

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

December 9, 2014

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:

Jim Ginnell, Chair
Andrew Reisinger, Vice-Chair
Bob Boynton
Kevin Lewis
Larry Murphy
Bob Schaberg
Linda Melton
Myra Howard

The following Board members were absent:

Francis Stevens
Rosemary Wilson
Linda Broady-Myers
Erica Woods-Warrior

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

Jay DeBoer, Director
Nick Christner, Deputy Director
Mark Courtney, Senior Director
Jeffrey Williams, Board Administrator
Kevin Hoefft, Board Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Emily Trent, Administrative Assistant
Angela Keefe-Thomas, Fair Housing Investigator

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

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

Call to Order

A motion was made by Mr. Boynton and seconded by Ms. Melton to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg.

Agenda

A motion was made by Mr. Schaberg and seconded by Mr. Murphy to approve the September 3, 2014, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg.

No public comment.

Deanda Shelton updated the Board on the current investigative case load.

In the matter of **FHB File Number 2014-03281, Erica Mintzer v. Old Town Village Condominium Unit Owners Association and Old Town Village Owners Association, Inc.**, the complaint was withdrawn in this matter. No action was taken by the Board.

In the matter of **FHB File Number 2015-00493, Deborah Murphy Tyree and George Alan Tyree v. Edwin Reyes, UDR Wellington Place, LLC and Eastern Residential, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and supplemental Final Investigative Report. Deborah Murphy Tyree, complainant, was present and addressed the Board. A motion was made by Mr. Boynton and seconded by Ms. Howard to close the case with a finding of no reasonable cause. The motion passed by majority vote. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Reisinger and Schaberg. Member voting "No" was: Murphy.

In the matter of **FHB File Number 2014-03100, Margaret Williams v. East Bank Street Properties, LLC, East Bank Street Properties, II, LLC, East Bank Street Tenant, II, LLC, East Bank Street Tenant, LLC, Plum Street Partners, LLC, John David McCormack, Jr., Sarah Janeczek, and Emily Sanfratella**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General. Margaret Williams, complainant, was present and addressed the Board. A motion was made by Mr. Boynton and seconded

Minutes

Public Comment

**Fair Housing
Administrator's Report**

FHB File Number 2014-03281, Erica Mintzer v. Old Town Village Condominium Unit Owners Association and Old Town Village Owners Association, Inc.

FHB File Number 2015-00493, Deborah Murphy Tyree and George Alan Tyree v. Edwin Reyes, UDR Wellington Place, LLC and Eastern Residential, Inc.

FHB File Number 2014-03100, Margaret Williams v. East Bank Street Properties, LLC, East Bank Street Properties, II, LLC, East Bank Street Tenant, II, LLC, East Bank Street Tenant, LLC, Plum Street Partners, LLC, John David McCormack, Jr., Sarah Janeczek, and Emily

by Ms. Howard to find reasonable cause that the respondents East Bank Street Properties, LLC, East Bank Street Properties, II, LLC, East Bank Street Tenant, II, LLC, East Bank Street Tenant, LLC, and Plum Street Partners, LLC, discriminated against the complainant by refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg. **Sanfratella**

A motion was made by Mr. Boynton and seconded by Ms. Howard to find no reasonable cause that John David McCormack, Jr., Sarah Janeczek and Emily Sanfratella in their individual capacity discriminated against the complainant by refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg.

In the matter of **FHB File Number 2014-03293, Housing Opportunities Made Equal v. BH Media Group Holdings, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General. Helen O'Beirne Hardiman, H.O.M.E. advocate, was present and addressed the Board. A motion was made by Mr. Murphy and seconded by Mr. Lewis to find reasonable cause that the respondent BH Media Group Holdings, Inc., discriminated against the complainant by making, printing or publishing a discriminatory statement based on familial status. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg. **FHB File Number 2014-03293, Housing Opportunities Made Equal v. BH Media Group Holdings, Inc.**

In the matter of **FHB File Number 2014-02251, Juanita Furry v. Hiram and Michele Smith**, a motion was made by Mr. Reisinger and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg. **FHB File Number 2014-02251, Juanita Furry v. Hiram and Michele Smith**

In the matter of **FHB File Number 2014-02252, Housing** **FHB File Number 2014-**

Opportunities Made Equal of Virginia, Inc. v. Hiram and Michelle Smith, a motion was made by Mr. Reisinger and seconded by Mr. Boynton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg.

02252, Housing Opportunities Made Equal of Virginia, Inc. v. Hiram and Michele Smith


Tom Payne gave the Board a litigation update.

New Business

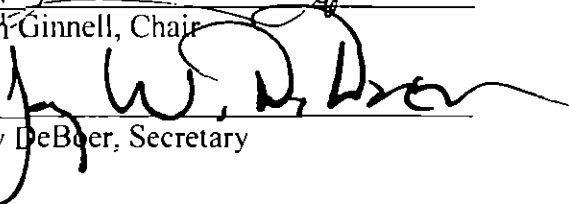
A motion was made by Mr. Boynton and seconded by Mr. Reisinger to accept the settlement terms contained in FHB File Number 2012-02868, Fair Housing Board (Beckett) v. Randall Rockwitt and Kimberly Caswell. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg.

A motion was made by Mr. Boynton and seconded by Mr. Lewis to accept the settlement terms contained in FHB File Number 2013-02831, Fair Housing Board (Linda Artson) v. Greenwich Hill HOA. The motion passed unanimously. Members voting "Yes" were: Boynton, Ginnell, Howard, Lewis, Melton, Murphy, Reisinger and Schaberg.

The Board adjourned at 10:30 A.M.



Jim Ginnell, Chair



Jay DeBoer, Secretary

**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: December 9, 2014
(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

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

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

1. Name: Robert W. Schaberg
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 9, 2014
(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.

Robert W. Schaberg
Signature

12/9/14
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: December 9, 2014
(Date)

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

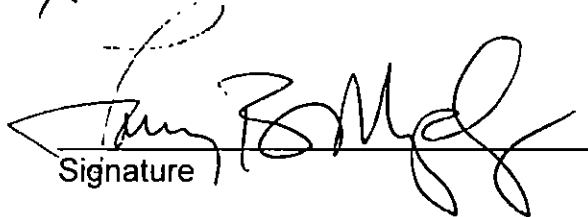
(Agenda Item)

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

12-9-14
Date

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

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

1. Name: Kevin M. Lewis
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 9, 2014
(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.

Kevin Lewis
Signature

12/9/14
Date

**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: December 9, 2014
(Date)

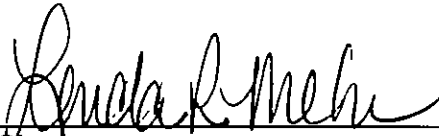
5. I have a personal interest in the following transaction:

(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

12/9/14
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Jim Ginnell
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 9, 2014
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

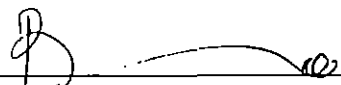
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

12/9/2014
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: December 9, 2014
(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

12.9.14
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Bob Boynton
(Name of Board Member)
2. Title: Board Member
3. Agency: Fair Housing Board
(Name of Board)
4. Meeting/IFF Date: December 9, 2014
(Date)

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

None
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

None

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

None

- 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.

Robert A. Boynton
Signature

12/9/2014
Date