

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

December 3, 2024

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. All members present were qualified to vote, except where a specific reason for disqualification is stated. There are twelve (12) members on this Board, in which seven (7) constitutes a quorum pursuant to § 54.1-2344.

Board members present for the meeting:

Amanda Buyalos, Vice-Chair
Shion Fenty
Stuart “Gray” Gilchrist
Angelo Phillos
Steven Rivera
John Scott
Angela West

Board members absent from the meeting:

Scott Astrada
Dean Lynch
Owen Morgan
Morton “Tracy” Marks, III
Rachel Wright

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

Jeb Wilkinson, Chief Deputy Director
Stephen Kirschner, LRPD Deputy Director
Tom Payne, CID Deputy Director
Anika Coleman, Executive Director
Lizbeth Hayes, Fair Housing Director
Donnitria Mosby, Assistant Fair Housing Director
Loraine Schroeder, Fair Housing Investigator
Breanne Lindsey, Regulatory Operations Administrator
Gezelle Glasgow, Administrative Coordinator
Donna Divers, Licensing Specialist

Todd Shockley from the Office of the Attorney General was present.

Ms. Buyalos called the meeting to order at 10:53 A.M.

CALL TO ORDER

Ms. Coleman reviewed the emergency evacuation procedures.

**EMERGENCY
EGRESS**

Ms. Buyalos determined that a quorum was present.

**DETERMINATION
OF QUORUM**

Ms. Fenty moved to approve the agenda. **Mr. Gilchrist seconded** the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

**APPROVAL OF
AGENDA**

Mr. Phillos moved to approve the minutes from the August 28, 2024, Board meeting. **Ms. Fenty seconded** the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

**APPROVAL OF
MINUTES**

Ms. Coleman welcomed staff and guests of the audience. Ms. Coleman introduced Jeb Wilkinson former Special Assistant to the Director as the Chief Deputy Director.

**WELCOME AND
INTRODUCTIONS**

There was no public comment.

PUBLIC COMMENT

Liz Hayes, Fair Housing Administrator, updated the Board on the current investigative case load.

**FAIR HOUSING
ADMINISTRATOR'S
REPORT**

In the matter of **Vanessa Escobar and Joshua Mahoney v. Beacon Hill Community Association, Inc. and Beacon Hill Board of Directors FHB File Number: 2025-00080**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Vanessa Escobar provided a statement to the Board that was read by, Fair Housing Investigator, Loraine Schroeder. Ann Reardon, attorney for the respondents was present and addressed the Board.

**Vanessa Escobar and
Joshua Mahoney v.
Beacon Hill
Community
Association, Inc. and
Beacon Hill Board of
Directors
FHB File Number:
2025-00080
HUD File Number:
03-24-5060-8**

Mr. Gilchrist moved to find no reasonable cause to believe the respondents discriminated against the complainants by failing to make a reasonable accommodation based on complainant Escobar's disability or by retaliating against the complainants based on their involvement in a protected activity. Ms. West seconded the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

In the matter of **Jonathan and Jessica Melin v. Matt Burgess FHB File**

Jonathan and Jessica

Number: 2024-01761, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of Attorney General. Matt Burgess was present and addressed the Board.

Melin v. Matt Burgess
FHB File Number:
2024-01761
HUD File Number:
03-24-4675-8

At 11:18 A.M., Ms. Fenty 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 pertaining to legal matters within the jurisdiction of the Board as permitted by § 2.2-3711.A.8 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic: Jeb Wilkinson, Stephen Kirschner, Tom Payne, Anika Coleman, Liz Hayes, Donnitria Mosby, Todd Shockley, and David Dendulk (ADA support for Angela West).

Closed Session

Mr. Gilchrist seconded the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

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

Jonathan and Jessica Melin v. Matt Burgess
FHB File Number: 2024-01761
HUD File Number: 03-24-4675-8

At 11: 23 A.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

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 of
Closed Meeting

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 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: Buyalos, Fenty, Gilchrist, Phillos, Rivera, Scott, and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Scott Astrada, Dean Lynch, Morton “Tracy” Marks, Owen Morgan, and Rachel Wright.

Upon reconvening in an open session, **Mr. Gilchrist moved** no reasonable cause to believe the respondents discriminated against the complainants by engaging in intimidation, coercion, or harassment on the basis of their familial status.

Reconvene in Open Session

Mr. Phillos seconded the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

In the matter of **Philip Bloxam v. Auxmite Village LLC FHB File Number: 2024-02581**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither the complainant or respondent attended the Board meeting in person, by counsel, nor by any other qualified representative.

Philip Bloxam v. Auxmite Village LLC FHB File Number: 2024-02581 HUD File Number: 03-24-4769-8

Ms. Fenty moved to find no reasonable cause to believe the respondent discriminated against the complainant by failing to make a reasonable accommodation or by imposing discriminatory terms and conditions based on the complainant’s disability. **Mr. Scott seconded** the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

In the matter of **Tabatha Wright and Beverly Wright v. JABC Properties, LLC and Monacan Nation Cultural Foundation Inc. FHB File Number: 2024-02038**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Neither the complainant or respondent attended the Board meeting in person, by counsel, nor by any other qualified representative.

Tabatha Wright and Beverly Wright v. JABC Properties, LLC and Monacan Nation Cultural Foundation Inc.

Mr. Gilchrist moved to find no reasonable cause to believe the Respondents discriminated against the Complainants by otherwise making housing unavailable or offering them discriminatory terms and conditions based on their sexual orientation. **Ms. Fenty seconded** the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

FHB File Number: 2024-02038 HUD File Number: 03-24-4538-8

In the matter of **Christina Khan v. Elvis Jefferson and Vu Pham FHB File Number: 2021-01407**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, Official Consultation Memorandum from the Office of Attorney General. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

**Christina Khan v.
Elvis Jefferson and
Vu Pham**
**FHB File Number:
2021-01407**
**HUD File Number:
03-21-3470-8**

At 11:34 A.M. **Mr. Scott 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 pertaining to legal matters within the jurisdiction of the Board as permitted by § 2.2-3711.A.8 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic: Jeb Wilkinson, Stephen Kirschner, Tom Payne, Anika Coleman, Liz Hayes, Donnitria Mosby, Todd Shockley, and David Dendulk (ADA support for Angela West).

Closed Session

Ms. West seconded the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

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

Christina Khan v. Elvis Jefferson and Vu Pham
FHB File Number: 2021-01407
HUD File Number: 03-21-3470-8

At 11:47 A.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

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

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 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: Buyalos, Fenty, Gilchrist, Phillos, Rivera, Scott, and West.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Scott Astrada, Dean Lynch, Morton “Tracy” Marks, Owen Morgan, and Rachel Wright.

Upon reconvening in an open session, **Mr. Scott moved** to find reasonable cause to believe that Respondent Jefferson discriminated against Complainant in the terms, conditions, or privileges of the rental of a dwelling because of race, color, or national origin, in violation of Va. Code § 36–96.3(A)(2).

Reconvene in Open Session

Ms. Fenty seconded the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

Mr. Scott moved to find reasonable cause to believe that Respondent Jefferson intimidated, coerced, and harassed Complainant in her exercise or enjoyment of her right to the dwelling because of race, color, or national origin, in violation of Va. Code § 36–96.5.

Ms. Fenty seconded the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

Mr. Scott moved to find no reasonable cause to believe that Respondent Pham discriminated against Complainant in the terms, conditions, or privileges of the rental of a dwelling because of race, color, or national origin, in violation of Va. Code § 36–96.3(A)(2).

Mr. Phillos seconded the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

Mr. Scott moved to find no reasonable cause to believe that Respondent Pham intimidated, coerced, and harassed Complainant in her exercise or enjoyment of her right to the dwelling because of race, color, or national origin, in violation of Va. Code § 36–96.5.

Ms. Fenty seconded the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

In the matter of **Joseph Archual v. Lynn Brizendine, Skyline Manor Apartments, LLC and Landmark Property Management Company FHB File Number: 2024-01711**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of Attorney General. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

Mr. Scott moved to find reasonable cause to believe the Respondents discriminated against the Complainant by offering him discriminatory terms and conditions based on his religion. **Mr. Phillos seconded** the motion which was unanimously approved by members: Buyalos, Fenty, Gilchrist, Phillos, Scott, Rivera, and West.

Joseph Archual v. Lynn Brizendine, Skyline Manor Apartments, LLC and Landmark Property Management Company
FHB File Number: 2024-01711
HUD File Number: 03-24-4352-8

NEW BUSINESS

Mr. Shockley provided the Board with the litigation update.

Litigation Summary

Ms. Coleman provided the Board with the Executive Director's Update.

Executive Director's Update

Ms. Coleman informed the Board that Board staff are in the process of finalizing the regulation packet to file the proposed Fair Housing Certification Regulations.

Regulatory Updates

Ms. Coleman informed the Board that in 2025, there will be a refresher training on various board-related topics at the end of each meeting.

Training Update

Ms. Coleman provided an update on the EPICx licensing database.

EPICx Update

OTHER BOARD BUSINESS

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

Board Financial Statement

Ms. Hayes informed the Board that the Fair Housing training will be

Fair Housing

rescheduled to take place after the February meeting.

Training

The Board adjourned at 11:58 A.M.

ADJOURN

Scott Astrada, Chair

Brian P. Wolford, Secretary

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