

FAIR HOUSING BOARD

TENTATIVE AGENDA

April 8, 2022- 10:00 a.m.

2nd Floor – Board Room 2

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. January 12, 2022 - Fair Housing Board Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORT

1. Fair Housing Administrator's Report
2. Litigation Summary

V. FAIR HOUSING CASES

1. Anne Lee Paxton & Edward J. Turner v. Wells Fargo Bank National Association
FHB File Number: 2021-02281
HUD File Number: N/A
Appointments – Anne Lee Paxton & Edward J. Turner, complainants
2. Jonathan Speight v. Mountain Laurel Townhouse Association, Inc. and Community Partners of Virginia, Inc.
FHB File Number: 2021-02511
HUD File Number: 03-21-8547-8
3. Tausha Baines v. One High Street, LLC and Legend Property Group, Inc.
FHB File Number: 2021-02632
HUD File Number: 03-21-8636-8
Appointment – Barrie Bowers, attorney for respondents
4. Angela Bryant v. Ross Management Services, LLC, RM The Hamptons, LLC and Khemeka Bedford
FHB File Number: 2022-00115
HUD File Number: 03-21-8977-8

5. Merle Travis Rutledge, Jr. v. Colonial Court Apartments, Inc.
FHB File Number: 2022-00169
HUD File Number: 03-22-9797-8
6. Jessica Brittingham v. The Windsor Rental Co., LLC, H. Dean Parsons Jr., and Teresa Williams
FHB File Number: 2020-01491
HUD File Number: 03-20-5078-8
Appointment – Jessica Brittingham, complainant
- Robert Anderson v. 4HIM Properties LLC, Jeffrey A. Phillips and Julie K. Phillips
FHB File Number: 2020-02579
HUD File Number: 03-20-5356-8
8. Codi Bean v. Coverstosne IV LP and RIMSI Corp.
FHB File Number: 2021-00540
HUD File Number: 03-20-6478-8
Appointment – Christina M. Heischmidt, attorney for respondents
9. Emma Lewis v. Norfolk Redevelopment & Housing Authority
FHB File Number: 2021-01463
HUD File Number: 03-21-7980-8
10. Inez Elizabeth Thornton v. Beacon Communities Corp., Beacon Residential Management Limited Partnership, Grace Street Limited Partnership and Lori Benton
FHB File Number: 2022-00123
HUD File Number: 03-21-9472-8
11. Simone Rhodd v. Sky Management Inc. and Canterbury Townhouses, L.C. (waiting for additional info.)
FHB File Number: 2021-01616
HUD File Number: 03-21-7623-8
12. Jeanne Worster and Thomas Worster v. Unit Owners Association of Concord Mews Condominium, Rosewood Management and Consulting Services, LLC, Kathy Gately and Kasandra Serck
FHB File Number: 2019-00850
HUD File Number: 03-19-1412-8
13. Dan Chacko v. Waterford Heights Homeowners Association
FHB File Number: 2020-02255
HUD File Number: 03-20-4843-8
Appointment – Dan Chacko, complainant

14. Sabrina Gendreau v. First Service Residential DC Metro LLC, Exchange at Van Dorn
Condominiums and Aaron & Emily Huus
FHB File Number: 2021-01623
HUD File Number: 03-21-7624-8
15. Housing Opportunities Made Equal of Virginia, Inc. v. Christopher Tschappatt and Lianna
Guallart
FHB File Number: 2020-02927
HUD File Number: 03-20-6977-8
{Referred to OAG for Official Consultation}
16. Claire Payton and Jonathan Katz v. Liana Arias De Velasco and Christopher Tschappatt
FHB File Number: 2021-00207
HUD File Number: 03-20-6439-8
{Referred to OAG for Official Consultation}
17. Reta Pearson v. Cedar Lee Condominium Association, Inc., Susan Rae Helander, and First
Virginia Community Management, Inc.
FHB File No.: 2022-01156
HUD File No.: 03-22-0072-8
{Conciliation: Disability}

VI. ADMINISTRATIVE ISSUES

VII. OLD BUSINESS

VIII. NEW BUSINESS

- Board financial statement

IX. ADJOURNMENT

NEXT MEETING SCHEDULED FOR: WEDNESDAY, AUGUST 31, 2022

** 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

January 12, 2022

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, Chair
Larry Murphy, Vice-Chair
Colin Arnold
Amanda Pohl
Amanda Buyalos
Scott Astrada
Nicole Hebbe

Board member absent from the meeting:

Dean Lynch
Candice L. Bennett
Sherman Gillums
Linda Melton

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

Mary Broz-Vaughan, Director
Tom Payne, Deputy Director
Christine Martine, Executive Director
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

Helen Hardiman, Assistant Attorney General, and Palmer Heenan, III, Assistant Attorney General, with the Office of the Attorney General were present.

Ms. Howard called the meeting to order at 10:14 A.M.

Call to Order

A motion was made by Ms. Buyalos and seconded by Ms. Pohl to approve the Agenda. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

Agenda

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as registration or official Board position.
DRAFT AGENDA

A motion was made by Ms. Buyalos and seconded by Mr. Murphy to approve the August 25, 2021, Fair Housing Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

There was no public comment.

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

Ms. Hardiman provided the Board with the litigation update.

In the matter of **FHB File Number 2021-01562, Samantha Hankins and Jameson Eddington v. Kristina Dix, Donald Dix and ChevMonte Properties, LLC**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Buyalos and seconded by Mr. Murphy to find no reasonable cause that the respondents discriminated against the complainants by offering discriminatory terms and conditions; by refusing to rent or by refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

In the matter of **FHB File Number 2021-01729, Medenia Bush v. Brookdale Apartments Mark Center, LLC, Morgan Properties Management Company LLC, and Marieglorie Zapata**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Medenia Bush, complainant, and Carol Ashley, attorney for the respondents, were present and addressed the Board. A motion was made by Ms. Pohl and seconded by Mr. Arnold to find no reasonable cause that the respondents discriminated against the complainant by harassing or intimidating the complainant or by offering her discriminatory terms and conditions based upon her sex or sexual orientation. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

In the matter of **FHB File Number 2021-01106, Zachary Thompson v. Paradigm Management II, LP and Courthouse High Rise I, LP**, the Board reviewed the record

Minutes

Public Comment

**Fair Housing
Administrator's Report**

Litigation Summary

FHB File Number 2021-01562, Samantha Hankins and Jameson Eddington v. Kristina Dix, Donald Dix and ChevMonte Properties, LLC

FHB File Number 2021-01729, Medenia Bush v. Brookdale Apartments Mark Center, LLC, Morgan Properties Management Company LLC, and Marieglorie Zapata

FHB File Number 2021-01106, Zachary Thompson v. Paradigm

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which consisted of the Final Investigative Report, and Case Analysis. Jan Haub, representative for Paradigm Management II, LP, respondent, was present and addressed the Board. A motion was made by Ms. Buyalos and seconded by Ms. Hebbe to find no reasonable cause that the respondents discriminated against the complainants by offering discriminatory terms and conditions and by refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

Management II, LP and Courthouse High Rise I, LP

In the matter of **FHB File Number 2021-01791, Caleb King v. Equity Residential Management LLC and EQR Madison & Henry LLC**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Supplemental Final Investigative Report. Caleb King, complainant, and Janice Grenadier, representative for the complainant, were present and addressed the Board. A motion was made by Mr. Arnold and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent or by offering discriminatory terms and conditions based upon race. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

FHB File Number 2021-01791, Caleb King v. Equity Residential Management LLC and EQR Madison & Henry LLC

In the matter of **FHB File Number 2021-02235, Caleb King v. Paradigm Management II, LP and Paradigm 2250 Mill LLC**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Supplemental Final Investigative Report. Caleb King, complainant, Janice Grenadier, representative for the complainant, and Jan Haub, representative for Paradigm Management II, LP, respondent, were present and addressed the Board. A motion was made by Ms. Buyalos and seconded by Ms. Hebbe to find no reasonable cause that the respondents discriminated against the complainant by refusing to rent or by offering discriminatory terms and conditions based upon sex or color. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

FHB File Number 2021-02235, Caleb King v. Paradigm Management II, LP and Paradigm 2250 Mill LLC

In the matter of **FHB File Number 2019-03221, Trina Bullock v. MyHome Properties LLC, Annika Schunn,**

FHB File Number 2019-03221, Trina Bullock v.

DRAFT AGENDA
Materials contained herein are not to be considered for inclusion in this agenda or used as a basis for any action taken by the Board in its official Board position.

Gisa-Beate Schunn and Christian Schunn, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Official Consultation Memorandum from the Office of the Attorney General. Victoria Horrock, attorney for the complainant, was present and addressed the Board.

MyHome Properties LLC,
Annika Schunn, Gisa-
Beate Schunn and
Christian Schunn

At 10:59 A.M., Ms. Buyalos offered a motion which was seconded by Ms. Pohl, 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 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 non-members will be in attendance to reasonably aid the consideration of the topic: Tom Payne, Liz Hayes and Palmer Heenan, III.

Closed Session

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

6. FHB File Number 2019-03221, Erina Bullock v. MyHome Properties LLC, Annika Schunn, Gisa-Beate Schunn and Christian Schunn

At 11:21 A.M., a motion was made by Ms. Pohl and seconded by Mr. Murphy that the Board reconvene in open session.

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 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

Certification

DRAFT AGENDA
Materials contain preliminary findings and are not to be considered as regulation or official Board position.
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Proposed topics for discussion and are not to be considered as regulation or official Board position.

Fair Housing Board.

VOTE: 7-0

AYES: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

NAYS: None.

ABSENT DURING THE VOTE: Bennett, Gillums, Lynch and Melton.

ABSENT DURING THE MEETING: Bennett, Gillums, Lynch and Melton.

In the matter of **FHB File Number 2019-03221, Trina Bullock v. MyHome Properties LLC, Annika Schunn, Gisa-Beate Schunn and Christian Schunn**, a motion was made by Ms. Pohl and seconded by Ms. Hebbe to find reasonable cause that the respondents, MyHome Properties, LLC, Gisa-Beate Schunn, and Annika Schunn discriminated against the complainant in violation of §36-96.3.B.ii of the *Code of Virginia* by refusing to make a reasonable accommodation based on disability; imposing discriminatory terms and conditions based on disability in violation of §36-96.3.A.9 of the *Code of Virginia*; refusing to rent or make unavailable a dwelling based on disability in violation of §36-96.3.A.8 of the *Code of Virginia*; making discriminatory statements based on disability in violation of §36-96.3.A.3 of the *Code of Virginia*; and coercing, intimidating, threatening, or interfering with the complainant's exercise and enjoyment of her fair housing rights in violation of §36-96.5 of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

A motion was made by Ms. Pohl and seconded by Mr. Murphy to find no reasonable cause the respondent, Christian Schunn discriminated against the complainant, Trina Bullock. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

In the matter of **FHB File Number 2021-01681, Harold Walker v. CAPREIT Residential Management, LLC and**

FHB File Number 2019-03221, Trina Bullock v. MyHome Properties LLC, Annika Schunn, Gisa-Beate Schunn and Christian Schunn

FHB File Number 2021-01681, Harold Walker v.

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St. Luke Apartments, LLC, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, Supplemental Final Investigative Report, and Official Consultation Memorandum from the Office of the Attorney General. Elizabeth 'Lisa' Shu, attorney for respondent, CAPREIT Residential Management, LLC, was present and addressed the Board. A motion was made by Ms. Pohl and seconded by Ms. Buyalos to find no reasonable cause that the respondents discriminated against the complainant by offering discriminatory terms and conditions, privileges or in services and facilities or by refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

In the matter of **FHB File Number 2021-02715, DaYarna Randall v. Abberly Center Pointe, LLC and HHHunt Property Management, Inc.**, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

In the matter of **FHB File Number 2022-00024, Holly Brown v. TM Associates Management, Inc. and Parkway Village Apartments, LP**, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

In the matter of **FHB File Number 2022-00039, Catherine Felicia "Catt" McWilliams v. Mark-Dana Management, LLC and Creekside Manor, LLC**, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

In the matter of **FHB File Number 2021-02647, Mamie T. Grady v. 908 Oliver Hill Way LLC, Steelhead**

CAPREIT Residential Management, LLC and St. Luke Apartments, LLC

FHB File Number 2021-02715, DaYarna Randall v. Abberly Center Pointe, LLC and HHHunt Property Management, Inc.

FHB File Number 2022-00024, Holly Brown v. TM Associates Management, Inc. and Parkway Village Apartments, LP

FHB File Number 2022-00039, Catherine Felicia "Catt" McWilliams v. Mark-Dana Management, LLC and Creekside Manor, LLC

FHB File Number 2021-02647, Mamie T. Grady v.

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Materials Confirmed
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and are not to be
discussed for
regulation or
final Board position.

Management LLC, and Melissa Brown, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

908 Oliver Hill Way LLC, Steelhead Management LLC, and Melissa Brown

In the matter of **FHB File Number 2021-02438, Mohamed Kakay v. Dweck Properties LTD and Towers Associates II, LLC**, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

FHB File Number 2021-02438, Mohamed Kakay v. Dweck Properties LTD and Towers Associates II, LLC

In the matter of **FHB File Number 2020-00805, Tracy Ferrell v. VC Solutions LLC, The Coleman Group, LLC and Carla Purdy**, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

FHB File Number 2020-00805, Tracy Ferrell v. VC Solutions LLC, The Coleman Group, LLC and Carla Purdy

In the matter of **FHB File Number 2020-01179, Housing Opportunities Made Equal of Virginia, Inc. v. VC Solutions LLC, The Coleman Group, LLC and Carla Purdy**, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

FHB File Number 2020-01179, Housing Opportunities Made Equal of Virginia, Inc. v. VC Solutions LLC, The Coleman Group, LLC and Carla Purdy

In the matter of **FHB File Number 2022-00570, Trey Ward v. James Poff and Sharon Poff**, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Arnold, Astrada, Buyalos, Hebbe, Howard, Murphy and Pohl.

FHB File Number 2022-00570, Trey Ward v. James Poff and Sharon Poff

In the matter of **FHB File Number 2022-00177, Virginia Fair Housing Board v. COG & JUB Holding LLC and Alicia Martinez**, a motion was made by Mr. Murphy and seconded by Ms. Pohl to approve the terms of the

FHB File Number 2022-00177, Virginia Fair Housing Board v. COG & JUB Holding LLC and

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Fair Housing Board
954630**

2020-2022 Biennium

February 2022

	February 2022 Activity	Biennium-to-Date Comparison	
		July 2018 - February 2020	July 2020 - February 2022
Cash/Revenue Balance Brought Forward			0
Revenues	3,725	51,820	50,330
Cumulative Revenues			50,330
Cost Categories:			
Board Expenditures	310	14,385	11,770
Board Administration	0	0	0
Administration of Exams	0	0	0
Enforcement	72,998	1,167,643	1,265,255
Legal Services	7,207	177,189	180,045
Information Systems		0	0
Facilities and Support Services	20	2,854	1,288
Agency Administration	0	0	0
Other / Transfers	0	(719,667)	(719,438)
Total Expenses	80,534	642,404	738,920
Transfer To/(From) Cash Reserves	(76,809)	0	(688,590)
Ending Cash/Revenue Balance			0

Cash Reserve Beginning Balance	(611,780)	0	0
Change in Cash Reserve	(76,809)	0	(688,590)
Cash Reserve Ending Balance	(688,590)	0	(688,590)

Number of Regulants

Current Month	1,901
Previous Biennium-to-Date	2,093

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