

## **VIRGINIA FAIR HOUSING BOARD**

### **MINUTES OF MEETING**

**October 4, 2006**

The Fair Housing Board Meeting was held at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. The following Board members were present:

**David B. Rubinstein, Chairman  
Jeffrey Adkins  
Laura Dupuy (arrived at 10:34 AM)  
Rhonda Harmon  
Penny Johnson  
Martin Maples  
Robert Ruais**

The following Board Members were not present: Mark Berven, Neil Bhatt, Cynthia Clare, and James Schuyler

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

**Jay DeBoer, Director  
David Ashe, Chief Deputy Director  
Liz Hayes, Fair Housing Administrator  
Nick Christner, Deputy Director  
Christine Martine, Executive Director  
Chris Olson, Administrative Assistant  
Tammie Hall, Education Administrator  
Deanda Shelton, Fair Housing Investigator  
Trudy Miller, Fair Housing Investigator  
Na'im Campbell, Fair Housing Investigator  
Angela Keefe-Thomas, Fair Housing Investigator  
Karen Taylor, Fair Housing Specialist  
Robert Whittaker, Program Conciliator**

Tom Payne, Assistant Attorney General with the Office of the Attorney General, was present.

Chairman Rubinstein called the meeting to order at 10:15 AM.

Call to Order

A motion was made by Ms. Harmon and seconded by Mr. Adkins to approve the Agenda. The motion passed unanimously. Members voting "Yes" were Adkins, Harmon, Johnson, Maples, Ruais, and Rubinstein.

Agenda

Susan Scovill introduced Denise Goode as the new staff member at HOME.

Public Comment

A motion was made by Mr. Ruais and seconded by Mr. Maples to approve the following minutes: August 9, 2006, Fair Housing Board Meeting. The motion passed unanimously. Members voting "Yes" were Adkins, Harmon, Johnson, Maples, Ruais, and Rubinstein.

Minutes

Liz Hayes introduced Na'im Campbell and Angela Keefe-Thomas as the new Fair Housing Investigators. Ms. Hayes also updated the Board on the current investigative case load. No action was taken by the Board.

Fair Housing  
Administrators Report

In the matter of **FHB File Number 2006-03858, Anita Bennett v. Springhill Village Neighborhood Corporation**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Angela Koogler and Terry Riley, representatives of the respondent, were present and addressed the Board. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Harmon, Johnson, Maples, Ruais, and Rubinstein.

FHB File Number 2006-  
03858, Anita Bennett v.  
Springhill Village  
Neighborhood  
Corporation

Board Member Laura Dupuy arrived at 10:34 AM.

Arrival of Board  
Member

In the matter of **FHB File Number 2005-03838 Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Beverly Ergenbright, respondent, and Garrett Smith, attorney for Mrs. Ergenbright, were present and addressed the Board.

FHB File Number 2005-  
03838 Gary Rose and  
Helen Jackson v. Irene  
Sprouse, Ellis Sprouse,  
and Beverly Sprouse  
(Ergenbright)

At 10:41 AM. Mr. Adkins made a motion which was seconded by Mr. Maples, that the Board recess and the 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

Closed Meeting

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, Deanda Shelton, Nick Christner, and David Ashe

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

**16. FHB File Number 2005-03838, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergebnbright)**

At 11:58 AM., a motion was made by Mr. Maples and seconded by Ms. Harmon 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 and 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 Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein

NAYS: None

ABSENT DURING THE VOTE: None

ABSENT DURING THE MEETING: Bhatt, Berven, Clare, and Schuyler

The Board recessed from 12:02 PM to 12:10 PM.

Break

In the matter of FHB File Number 2005-03838 Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright), a motion was made by Mr. Ruais and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion failed. Members voting "Yes" were Adkins, Maples, and Ruais. Members voting "No" were Dupuy, Harmon, Johnson, and Rubinstein.

FHB File Number 2005-03838 Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)

A motion was made by Ms. Harmon and seconded by Ms. Dupuy to find reasonable cause against the respondents in the matter, due to refusal to renew based on familial status. The motion passed by majority vote. Members voting "Yes" were Dupuy, Harmon, Johnson, and Rubinstein. Members voting "No" were Adkins, Maples, and Ruais.

The Board agreed without dissent to defer issuing a charge for a period of thirty days to allow staff the opportunity to pursue conciliation.

A motion was made by Ms. Harmon and seconded by Ms. Dupuy to find no reasonable cause against the respondents in the matter, due to discriminatory terms and conditions and refusal to renew based on race and discriminatory terms and conditions based on familial status. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

In the matter of FHB File Number 2006-02117, David and Lisa Delgado v. Carl and Christine Ulrich, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Carl Ulrich, respondent, was present and addressed the Board.

FHB File Number 2006-02117, David and Lisa Delgado v. Carl and Christine Ulrich

At 12:33 PM. Mr. Maples made a motion which was seconded by Ms. Harmon, that the Board recess and the 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, Trudy Miller, Nick Christner, and David Ashe

Closed Meeting

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

**17. FHB File Number 2006-02117, David and Lisa Delgado v.  
Carl and Christine Ulrich**

At 1:05 PM., a motion was made by Mr. Ruais and seconded by Ms. Harmon 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 and 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 Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein

NAYS: None

ABSENT DURING THE VOTE: None

ABSENT DURING THE MEETING: Bhatt, Berven, Clare, and Schuyler

In the matter of FHB File Number 2006-02117, David and Lisa Delgado v. Carl and Christine Ulrich, a motion was made by Mr. Ruais and seconded by Ms. Dupuy to find reasonable cause against the respondents in the matter, due to discriminatory terms and conditions and failure to make a reasonable modification based on disability. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

**FHB File Number 2006-02117, David and Lisa Delgado v. Carl and Christine Ulrich**

A motion was made by Ms. Dupuy and seconded by Mr. Maples to find reasonable cause against the respondents in the matter, due to refusal to rent based upon disability. The motion passed by majority vote. Members voting "Yes" were Adkins, Dupuy, Johnson, Maples, Ruais, and Rubinstein. Member voting "No" was Harmon.

The Board agreed without dissent to defer issuing a charge until no later than December 15, 2006, to allow staff the opportunity to pursue conciliation.

The Board recessed from 1:18 PM – 1:28 PM.

**Break**

In the matter of FHB File Number 2006-03651, Wendy and Giovanni Jimenez and Alexander Jimenez v. Summerland Heights II, LP and Johanna Izaquirre, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

**FHB File Number 2006-03651, Wendy and Giovanni Jimenez and Alexander Jimenez v. Summerland Heights II, LP and Johanna Izaquirre**

In the matter of FHB File Number 2006-04860, Garron and Jennifer Dandridge v. Val and Arlene Chapman, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

**FHB File Number 2006-04860, Garron and Jennifer Dandridge v. Val and Arlene Chapman**

In the matter of FHB File Number 2006-04373, Rebecca Holt v. Tidewater Seniors Apartments, LP, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

**FHB File Number 2006-04373, Rebecca Holt v. Tidewater Seniors Apartments, LP**

In the matter of FHB File Number 2006-04370, Victoria Williams v. Bridgeport, LP, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close

**FHB File Number 2006-04370, Victoria Williams v. Bridgeport, LP**

the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

In the matter of FHB File Number 2006-04039, Julius Page and Jessica Curry v. Fred Martin and Lowanda Martin, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

FHB File Number 2006-04039, Julius Page and Jessica Curry v. Fred Martin and Lowanda Martin

In the matter of FHB File Number 2006-05486, Linda Anderson v. Sharon Proctor and Robert L. Watson, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

FHB File Number 2006-05486, Linda Anderson v. Sharon Proctor and Robert L. Watson

In the matter of FHB File Number 2006-04372, Tara Wilson v. Pedlar View, LLC and Randy Falwell, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

FHB File Number 2006-04372, Tara Wilson v. Pedlar View, LLC and Randy Falwell

In the matter of FHB File Number 2006-03918, Glenn Wyrick v. Betty Kinder-Kirby, Harbour Square Associates, LP and American Apartment Management Company, Inc., the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Ms. Johnson to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

FHB File Number 2006-03918, Glenn Wyrick v. Betty Kinder-Kirby, Harbour Square Associates, LP and American Apartment Management Company, Inc.

In the matter of FHB File Number 2006-04371, Mohammed and Cheyenne Gomma v. Kim Bruce, Edward Pettinella, and Home Properties, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion

FHB File Number 2006-04371, Mohammed and Cheyenne Gomma v. Kim Bruce, Edward

was made by Ms. Harmon and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed by majority vote. Members voting "Yes" were Adkins, Harmon, Johnson, Maples, Ruais, and Rubinstein. Member voting "No" was Dupuy.

**Pettinella, and Home Properties**

In the matter of **FHB File Number 2006-00591, Joseph and Sherry France v. Carl Adenauer and Roadrunner Enterprises, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Maples and seconded by Ms. Harmon to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

**FHB File Number 2006-00591, Joseph and Sherry France v. Carl Adenauer and Roadrunner Enterprises, Inc.**

The Board considered the matter of **FHB File Number 2007-00144, Joyce Wilson v. Charlottesville Redevelopment & Housing Authority, et. al.** A motion was made by Ms. Harmon and seconded by Mr. Maples to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

**Conciliation Agreements**

In the matter of **FHB File Number 2006-03722 Nancy Jo Lee v. Three Willows Company**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

**FHB File Number 2006-03722 Nancy Jo Lee v. Three Willows Company**

In the matter of **FHB File Number 2004-04017, Priscilla Marrow v. Bayou Properties, et. al.**, Tom Payne, Assistant Attorney General, discussed the settlement agreement as seen and agreed to by both parties. A motion was made by Mr. Maples and seconded by Ms. Harmon to accept the settlement agreement as proposed. The motion passed unanimously. Members voting "Yes" were Adkins, Dupuy, Harmon, Johnson, Maples, Ruais, and Rubinstein.

**FHB File Number 2004-04017, Priscilla Marrow v. Bayou Properties, et. al.**

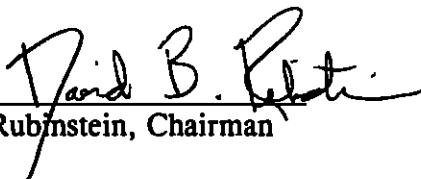
Tammie Hall gave the Education Committee Report. No action was taken by the Board

**Education Report**


The meeting adjourned at 1:51 PM.

**Adjourn**





David B. Rubenstein, Chairman



Jay W. DeBoer, Secretary

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: David B. Rubinstein
  2. Title: Chairman - Virginia Fair Housing Board
  3. Agency: Department of Professional and Occupational Regulation
  4. Transaction: Board Meeting
  5. Nature of Personal Interest Affected by Transaction: n/e
- 

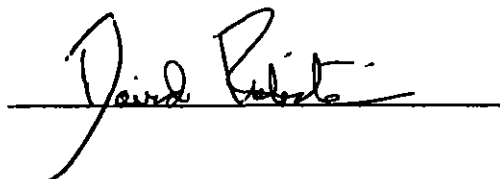
6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_

---

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: October 4, 2006

Signature: 

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Jeffrey Wayne Adkins
2. Title: Member - Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

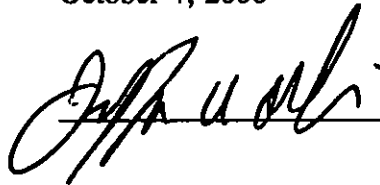
6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: October 4, 2006

Signature: \_\_\_\_\_



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

**TRANSACTIONAL DISCLOSURE STATEMENT**

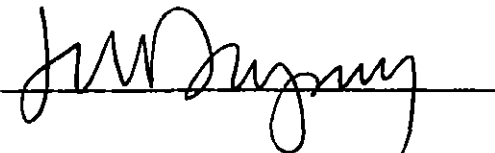
1. Name: Laura N. Dupuy
2. Title: Member - Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: October 4, 2006

Signature:  \_\_\_\_\_

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Rhonda M. Harmon
2. Title: Member – Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: October 4, 2006

Signature: 

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Robert D. Ruais
2. Title: Member - Virginia Fair Housing Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: October 4, 2006

Signature: \_\_\_\_\_

