

FAIR HOUSING BOARD

TENTATIVE AGENDA

June 12, 2019- 10:00 a.m.

2nd Floor – Board Room 4

Department of Professional and Occupational Regulation

9960 Mayland Drive

Richmond, Virginia 23233

(804) 367-8526

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

1. Approval of Agenda
2. Approval of Minutes:
 - A. March 20, 2019, Fair Housing Board Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORT

3. Fair Housing Administrator's Report

V. FAIR HOUSING CASES

1. Rodney Harris v. Arthur "A.C." Corpus, Pauline Thacker, Arthur Vaughan, and Salvation Army
FHB File Number: 2018-03357
HUD File Number: 03-19-1390-8
2. Ramon Ibarra v. Rick Titus, ARCAP, LC, and Greenleigh MHC, LLC
FHB File Number: 2019-01522
HUD File Number: 03-19-1050-8
3. Elnora Delcid v. ANS Property LLC and Priscilla Price
FHB File Number: 2019-00646
HUD File Number: 03-19-0906-8
4. Dr. Vivian Anderson v. Lue Walton, ARCAP, LC and SV, LC et al
FHB File Number: 2019-00741
HUD File Number: 03-19-0809-8
5. Valerie Lewis v. Brett Eagle and Michael Lekhraj
FHB File Number: 2019-01523
HUD File Number: 03-19-1088-8

Appointment – Valerie Lewis, complainant

Appointment – Meg Marks, attorney for the respondents

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Materials contained in this agenda are proposed for discussion and are not to be construed as regulation or official Board position.
6. Amina Al-Habashy v. CSW Associates Roanoke LC
FHB File Number: 2018-02845
HUD File Number: 03-18-9244-8
 7. Sidney Petty v. PEP-UVA LLC and PEP SH Management LLC
FHB File Number: 2019-01495
HUD File Number: 03-19-1048-8
 8. Kathy Iliff-Darnell v. Mintbrook Senior Apartments LLC, JDC Management of Virginia LLC, Thomas F. Kistner, and Ana Montoya
FHB File Number: 2019-00044
HUD File Number: 03-19-0903-8
 9. Diane Logan v. Cliff Testerman, Rooftop of Virginia Community Action Program, Inc., and Freddy Correal and Martha Correal
FHB File Number: 2019-00997
HUD File Number: 03-19-0548-8
 10. Tatanjia McNamara v. Christopher A. Kennedy and Laura A. Kennedy
FHB File Number: 2019-01678
HUD File Number: 03-19-1010-8
 11. Barry Redifer v. V-K Properties LLC, Saint Claire St. Villages LLC, and Sally Vent, Leasing Agent
FHB File Number: 2019-01290
HUD File Number: 03-19-1475-8
{Conciliation: Disability}

VI. ADMINISTRATIVE ISSUES

VII. OLD BUSINESS

VIII. NEW BUSINESS

- Litigation summary

IX. ADJOURNMENT

NEXT MEETING SCHEDULED FOR WEDNESDAY, AUGUST 14, 2019

** 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

March 20, 2019

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:

Myra Howard, Vice-Chair
Candice L. Bennett
Dean A. Lynch
Stephen Northup
Linda Melton
Valerie L.T. Roth
John Crouse
Larry Murphy (arrived at 10:17 a.m.)

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

Mary Broz-Vaughan, Acting Director
Christine Martine, Executive Director
James Chapman, Board Administrator
Jeffrey Williams, Board Administrator
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Emily Trent, Administrative Assistant
Angela Keefe-Thomas, Fair Housing Investigator
Trudy Miller, Fair Housing Investigator
Donnitria Mosby, Fair Housing Investigator
Dominica McGowen, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator

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

Ms. Howard called the meeting to order at 10:03 A.M.

Call to Order

A motion was made by Ms. Roth and seconded by Ms. Bennett to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Northup and Roth.

Agenda

A motion was made by Mr. Lynch and seconded by Ms. Bennett to approve the December 12, 2018, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Northup and Roth.

There was no public comment.

Liz Hayes updated the Board on the current investigative case load.

In the matter of **FHB File Number 2018-01925, Laura Timberlake and Joseph Timberlake v. Longhill Woods Community Company, Jim Miller, and Roger Ticconi**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Revised Case Analysis, supplemental information and request for reconsideration. A motion was made by Ms. Roth to reconsider the case, with no second the motion failed.

In the matter of **FHB File Number 2019-00236, Gary Newsome v. PRG Real Estate Management, Inc. and Watergate/Treehouse Associates Limited Partnership**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, supplemental Final Investigative Report and revised Case Analysis. Robert D. Perrow, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Bennett and seconded by Mr. Northup to find no reasonable cause that the respondents discriminated against the complainant by denying or making housing unavailable, refusing to make a reasonable accommodation in rules, policies, practices, or services and retaliation against him for making such a request based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Howard, Lynch, Melton, Northup and Roth. Crouse abstained from voting in this matter.

Larry Murphy arrived at 10:17 A.M.

In the matter of **FHB File Number 2018-02372, Livingston Rush v. CHVA, LLC dba Chesterfield Village Apartments and General Services Corporation**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Livingston Rush,

Minutes

Public Comment

Fair Housing Administrator's Report

FHB File Number 2018-01925, Laura Timberlake and Joseph Timberlake v. Longhill Woods Community Company, Jim Miller, and Roger Ticconi

FHB File Number 2019-00236, Gary Newsome v. PRG Real Estate Management, Inc. and Watergate/Treehouse Associates Limited Partnership

Arrival of Board Member

FHB File Number 2018-02372, Livingston Rush v. CHVA, LLC dba Chesterfield Village Apartments and General

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complainant, and Melissa York, attorney for the respondents, were present and addressed the Board. A motion was made by Mr. Lynch and seconded by Ms. Bennett to find no reasonable cause the respondents discriminated against the complainant by refusing to rent or by refusing to provide a reasonable accommodation based on disability. The motion passed by majority vote. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Northup and Roth. Member voting "No" was Murphy.

In the matter of **FHB File Number 2018-03152, Khaleen Monaro v. The Council of Co-Owners of The Circle Apartments Condominium, Klingbeil, Powell & Alrutz, Inc. and Theresa Richie**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and supplemental Final Investigative Report. A motion was made by Ms. Bennett and seconded by Ms. Melton to find no reasonable cause the respondents discriminated against the complainant by refusing to provide a reasonable accommodation based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

In the matter **FHB File Number 2019-01192, Chenar and Dana Allen v. Fairfax County Redevelopment & Housing Authority and Megan Mills**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and supplemental Final Investigative Report. A motion was made by Mr. Northup and seconded by Mr. Lynch to find no reasonable cause that the respondents discriminated against the complainant by making discriminatory statements or otherwise making housing unavailable based on national origin. The motion passed unanimously. Members voting "Yes" were: Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth. Bennett abstained from voting in this matter.

In the matter of **FHB File Number 2018-03308, Jackie Eubanks on behalf of Shakeal Rose v. Jerry B. and Martha C. Smith**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Crouse and seconded by Ms. Bennett to find no reasonable cause that the respondents discriminated against the complainant by

Services Corporation

FHB File Number 2018-03152, Khaleen Monaro v. The Council of Co-Owners of The Circle Apartments Condominium, Klingbeil, Powell & Alrutz, Inc. and Theresa Richie

FHB File Number 2019-01192, Chenar and Dana Allen v. Fairfax County Redevelopment & Housing Authority and Megan Mills

FHB File Number 2018-03308, Jackie Eubanks on behalf of Shakeal Rose v. Jerry B. and Martha C. Smith

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used as regulation or official Board position.

refusing to rent or otherwise making housing unavailable and/or by discriminating in terms and conditions of a rental based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

In the matter of **FHB File Number 2019-00318, Ashley Barrette v. Deal Properties: Cardinal's Crest LLC and Cardinal's Crest Apartments**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Mr. Lynch and seconded by Mr. Northup to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent based on disability. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2019-00318, Ashley Barrette v. Deal Properties: Cardinal's Crest LLC and Cardinal's Crest Apartments

In the matter of **FHB File Number 2018-00853, Dwana Jones v. Ashton Square Apartments LP and Realty Management Services, Inc.**, a motion was made by Mr. Lynch and seconded by Ms. Melton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2018-00853, Dwana Jones v. Ashton Square Apartments LP and Realty Management Services, Inc.

In the matter of **FHB File Number 2018-00071, John & Kasey Shea v. Association Community Services West, Inc. and The Villages of Longmeadow Association, Inc.**, a motion was made by Mr. Lynch and seconded by Ms. Melton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth. A motion was made by Mr. Northup and seconded by Ms. Roth to deny the respondents request that the Board determine that disclosure of the conciliation agreement is not required to further the purposes of the Virginia Fair Housing Law. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2018-00071, John & Kasey Shea v. Association Community Services West, Inc. and The Villages of Longmeadow Association, Inc.

In the matter of **FHB File Number 2018-01880, Housing Opportunities Made Equal of Virginia, Inc. v. Harbour Point Condominium Association**, a motion was made by

FHB File Number 2018-01880, Housing Opportunities Made

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Mr. Lynch and seconded by Ms. Melton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

Equal of Virginia, Inc. v. Harbour Point Condominium Association

In the matter of **FHB File Number 2019-00781, Tyrone Trent v. Buckingham M.I. Apartments, LP, and Paradigm Management, LP**, a motion was made by Mr. Lynch and seconded by Ms. Melton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2019-00781, Tyrone Trent v. Buckingham M.I. Apartments, LP, and Paradigm Management, LP

In the matter of **FHB File Number 2019-01127, Sonja Morgan v. Melinda Hite, Jewel Mason and Charlottesville Redevelopment & Housing Authority**, a motion was made by Mr. Lynch and seconded by Ms. Melton to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

FHB File Number 2019-01127, Sonja Morgan v. Melinda Hite, Jewel Mason and Charlottesville Redevelopment & Housing Authority

A motion was made by Mr. Crouse and seconded by Mr. Murphy to approve the March 20, 2019, Fair Housing Education Committee report. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

New Business

Ms. Martine opened the floor for nominations for the positions of Chair and Vice-Chair of the Fair Housing Board. Valerie Roth nominated Myra Howard for the position of Chair. A motion was made by Mr. Dean and seconded by Mr. Northup to close the nominations. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth. With no other nominations, Myra Howard was named Chair by acclamation.

Linda Melton nominated Larry Murphy for the position of Vice-Chair. A motion was made by Mr. Lynch and seconded by Mr. Northup to close the nominations. The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth. With

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no other nominations, Larry Murphy was named Vice-Chair by acclamation.

Tom Payne gave the Board a litigation update.

A motion was made by Mr. Northup and seconded by Ms. Bennett to adopt the following resolution to honor the years of dedicated service by former Board Member Andrew Reisinger to the Board:

Resolution

RESOLUTION IN HONOR OF

Andrew Reisinger

WHEREAS, **Andrew Reisinger**, has faithfully and diligently served as a member of the Fair Housing Board since 2010; and

WHEREAS, **Andrew Reisinger**, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, **Andrew Reisinger**, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Fair Housing Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Fair Housing Board this twentieth day of March, 2019 that **Andrew Reisinger** be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Fair Housing Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

The motion passed unanimously. Members voting "Yes" were: Bennett, Crouse, Howard, Lynch, Melton, Murphy, Northup and Roth.

The Board adjourned at 11:03 A.M.

Larry Murphy, Vice-Chair

Mary Broz-Vaughan, Acting Secretary

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PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound.

When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.