

**VIRGINIA FAIR HOUSING BOARD**

**MINUTES OF MEETING**

**June 23, 2005**

**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  
Nilkanth R Bhatt  
Cynthia Clare  
Laura Dupuy (arrived at 10 43 a m.)  
Rhonda M. Harmon  
E. James Lucas  
Martin Maples  
Robert Ruais  
James H. Schuyler**

**The following Board Member was not present: Kim D Saunders**

**DPOR Staff present for all or part of the meeting included.**

**Louise Fontaine Ware, Director  
Liz Hayes, Fair Housing Administrator  
Karen W. O'Neal, Deputy Director  
Nick Christner, Deputy Director  
Christine Martine, Executive Director  
Chris Olson, Administrative Assistant  
Tammy Hall, Education Administrator  
Deanda Shelton, Fair Housing Investigator  
Antonio Bedford, Fair Housing Investigator  
Robert Whittaker, Program Conciliator  
Bryan Carver, Fair Housing Investigator  
Tamika Jones, Fair Housing Investigator  
Karen Taylor, Fair Housing Specialist  
Yvette Barnes, Fair Housing Specialist  
Annie Wilson, Fair Housing Specialist**

**Wayne Halbleib, Assistant Attorney General and Tom Payne, Assistant Attorney General with the Office of the Attorney General, were present**

**Chairman Rubinstein called the meeting to order at 10 10 a.m.**

**Call to Order**

No one addressed the Board during the public comment period.

**Public Comment Period**

A motion was made by Mr Schuyler and seconded by Mr. Bhatt to approve the Agenda. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

**Agenda**

A motion was made by Mr. Lucas and seconded by Ms. Clare to approve the minutes of the April 13, 2005, Fair Housing Board meeting. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

**Minutes**

Ms Ware and Mr. Halbleib introduced Tom Payne as the new Assistant Attorney General who will be working with the Fair Housing Board.

**Fair Housing  
Administrators Report**

Liz Hayes announced Bryan Carver's promotion and introduced Yvette Barnes as the new Fair Housing Investigator.

In the matters of **FHB File Number 2005-02202, Wanda Carrol v. L. Jake Derby, III and Derby Properties**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Wanda O'Carrol, complainant, was present and addressed the Board. A motion was made by Ms. Harmon and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

**FHB File Number 2005-  
02202, Wanda Carrol v.  
L. Jake Derby, III and  
Derby Properties**

In the matters of **FHB File Number 2004-04691, Amazetta Anderson v. James Lesniak and Northwest Neighborhood Environmental Organization**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. James Lesniak, respondent, was present and addressed the Board. A motion was made by Ms. Harmon and seconded by Mr Schuyler to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler

**FHB File Number 2004-  
04691, Amazetta  
Anderson v. James  
Lesniak and Northwest  
Neighborhood  
Environmental  
Organization**

In the matter of **FHB File Number 2005-02332, Deidre Glascoe v. Board of Directors Somerset at Westridge**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation and Supplemental Information. Bruin Richardson, Attorney for respondents, was present and addressed the Board. A motion was made by Mr. Lucas and seconded by Ms. Clare to close the

**FHB File Number 2005-  
02332, Deidre Glascoe v.  
Board of Directors  
Somerset at Westridge**

case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

Board Member Laura Dupuy arrived at 10:43 AM.

In the matter of FHB File Number 2005-01226, Theresa Durand v. Denise McCormick, BH Management Services, Inc., and Orion Residential LLC the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation, and Supplemental Information. Leslie Heenan, Attorney for respondent, was present and addressed the Board. A motion was made by Ms. Clare and seconded by Mr. Lucas to close the case with a finding of no reasonable cause. The motion passed by majority Members voting "Yes" were Bhatt, Clare, Harmon, Lucas, Maples, Ruais, and Rubinstein. Member voting "No" was Schuyler.

In the matter of FHB File Number 2005-01932, Joseph Gabel and Dana Thacker v. CMH Parks, Inc. and Diane Martin, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Ms. Harmon and seconded by Mr. Lucas to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

In the matter of FHB File Number 2005-02740, Rebecca Pritchard v. Kenneth Kaye, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation and Supplemental Information. There were no representatives present. A motion was made by Mr. Lucas and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed by majority. Members voting "Yes" were Bhatt, Clare, Dupuy, Lucas, Maples, Ruais, and Rubinstein. Members voting "No" were Harmon and Schuyler.

In the matter of FHB File Number 2004-04961 Clarence and Sarah King v. Hercules Management Company, Mary O'Brien, Margaret Poitras and England Run North Apartments, LP, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Ms. Harmon and seconded by Ms. Clare to close

**Arrival of Board  
Member**

**FHB File Number 2005-01226, Theresa Durand v. Denise McCormick, BH Management Services, Inc., and Orion Residential LLC**

**FHB File Number 2005-01932, Joseph Gabel and Dana Thacker v. CMH Parks, Inc. and Diane Martin**

**FHB File Number 2005-02740, Rebecca Pritchard v. Kenneth Kaye**

**FHB File Number 2004-04961 Clarence and Sarah King v. Hercules Management Company, Mary O'Brien, Margaret Poitras and England Run**

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

North Apartments, LP

In the matter of FHB File Number 2005-02576, Nabil, Zeina and Bassem Salam v. Wistar III, LP and Karen Owens, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr Lucas and seconded by Ms. Clare to close the case with a finding of no reasonable cause The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2005-02576, Nabil, Zeina and Bassem Salam v. Wistar III, LP and Karen Owens

In the matter of FHB File Number 2005-01164, Candido Bezares v. Jessica Distasio, Stephanie Harney, AIMCO Properties, LP and Chantilly Partners LP, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation There were no representatives present. A motion was made by Ms. Harmon and seconded by Mr. Schuyler to close the case with a finding of no reasonable cause. The motion passed unanimously Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2005-01164, Candido Bezares v. Jessica Distasio, Stephanie Harney, AIMCO Properties, LP and Chantilly Partners LP

In the matter of FHB File Number 2004-04065, Rita and Csaba Nemeth v. First Foundation Mortgage, LLC and Pat Skees, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr. Schuyler and seconded by Ms Harmon to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2004-04065, Rita and Csaba Nemeth v. First Foundation Mortgage, LLC and Pat Skees

In the matter of FHB File Number 2005-01010, Beatrice Chiyoge and William K. Kabamba v. Vivian Zavala and Avalonbay Communities, Inc, the Board agreed without dissent to defer this matter until the August Board Meeting to attempt to receive additional information.

FHB File Number 2005-01010, Beatrice Chiyoge and William K. Kabamba v. Vivian Zavala and Avalonbay Communities, Inc.

In the matter of **FHB File Number 2005-02291, Michael Cary, Sr. v. Korina Jurado, KSI Management Corporation and Edwards Ferry II, LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Mr. Ruais and seconded by Ms. Harmon to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler

**FHB File Number 2005-02291, Michael Cary, Sr. v. Korina Jurado, KSI Management Corporation and Edwards Ferry II, LP**

Due to a potential conflict Cynthia Clare recused herself from the meeting and did not participate in any discussion or vote pertaining to this matter.

The Board recessed for lunch from 12:47 PM to 1:19 PM.

**Break**

In the matter of **FHB File Number 2004-00498, Raymond and Judith Waid v. Julie Depew, Oak Shades Mobile Home Park and M.W. Vejnar**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Ms. Harmon and seconded by Mr. Ruais to continue with conciliation efforts until the August Board meeting to allow the Attorney General's office time to collect additional information. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

**FHB File Number 2004-00498, Raymond and Judith Waid v. Julie Depew, Oak Shades Mobile Home Park and M.W. Vejnar**

In the matter of **FHB File Number 2004-01172, Crystalline Craig v. Dorn V. Williams, Sr., Mildred Layman, and Patsy Musick**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Ms. Harmon and seconded by Mr. Lucas to find no reasonable cause by respondent, Patsy Musick for discrimination based on handicap. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

**FHB File Number 2004-01172, Crystalline Craig v. Dorn V. Williams, Sr., Mildred Layman, and Patsy Musick**

A motion was made by Ms. Harmon and seconded by Mr. Lucas to find no reasonable cause for discrimination based on religion and familial status. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

A motion was made by Ms. Harmon and seconded by Mr. Lucas to find reasonable cause by respondents Dorn Williams and Mildred Layman for discrimination based on handicap. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler

In the matter of **FHB File Number 2005-02230, Patricia and Mitchell Vaught v. Scottish Hills Association, LLP**, no action was required by the Board due to the case being handled by administrative closure.

**FHB File Number 2005-02230, Patricia and Mitchell Vaught v. Scottish Hills Association, LLP**

The Fair Housing Board requested legal advice from the Office of the Attorney General as to whether the Board can find reasonable cause but defer issuing a charge until the following Board meeting. After discussion it was determined that it is acceptable for the Board to find reasonable cause but defer issuing a charge until the following Board meeting

**Issuance of Charges**

In the matter of **FHB File Number 2004-01172, Crystalline Craig v. Dorn V. Williams, Sr., Michael Layman, and Patsy Musick**, a motion was made by Mr. Schuyler and seconded by Mr. Ruais to defer issuing a charge in this matter until the August 9, 2005 Board meeting. The motion passed by majority vote. Members voting "Yes" were Clare, Lucas, Maples, Ruais, and Schuyler. Members voting "No" were Bhatt, Dupuy, Harmon, and Rubinstein.

**FHB File Number 2004-01172, Crystalline Craig v. Dorn V. Williams, Sr., Mildred Layman, and Patsy Musick**

The Board considered the matter of **Michael Edelson and Ann Redding v. Langley Properties, FHB File Number 2005-00644**. A motion was made by Mr. Lucas and seconded by Ms. Harmon to approve the terms of the conciliation agreement. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

**Conciliation Agreements**

The Board considered the matter of **Valerie Jackson v. Linda Pugh, FHB File Number 2004-04962**. A motion was made by Ms. Harmon and seconded by Ms. Clare to approve the terms of the conciliation agreement. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler

The Board considered the matter of **Angela Riegal v. William Larry Dotson, FHB File Number 2003-02355**. A motion was made by Mr.

Lucas and seconded by Ms. Clare to approve the terms of the conciliation agreement. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

The Board considered the matter of **Michelle Cook v. Berton N. Phelps, FHB File Number 2005-00574**. A motion was made by Mr. Lucas and seconded by Mr. Schuyler to approve the terms of the conciliation agreement. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

The Board considered the matter of **Karen M. Gills v. Centewood Drive Apartments, Inc. c/o Kennedy Wilson Properties, Ltd., FHB File Number 2005-02739**. A motion was made by Ms. Harmon and seconded by Mr. Ruais to approve the terms of the conciliation agreement. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

In the matter of **FHB File Number 2005-01970, Shirley, Melinda, and Theodore Harris v. Amanda Mathis and Lincoln Property Company**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. There were no representatives present. A motion was made by Ms. Harmon and seconded by Mr. Lucas to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

**FHB File Number 2005-01970, Shirley, Melinda, and Theodore Harris v. Amanda Mathis and Lincoln Property Company**

The Board discussed the approval process for settlement agreements. Ms. Hayes introduced a policy on Board chair approval of settlement agreements. A motion was made by Ms. Harmon and seconded by Mr. Lucas to adopt the policy as amended. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler

**Settlement Agreements**

The Education Committee met on June 23, 2005 prior to the Fair Housing Board Meeting.

**Education Committee Report**

The Committee voted to accept the following applications:

Housing Opportunities Made Equal (HOME), Proprietary School

### Application

Housing Opportunities Made Equal's two (2) hour course titled,  
Fair Housing for Rental Managers: A Practical Guide to Non-  
Discriminatory Management

Instructor applications for:

Susan Scovill, Richmond, VA

A motion was made by Ms. Dupuy and seconded by Ms. Harmon to approve the Education Committee report as presented. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler.

Wayne Halbleib gave the Board an update on the Matthews case.

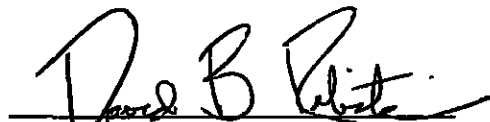
### Other Business

No action was taken by the Board

A motion was made by Mr. Schuyler and seconded by Ms. Dupuy to draft a resolution for Wayne Halbleib for his time served as counsel to the Board. The motion passed unanimously. Members voting "Yes" were Bhatt, Clare, Dupuy, Harmon, Lucas, Maples, Ruais, Rubinstein, and Schuyler

The meeting adjourned at 2:47 PM.

### Adjourn

  
David B. Rubinstein, Chairman

  
Louise Fontaine Ware, Secretary



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

**TRANSACTIONAL DISCLOSURE STATEMENT**

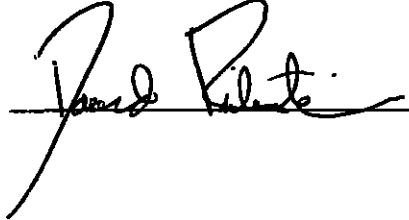
- 1. Name: David B. Rubinstein
- 2. Title: Chairman - Virginia Fair Housing Board
- 3. Agency: Department of Professional and Occupational Regulation
- 4. Transaction: Board Meeting
- 5. Nature of Personal Interest Affected by Transaction: N/A

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: June 23, 2005

Signature: 

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Nilkanth R Bhatt
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: None
- 

6. I declare that:

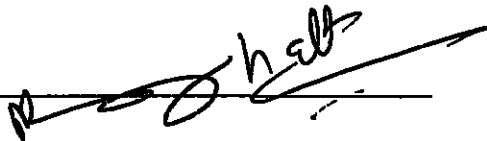
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: None

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

Dated: June 23, 2005

Signature.



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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Cynthia M. Clare
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: 2005-02291  
Michael Cary, Sr. v. Roina Jurado, KSI Mgmt.  
Corp. & Edwards Ferry II, LP
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: SI. VP. of KSI

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

Dated: June 23, 2005

Signature: Cynthia M. Clare

**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: \_\_\_\_\_  
\_\_\_\_\_

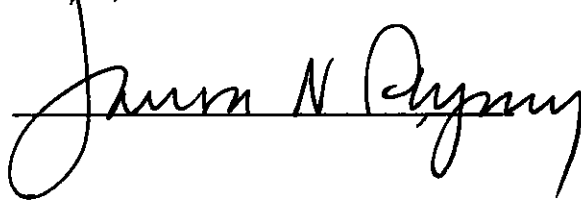
6. I declare that:

(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: June 23, 2005

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: \_\_\_\_\_  
\_\_\_\_\_ N/A

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. June 23, 2005

Signature: Rhonda M. Harmon

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

- 1. Name: E. James Lucas
- 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: None

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: June 23, 2005

Signature: 

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Martin E. Maples
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: June 23, 2005

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

*Martin E. Maples*

**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:

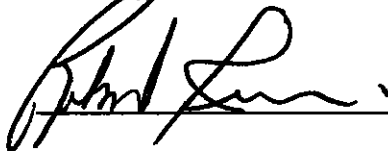
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_

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

Dated: June 23, 2005

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





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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: James H. Schuyler
2. Title: Vice 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: \_\_\_\_\_  
\_\_\_\_\_

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: June 23, 2005

Signature: 