService Residential DC Metro LLC and Montclair Property Owner's Association, Inc.

In the matter of **FHB File Number 2023-00411, Tammy Cabell v. Flavio Garcia and Chelsea Garcia**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Flavio and Chelsea Garcia, respondents, were present and addressed the Board. A motion was made by Ms. Buyalos to find no reasonable cause to believe the respondents discriminated against the complainant in the terms and conditions of a rental based on her race (Black), or sex (female). Mr. Lynch seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

FHB File Number 2023-00411, Tammy Cabell v. Flavio Garcia and Chelsea Garcia.

In the matter of **FHB File Number 2021-00895, Kensley and Danielle Dougan v. Cardinal Management Group, Inc. and Saranac Community Association**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Kensley Dougan, complainant, and Warren Allen, attorney for the complainants, were present and addressed the Board. Alex Gordon, Fair Housing Investigator, read a letter from the respondent's attorney.

FHB File Number 2021-00895, Kensley and Danielle Dougan v. Cardinal Management Group, Inc. and Saranac Community Association

A motion was made by Mr. Lynch to find no reasonable cause that the respondents discriminated against the complainants by imposing discriminatory terms and conditions based on race or retaliated against the complainants for exercising their fair housing rights. Mr. Gilchrist seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

In the matter of **FHB File Number 2022-00236, Natalie & Daniel Douglas v. Fieldstone Townhome Association, Inc, Sentry Management, Inc., Lisa Sharma, and Anand Chavi Trustee Under the Solara Trust**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Richard Armstrong, attorney for the respondents, was present and addressed the Board. A motion was made by Mr. Lynch to find no reasonable cause to believe the respondents discriminated against the complainants in terms and conditions of a rental and/or retaliation based on their familial status and engagement in a protected activity.

Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

In the matter of **FHB File Number 2021-02683, 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**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Chad Rinard, attorney for respondent Battleground Estates at Celebrate Virginia Community Association, was present and addressed the Board. A motion was made by Mr. Lynch to find no reasonable cause to believe the respondents

discriminated in the terms, conditions, privileges, or services and facilities based on the Complainant's race or coerced, intimidated, harassed or interfered with the Complainant's exercise of his fair housing rights. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

In the matter of **FHB File Number 2023-01858, Amanda & Michael Mills v. Regina Turner**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Amanda Mills, complainant, was present and addressed the Board. A motion was made by Mr. Lynch to find reasonable cause the Respondent discriminated against the Complainants by otherwise making housing unavailable, discriminating in the terms

FHB File Number 2022-00236, Natalie & Daniel Douglas v. Fieldstone Townhome Association, Inc, Sentry Management, Inc., Lisa Sharma, and Anand Chavi Trustee Under the Solara Trust

FHB File Number 2021-02683, 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 2023-01858, Amanda & Michael Mills v. Regina Turner

and conditions of a rental, and intimidating, harassing, coercing, and retaliating against them because of their association with resident Damien Smith, who is Black. Mr. Phillos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

In the matter of **FHB File Number 2021-01664, Kendall Slatton v. Quicken Loans LLC, dba Rocket Mortgage**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos to find no reasonable cause to believe the respondent discriminated against the complainant by subjecting the complainant to discriminatory financing. Mr. Morgan seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

FHB File Number 2021-01664, Kendall Slatton v. Quicken Loans LLC, dba Rocket Mortgage

In the matter of **FHB File Number 2021-02746, Dikshit Dutia, AKA D. Dutia v. Hope Hill CrossingNorth Homeowners Association, and Service First Management and Consulting, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos to find no reasonable cause to believe the respondents discriminated against the complainant in the terms and conditions of his occupancy based on his race and/or national origin. Mr. Morgan seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

FHB File Number 2021-02746, Dikshit Dutia, AKA D. Dutia v. Hope Hill CrossingNorth Homeowners Association, and Service First Management and Consulting, Inc.

In the matter of **FHB File Number 2022-02721, Troy Anthony Bailey, Jr. v. CIA Potomac Ridge LLC, Capital Investment Advisors LLC, and Lynnett Harris**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Lynch to find no reasonable cause to believe the respondents discriminated against the complainant in terms and conditions of a rental or otherwise made housing unavailable to him based on his source of funds. Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

FHB File Number 2022-02721, Troy Anthony Bailey, Jr. v. CIA Potomac Ridge LLC, Capital Investment Advisors LLC, and Lynnett Harris

In the matter of **FHB File Number 2023-02064, Bernard Wells and Vanessa Wells v. Mary T. Ribero and Joseph Ribero**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Donnitria Mosby, Fair Housing Investigator, read a statement from Bernard and Vanessa Wells, complainants, A motion was made by Mr. Morgan to find no reasonable cause to believe the respondents discriminated against the complainants by refusing to rent based on their race.

FHB File Number 2023-02064, Bernard Wells and Vanessa Wells v. Mary T. Ribero and Joseph Ribero

Ms. Buyalos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

In the matter of **FHB File Number 2022-00529, Fred Weaver v. Carlton Views I, LLC, Piedmont Housing Alliance, Tyericka Clark, Bernita Johnson, and Charlene Green**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis.

FHB File Number 2022-00529, Fred Weaver v. Carlton Views I, LLC, Piedmont Housing Alliance, Tyericka Clark, Bernita Johnson, and Charlene Green

At 11:00 A.M., Mr. Astrada moved 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: Anika Coleman, Tom Payne, Stephen Kirschner, Demetrios Melis and Nathan Moberley.

Closed Session

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

FHB File Number 2022-00529, Fred Weaver v. Carlton Views I, LLC, Piedmont Housing Alliance, Tyericka Clark, Bernita Johnson, and Charlene Green

Open Session

At 11:22 A.M., Mr. Astrada moved that the Board reconvene in open session. Mr. Lynch seconded the motion, which was approved by a roll call vote:

Astrada - y
Buyalos - y
Gilchrist - y
Lynch - y
Morgan - y
Phillos - y
West - y

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: 7-0

AYES: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Myra Howard, Larry Murphy, Morton Marks III, and Amanda Pohl.

Ms. Buyalos moved to remand File Number 2022-00529, back to the Fair Housing investigations to obtain further information. Ms. West seconded the motion which was approved by members: Astrada, Buyalos, Gilchrist, Lynch, Phillos, and West. Mr. Morgan was opposed.

FHB File Number 2022-00529, Fred Weaver v. Carlton Views I, LLC, Piedmont Housing Alliance, Tyericka Clark, Bernita Johnson, and Charlene Green

File Number 2022-00529 will be on a future agenda when additional information has been obtained.

In the matter of **FHB File Number 2022-00529, Wendy Webber v. Axiom Realty Partners, LLC, and Celestine D. Hicks**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Lynch to find no reasonable cause to believe the respondents discriminated against the complainant by otherwise making housing unavailable, imposing discriminatory terms and conditions, or intimidation or coercion based on the complainant's source of funds. Mr. Gilchrist seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

FHB File Number 2022-00529, Wendy Webber v. Axiom Realty Partners, LLC, and Celestine D. Hicks

In the matter of **FHB File Number 2021-02330, Kathy Andrews v. RAH Winthrop Manor LLC, and Celestine D. Hicks**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos to find no reasonable cause to believe the

FHB File Number 2021-02330, Kathy Andrews v. RAH Winthrop Manor LLC, and Celestine D. Hicks

respondents discriminated against the complainant by refusing to rent or making a discriminatory statement to the complainant based on the complainant's disability. Mr. Gilchrist seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

In the matter of **FHB File Number 2023-00014, Ty and Chom Ye Owens v. Rosewood Management and Consulting Services, and Carisbrooke Homeowners Association**, Mr. Lynch moved to approve the conciliation agreement as agreed to by the parties. Mr. Phillos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

FHB File Number 2023-00014, Ty and Chom Ye Owens v. Rosewood Management and Consulting Services, and Carisbrooke Homeowners Association

Mr. Moberly provided the Board with the litigation update.

Litigation Summary

The Board considered periodic regulatory review and voted by consensus to leave the regulations as is.

Regulatory Review

Mr. Kirschner asked the Board to consider authorizing a Notice of Intended Regulatory Action (NOIRA) to proceed with regulatory review in adherence with the Regulatory Reduction Initiative. The regulatory review committee members were decided at the June 2, 2023 Board meeting.

Ms. Buyalos moved to file the NOIRA. Mr. Phillos seconded the motion which was unanimously approved by members: Astrada, Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

Mr. Kirschner opened the floor for nominations for the positions of Chair and Vice-Chair of the Fair Housing Board. Mr. Lynch nominated Scott Astrada for the position of Chair. Mr. Lynch moved to close the nominations. The Board agreed by consensus. Ms. Buyalos seconded the motion which was unanimously approved by members: Buyalos, Gilchrist, Lynch, Morgan, Phillos, and West.

Election of Officers

Mr. Lynch nominated Amanda Buyalos for the position of Vice-Chair. Mr. Lynch moved to close the nominations. The Board agreed by consensus. Mr. Astrada seconded the motion which was unanimously approved by members: Astrada, Gilchrist, Lynch, Morgan, Phillos, and West.

There was no old business presented.

Old Business

Board members were provided financial statements for informational purposes.

New Business

Mr. Morgan agreed to join the Regulatory Review Committee, replacing Colin Arnold, who is no longer on the Board.

The Board adjourned at 11:50 A.M.



A handwritten signature in black ink, appearing to read 'S. Astrada', written over a horizontal line.

Scott Astrada, Chair



A handwritten signature in blue ink, appearing to read 'Kishore S. Thota', written over a horizontal line.

Kishore S. Thota, Secretary

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Angela West
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 30, 2023
(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.

Angela West
Signature

12/6/23
Date

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

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

1. Name: Scott Astrada
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 30, 2023
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

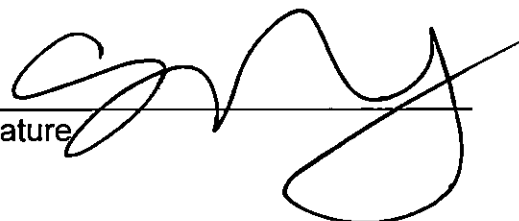
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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 8/20/23

**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 30, 2023
(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

8/30/23
Date

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

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

1. Name: Amanda Buyalos
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 30, 2023
(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.

Amanda Buyalos
Signature

8/31/2023
Date

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

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

1. Name: Owen R. Morgan
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 30, 2023
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

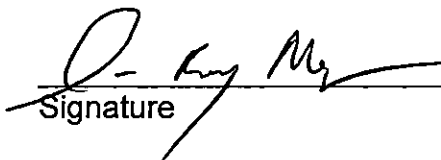
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

8/30/23
Date

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

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

1. Name: Angelo Phillos
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 30, 2023
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

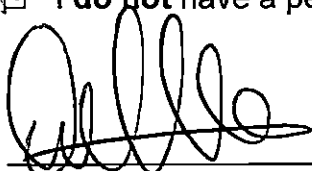
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

6.30.23

Date

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

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

1. Name: Stuart G. 'Gray' Gilchrist
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: August 30, 2023
(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.

Stuart G. Gilchrist
Signature

8/29/2023
Date

FAIR HOUSING BOARD

VISITOR SIGN-IN SHEET

BOARD MEETING – ROOM 2

August 30, 2023– 10:00 A.M.

<u>NAME</u>	<u>ADDRESS</u>	<u>DO YOU WISH TO SPEAK?</u>
✓ Tanya Hamman	15400 Beachview Dr. Dumfries 22025	Yes ✓
✓ WARREN ALLEN II	P.O. Box 609 VIENNA 22183	YES (DONGAN MATTA)
✓ Richard Armstrong IV	2750 Gallows Rd. Apt 548, Vienna, VA 22180	YES
✓ CHAD RIVARO	3190 FAIRVIEW PARK DR STE 800 FALLS CHURCH VA 22072	YES (MORTIN)
✓ MICHAEL ZUPAN	512 S. ALFORD ST ALEX VA- 22314	NO
✓ CHELSEA GARCIA	13617 VANDUREN RD. MANASSAS, VA 20112	NO
✓ FLAVIO GARCIA	13617 VAN DUREN RD MANASSAS, VA 20112	YES
Lex DUNA	McCarrish HOLLON	NO