VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

June 13, 2007

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 Neil Bhatt Cynthia Clare Rhonda Harmon Penny Johnson Martin Maples

The following Board Members were not present: Laura Dupuy, Robert Ruais, and James Schuyler

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

Jay DeBoer, Director
Karen O'Neal, Deputy Director
Liz Hayes, Fair Housing Administrator
Christine Martine, Executive Director
Chris Olson, Administrative Assistant
Deanda Shelton, Assistant Fair Housing Administrator
Trudy Miller, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Karen Taylor, Fair Housing Specialist
Iris Street, Program Conciliator

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

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

Call to Order

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

A motion was made by Mr. Bhatt and seconded by Ms. Clare to approve Minutes the following minutes: April 11, 2007, Fair Housing Board Meeting. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

No one addressed the Board during the Public Comment period.

Public Comment

Liz Hayes updated the Board on the current investigative case load. No action was taken by the Board.

Fair Housing Administrators Report

Ms. Hayes introduced Iris Street as the new Program Conciliator.

In the matter of FHB File Number 2007-01620, Paul and Margaret Aaron v. Joseph Maksimowicz, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. J.C. Cancelleri, Attorney for the complainants, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-01620, Paul and Margaret Aaron v. Joseph Maksimowicz

In the matter of FHB File Number 2007-01619, Carlos Cato v. Joseph Maksimowicz, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. J.C. Cancelleri, Attorney for the complainant, and Carlos Cato. the complainant, were present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Clare to close the case with a finding of no reasonable cause The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-01619, Carlos Cato v. Joseph Maksimowicz

In the matter of FHB File Number 2006-05161, Mark and Sophia Forror v. Freemont Investment & Loan, Inc., Murray Zoota, Saidu "Quincy" Quansah and Olde Towne Mortgage Corporation, the Board reviewed the record which consisted of the Final Investigative Mark Forror, the Report and Case Analysis and Recommendation. complainant, and Bradley Cline, Attorney for Freemont Investment & Loan, Inc., were present and addressed the Board. After discussion, the Board agreed without dissent to defer this matter to its next scheduled Board meeting to allow the parties an opportunity to attempt conciliation.

FHB File Number 2006-05161, Mark and Sophia Forror v. Freemont Investment & Loan, Inc., Murray Zoota, Saidu "Quincy" Quansah and Olde Towne Mortgage Corporation

In the matter of FHB File Number 2006-01435, Herb Birmingham v. Schooner Bay Association Board of Directors, the Board reviewed the 01435, Herb Birmingham record which consisted of the Final Investigative Report and Case v. Schooner Bay

FHB File Number 2006-

Analysis and Recommendation. David Rowan, Attorney for the respondent, and James Moll, representative of the respondent, were present and addressed the Board. 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, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

Association Board of Directors

In the matter of FHB File Number 2006-03812, Joan Brown-France v. Atlantic Bay Mortgage Group, Inc., Nancy Larsen, Brian Holland, and Sinnen-Green & Associates, Inc., the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Charlene Reilly, Attorney for the respondent, was present and addressed the Board. A motion was made by Ms. Clare 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, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2006-03812, Joan Brown-France v. Atlantic Bay Mortgage Group, Inc., Nancy Larsen, Brian Holland, and Sinnen-Green & Associates, Inc.

In the matter of FHB File Number 2006-05163, Harold Kasey and Stephanie Crockett v. Powell and Powell LLC, and Amy Powell, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Grimes Creasy, Attorney for the respondent, was present and addressed the Board. 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, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2006-05163, Harold Kasey and Stephanie Crockett v. Powell and Powell LLC, and Amy Powell

In the matter of FHB File Number 2007-02276, Mildred Stanley v. Patricia Brock, Carol Daley, Ruth Hampton, and Regency Woods Condominium Unit Owners Association, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mildred Stanley, the complainant, Walter Gust, witness, and Jerry Wright, Attorney for the respondents, were present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02276, Mildred Stanley v. Patricia Brock, Carol Daley, Ruth Hampton, and Regency Woods Condominium Unit Owners Association

In the matter of FHB File Number 2006-04799, Roberta and Stephen Guajardo v. Bennett's Creek Landing Homeowners Association Board of Directors, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Barrow Blackwell, Attorney for the respondent, and Roberta Guajardo, the complainant, were present and addressed the Board. A motion was

FHB File Number 2006-04799, Roberta and Stephen Guajardo v. Bennett's Creek Landing Homeowners Association Board of Directors

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, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

In the matter of FHB File Number 2006-04748, Islam M. Zaydan v. Betty Caylor and Prosperity Mortgage Corporation, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Clare 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, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2006-04748, Islam M. Zaydan v. Betty Caylor and Prosperity Mortgage Corporation

In the matter of FHB File Number 2005-04150, Irvin Gaskins v. Potomac Station LP, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General. A motion was made by Ms. Harmon and seconded by Mr. Maples to find reasonable cause that the respondents refused to make a reasonable accommodation for a ground floor unit based on disability and to find no reasonable cause that the respondents refused to make a reasonable accommodation for handicap parking based on disability and to defer issuing a charge for thirty days to pursue conciliation. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2005-04150, Irvin Gaskins v. Potomac Station LP

Due to a possible conflict of interest, Ms. Clare recused herself from voting in this matter.

In the matter of FHB File Number 2007-02422, Maria Scolaro v. Pilot House Associates, 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 Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02422, Maria Scolaro v. Pilot House Associates, LP

In the matter of FHB File Number 2007-02288, Thomas Calloway v. David T. Roark, 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. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02288, Thomas Calloway y. David T. Roark

In the matter of FHB File Number 2007-02470, Clark C. Jackson v. David T. Roark, 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. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02470, Clark C. Jackson v. David T. Roark

In the matter of FHB File Number 2007-02328, Timothy Bradley and Lewis Essex v. Donnie McDaniel, 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. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02328, Timothy Bradley and Lewis Essex v. Donnie McDaniel

In the matter of FHB File Number 2007-02223, Jessica Taylor v. CMH Homes, Inc. and Tiffany Newsome, 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. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02223, Jessica Taylor v. CMH Homes, Inc. and Tiffany Newsome

In the matter of FHB File Number 2007-02224, Lakisha S. Banister and Maurice Banister v. CMH Homes, Inc. and Tiffany Newsome, 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. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02224, Lakisha S. Banister and Maurice Banister v. CMH Homes, Inc. and Tiffany Newsome

In the matter of FHB File Number 2007-02497, James and Robin Perry v. Bridle Creek Associates, 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 Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02497, James and Robin Perry v. Bridle Creek Associates, LP

In the matter of FHB File Number 2007-03637, John Banks v. Betty Ross, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion Betty Ross

FHB File Number 2007-03637, John Banks v. Betty Ross

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 Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

In the matter of FHB File Number 2007-02018, Shawna D. Haskins v. Veronica Cerrud, Columbia Heights, LP and KSI Management, 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, Bhatt, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-02018, Shawna D. Haskins v. Veronica Cerrud, Columbia Heights, LP and KSI Management

Due to a possible conflict of interest, Ms. Clare recused herself from voting in this matter.

In the matter of FHB File Number 2007-03279, Kenneth Johnson v. Mary T. Black Trustee for Mary T. Black Living Trust, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General. A motion was made by Ms. Harmon and seconded by Ms. Johnson to find reasonable cause that the respondent discriminated against the complainant by making a discriminatory statement based on sex and to defer issuing a charge for thirty days to pursue conciliation. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-03279, Kenneth Johnson v. Mary T. Black Trustee for Mary T. Black Living Trust

In the matter of FHB File Number 2005-04678, Patrick Berry and Kime Beaty-Berry v. Margaret and Al Fuller, 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. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2005-04678, Patrick Berry and Kime Beaty-Berry v. Margaret and Al Fuller

The Board considered the matter of FHB File Number 2006-02515, Courtney Kent v. Community Alternatives Management Group, George Davies and Carmen Brown. 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, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2006-02515, Courtney Kent v. Community Alternatives Management Group, George Davies and Carmen Brown

The Board considered the matter of FHB File Number 2007-01903, Andrea Atkinson v. Jim Radford, Oak Forest Trailer Mobile Home Park, and Greta McHenry. 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 Adkıns, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-01903, Andrea Atkinson v. Jim Radford, Oak Forest Trailer Mobile Home Park, and Greta McHenry

The Board considered the matter of FHB File Number 2006-00801. Wendy Moser, Kyle Moore and Justin Hyler v. Glen Howerton. A motion was made by Ms. Harmon and seconded by Ms. Clare to approve the terms of the conciliation agreement as agreed to by the parties. The Hyler v. Glen Howerton motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2006-00801, Wendy Moser, Kyle Moore and Justin

The Board considered the matter of FHB File Number 2007-00927, Shonia Robinson v. Theresa Taylor, Audubon Village, Audubon Village LP and Shelter Management Corp. A motion was made by Ms. Harmon and seconded by Ms. Clare to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Harmon, Johnson, Maples, and Rubinstein.

FHB File Number 2007-00927, Shonia Robinson v. Theresa Taylor, Audubon Village, Audubon Village LP and **Shelter Management** Corp.

At 11:58 AM. Ms. Clare made a motion which was seconded by Ms. Closed Meeting Johnson, 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 nonmembers will be in attendance to reasonably aid the consideration of the topic: Tom Payne, Jay DeBoer, Liz Hayes, and Deanda Shelton.

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

28. FHB File Number 2007-02950, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)

At 12:15 PM., a motion was made by Ms. Clare and seconded by Ms. Johnson that the Board reconvene in open session.

WHEREAS, the Fair Housing Board has convened a closed meeting on this Certification date pursuant to an affirmative recorded vote and 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 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, Bhatt, Clare, Johnson, Harmon, Maples, and Rubinstein

NAYS: None

ABSENT DURING THE VOTE: None

ABSENT DURING THE MEETING: Dupuy, Ruais, and Schuyler

In the matter of FHB File Number 2007-02950, Gary Rose and Helen

Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse

(Ergenbright), the Board took no action..

FHB File Number 2007-02950, Gary Rose and Helen Jackson v. Irene

FHB File Number 2007-02950, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)

There being no further business, the meeting adjourned at 12:35 PM.

Adjourn

David B. Rubinstein, Chairman

Jay W. DeBoer, Secretary

1	Name [·] Martin Maples
2.	(Name of Board Member) Title. Board Member
3	Agency Fair Housing Board (Name of Board)
4	Meeting/IFF Date June 13, 2007 (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.
	Matt Mash $\frac{6}{3/67}$ Signature Date

1.	Name: Neil Bhatt
2.	(Name of Board Member) Title: Board Member
3.	Agency: Fair Housing Board (Name of Board)
4.	Meeting/IFF Date June 13, 2007 (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.	Indo not have a personal interest in any transactions taken at this meeting.
	Signature () Date

1	Name: Jeffrey Adkins
2.	(Name of Board Member) Title: Board Member
3.	Agency: Fair Housing Board (Name of Board)
4.	Meeting/IFF Date June 13, 2007 (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.
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1	
2.	(Name of Board Member) Title: Board Member
3.	Agency: Fair Housing Board (Name of Board)
4	Meeting/IFF Date: June 13, 2007 (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.
	□ I did not participate in the transaction
6	I do not have a personal interest in any transactions taken at this meeting
	Lhords M. Han 6/13/07 Signature Date

1.	Name: Penny Johnson
2.	(Name of Board Member) Title: Board Member
3.	Agency: Fair Housing Board (Name of Board)
4.	Meeting/IFF Date: June 13, 2007 (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.	Indo not have a personal interest in any transactions taken at this meeting.
	Signature Date

1.	Name: Cynthia Clare	
2.	(Name of Board Member) Title: Board Member	
3	Agency: Fair Housing Board (Name of Board)	
4.	Meeting/IFF Date: June 13, 2007 (Date)	
5.	I have a personal interest in the following transaction: (24)	
(17)		Realty
	Nature of Personal Interest Affected by Transaction: 16-Conyony	
	I work for - 24 = For do business w/ Clark	
	That but ad = fame and and an all the and	
	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.	
	OF	
	I did not participate in the transaction.	
6	☐ I do not have a personal interest in any transactions taken at this meeting.	
(Conthoral June 13,2007	
	Sighature Date	

1	Name. <u>David Rubinstein</u>
2.	(Name of Board Member) Title: Board Member
3.	Agency: Fair Housing Board (Name of Board)
4.	Meeting/IFF Date: June 13, 2007 (Date)
5.	I have a personal interest in the following transaction: (Agenda Item)
	(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.
	☐ I did not participate in the transaction.
6.	I do not have a personal interest in any transactions taken at this meeting.
	Signature Date Date