



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review

Land Use Administration Division

900 E. Broad Street, Room 511

Richmond, Virginia 23219

(804) 646-6304

<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new**
- special use permit, plan amendment**
- special use permit, text only amendment**

**Project Name/Location**

Property Address: 3211 Delaware Avenue Date: June 25, 2019

Tax Map #: N0001158022 Fee: \$1800

Total area of affected site in acres: 0.112 acre

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

**Zoning**

Current Zoning: R-6

Existing Use: rental home

**Proposed Use**

(Please include a detailed description of the proposed use in the required applicant's report)

nonprofit rooming house for women leaving homelessness. The need for locks on the bedroom doors and up to 4 unrelated people living in the same home necessitates this application.

Existing Use: rental home

Is this property subject to any previous land use cases?

- Yes  No  If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** Ronald and Barbara Lester

Company: Joy House RVA

Mailing Address: 11032 Ashburn Road

City: North Chesterfield State: VA Zip Code: 23235

Telephone: (804) 5,603,278 Fax: ( )

Email: docbarb1246@gmail.com

**Property Owner:** Ronald and Barbara Lester

If Business Entity, name and title of authorized signee: \_\_\_\_\_

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: ( ) Fax: ( )

Email: \_\_\_\_\_

**Property Owner Signature:** Barbara J. Lester, Ronald W. Lester

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

**NOTE:** Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

Ronald W. Lester  
11032 Ashburn Road  
North Chesterfield VA 23235  
(804) 560-3278 home  
(804) 405-7020 mobile

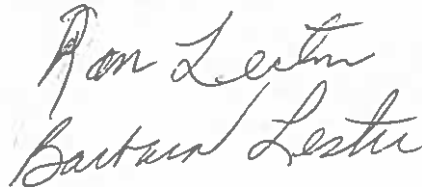
Barbara T. Lester  
11032 Ashburn Road  
North Chesterfield VA 23235  
(804) 560-3278 home  
(804) 267-9523

We own a single family dwelling at 3211 Delaware Avenue, Richmond VA 23222. We are currently using it as a rental home. We would like to apply for a special use permit to use it as a rooming house so we can have locks on the bedroom doors and rent to four unrelated adults. We have a plan to use this as a transitional home for previously homeless adults, with a supervising person on premises. We have noted that there will be no more residents than is normal for a single family. There is space for 2 cars to be parked at the back of the house, therefore not overcrowding the street even if all four residents have vehicles. The residents will all be adults and will be working and have normal usage of parks, libraries and other city services. We have installed a security system, outdoor motion lights and smoke detectors in each bedroom and hallways, so there is a strong focus on safety for the residents and the surrounding neighborhood. We have a non-profit organization that will be running all the programs for the residents to help them attain independence. By having a live-in supervising person, the likelihood of adverse behaviors will be diminished. The people chosen for the program are screened for appropriate ability to work toward independence and are eager to attempt this, so this will decrease the possibility of unacceptable behaviors. The residents will be responsible for keeping the home in good condition, both inside and out. The supervisor will note if there is need for any repairs and contact us to address this. It is our purpose to use the house to improve the neighborhood in many ways, as well as to improve the lives of the people living there. We have obtained the support of the neighbors in the area for this plan, as witnessed by the number of signatures included with this application. We have notified 2 civic associations listed in the area, and we have had several conversations with the liaison for the Honorable Councilwoman Robertson, as well as having contacted her office via mail and email.

We have no plans to change the existing structure from its current status, unless repairs are needed. At this time there is a reconditioned roof, new furnace and central air conditioning, and replacing of the current aluminum siding with vinyl siding will be completed within the next month.

We hope this will adequately explain our request and that we will be able to use this home for the good it is intended to serve. Thank you for allowing us to express our request for this special use permit.

Ron and Barbara Lester

Handwritten signatures of Ron Lester and Barbara Lester. The signature for Ron Lester is written above the signature for Barbara Lester.

**ARTICLES OF INCORPORATION  
OF  
JOY HOUSE RVA**

We hereby associate to form a nonstock corporation under the provisions of Chapter 10 of Title 13.1 of the Code of Virginia, and to that end set forth the following:

**Article One  
Name**

The name of this corporation shall be: Joy House RVA.

**Article Two  
Purposes and Powers**

(1) Joy House RVA ("Joy House") is organized and operated exclusively for the charitable and educational purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code of 1986 (the "Code"), and any reference herein to any provision of the Code shall be deemed to mean the corresponding provision(s) as now or hereafter existing, amended, supplemented or superseded in any future United States Internal Revenue Law. More specifically, purposes of Joy House include providing temporary housing and education in life and personal living skills to homeless women, together with all other purposes not prohibited by law for non-profit organizations in connection with the foregoing.

(2) Notwithstanding any other provision of these Articles, Joy House shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under section 501(c)(3) of the Code.

(3) Joy House is organized and shall be operated on a nonprofit basis. The activities, net earnings and assets of Joy House shall be at all times dedicated only to promoting the charitable, literary and/or educational purposes set out in these Articles. None of the net earnings shall inure to the benefit of any private shareholder, individual, association or corporation, except that Joy House be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its purposes and objectives. If for any reason it becomes necessary to dissolve or liquidate Joy House, the remaining assets of Joy House after its lawful obligations and all other requirements of law are met and complied with, shall be distributed, transferred or conveyed for one or more exempt purposes within the meaning of section 501(c)(3) of the Code, to one or more corporations, societies, or organizations engaged in activities similar to those of Joy House and qualifying under Section 501(c)(3) of the Code, or to the federal government or to a state or local government for a public purpose, or as may be specified in a plan of distribution adopted as provided by law or as directed by a court of competent jurisdiction.

(4) Joy House may solicit and receive funds, grants and property by gift, transfer, devise or bequest, and may administer and apply such funds, grants and property only in the furtherance of the purposes set out in these Articles.

(5) Joy House shall not engage in any unlawful discrimination including discrimination on the basis of race, religion or color.

(6) Joy House shall do any and all lawful things which may be necessary, useful, suitable or proper for the furtherance or accomplishment of the purposes and powers of Joy House, and may exercise all powers possessed by Virginia corporations of similar character, including the power to own, hold, lease, transfer, contract for the purchase, sale or transfer of, and to mortgage or otherwise encumber, real property and tangible and intangible personal property, and interests in such property, including easements or other rights in any such property, wheresoever such property or interests therein may be situate and howsoever held.

### **Article Three Membership**

Joy House shall have no members.

### **Article Four Board of Directors**

The affairs of Joy House shall be managed by the Board of Directors.

- (a) The initial number of directors of Joy House shall be three (3).
- (b) The number of directors may be increased or decreased from time to time by amendment to the bylaws.
- (c) The directors shall be elected or appointed by a majority of the Board of Directors.
- (d) The initial members of the Board of Directors shall be:

<u>Name</u>	<u>Address</u>
Barbara T. Lester	11032 Ashburn Road North Chesterfield, VA 23235
Ronald W. Lester	11032 Ashburn Road North Chesterfield, VA 23235
Amy Calahan	1532 Highstreet Richmond, VA 23220

**Article Five**  
**Indemnification and Elimination of Liability**

Section 1. Indemnification of Directors and Officers. Except as provided in Section 2 of this Article, Joy House shall indemnify every individual made a party to a proceeding because he is or was a director or officer against liability incurred in the proceeding if: (i) he or she conducted himself in good faith; and (ii) he or she believed, in the case of conduct in his official capacity with Joy House, that his conduct was in its best interests, and, in all other cases, that his conduct was at least not opposed to its best interests (or in the case of conduct with respect to an employee benefit plan, that his conduct was for a purpose he or she believed to be in the interests of the participants of and beneficiaries of the plan); and (iii) he or she had no reasonable cause to believe, in the case of any criminal proceeding, that his conduct was unlawful.

Section 2. Indemnification Not Permitted. Joy House shall not indemnify any individual against his willful misconduct or a knowing violation of the criminal law or against any liability incurred by him in any proceeding charging improper personal benefit to him, whether or not by or in the right of Joy House or involving action in his official capacity, in which he or she was adjudged liable by a court of competent jurisdiction on the basis that personal benefit was improperly received by him.

Section 3. Effect of Judgment or Conviction. The termination of a proceeding by judgment, order, settlement or conviction is not, of itself, determinative that an individual did not meet the standard of conduct set forth in Section 1 of this Article or that the conduct of such individual constituted willful misconduct or a knowing violation of the criminal law.

Section 4. Determination and Authorization. Unless ordered by a court of competent jurisdiction, any indemnification under Section 1 of this Article shall be made by Joy House only as authorized in the specific case upon a determination that indemnification of the individual is permissible in the circumstances because: (i) he or she met the standard of conduct set forth in Section 1 of this Article and, with respect to a proceeding by or in the right of Joy House in which such individual was adjudged liable to Joy House, he or she is fairly and reasonably entitled to indemnification in view of all of the relevant circumstances even though he or she was adjudged liable; and (ii) the conduct of such individual did not constitute willful misconduct or a knowing violation of the criminal law.

Such determination shall be made: (i) by the Board of Directors by a majority vote of a quorum consisting of Directors not at the time parties to the proceeding; or (ii) if such a quorum cannot be obtained, by a majority vote of a committee duly designated by the Board of Directors (in which designation Directors who are parties may participate), consisting solely of two or more Directors not at the time parties to the proceeding; or (iii) by special legal counsel selected by the Board of Directors or its committee in the manner heretofore provided or, if such a quorum of the Board of Directors cannot be obtained and such a committee cannot be designated, selected by a majority vote of the Board of Directors (in which selection Directors who are parties may participate.) Authorization of indemnification, evaluation as to

reasonableness of expenses and determination and authorization of advancements for expenses shall be made in the same manner as the determination that indemnification is permissible, except that if the determination is made by special legal counsel, authorization of indemnification and evaluation as to reasonableness of expenses shall be made by those selecting such counsel.

Section 5. Advance for Expenses. Joy House may pay for or reimburse the reasonable expenses incurred by any individual who is a party to a proceeding in advance of final disposition of the proceeding if: (i) he or she furnished Joy House a written statement of his good faith belief that he or she has met the standard of conduct described in Section 1 of this Article and a written undertaking, executed personally or on his behalf, to repay the advance if it is ultimately determined that indemnification of such individual in the specific case is not permissible; and (ii) a determination is made that the facts then known to those making the determination would not preclude indemnification under this Article. An undertaking furnished to Joy House in accordance with the provisions of this Section shall be an unlimited general obligation of the individual furnishing the same but need not be secured and may be accepted by Joy House without reference to financial ability to make repayment.

Section 6. Indemnification of Employees and Agents. Joy House may, but shall be required to, indemnify and advance expenses to employees and agents of Joy House to the same extent as provided in this Article with respect to directors and officers.

Section 7. Elimination or Limitation of Liability of Directors and Officers. Except as provided in Section 8 of this Article, in any proceeding brought by or in the right of Joy House, the damages assessed against a director or officer arising out of a single transaction, occurrence or course of conduct shall be limited as follows:

(1) A director or officer who does not receive compensation for his services as such shall have no liability for damages if, at the time of the transaction, occurrence or course of conduct giving rise to the proceeding, Joy House was exempt from federal income taxation under Section 501(c) of the Code and Regulations.

(2) The liability of a director or officer who does not receive compensation from Joy House for his services as such shall not exceed the amount of \$100.00 if, at the time of the transaction, occurrence or course of conduct giving rise to the proceeding, Joy House was not exempt from federal income taxation under Section 501(c) of the Code and Regulations.

(3) The liability of director or officer who receives compensation from Joy House for his services as such shall not exceed the amount of \$100.00.

Section 8. Liability of Director and Officers Not Eliminated. The liability of a director or officer shall not be eliminated or limited in accordance with the provisions of Section 7 of this Article if the director or officer engaged in willful misconduct or a knowing violation of the criminal law.

Section 9. Definitions. In this Article:

"Director" and "officer" mean an individual who is or was a director or officer of Joy House, as the case may be, or who, while a director or officer of the organization is or was serving at Joy House's request as a director, officer, partner, trustee, employee or agent of another foreign or domestic organization, partnership, joint venture, trust, employee benefit plan or other enterprise. A director or officer shall be considered to be serving an employee benefit plan at Joy House's request if his duties Joy House also impose duties on, or otherwise involve services by, him to the plan or to participants in or beneficiaries of the plan.

"Individual" includes, unless the context requires otherwise, the estate, heirs, executors, personal representatives and administrators of an individual.

"Joy House" means Joy House RVA and any domestic or foreign predecessor entity of Joy House RVA in a merger or other transaction in which the predecessor's existence ceased upon the consummation of the transaction.

"Expenses" includes but is not limited to counsel fees.

"Liability" means the obligation to pay a judgment, settlement, penalty, fine, including any excise tax assessed with respect to an employee benefit plan, or reasonable expenses incurred with respect to a proceeding.

"Official capacity" means: (i) when used with respect to a director, the office of director in Joy House; (ii) when used with respect to an officer, the office in Joy House held by him; or (iii) when used with respect to an employee or agent, the employment or agency relationship undertaken by him on behalf of Joy House. "Official capacity" does not include service for any foreign or domestic organization or other partnership, joint venture, trust, employee benefit plan or other enterprise.

"Party" includes an individual who was, is or is threatened to be made a named defendant or respondent in a proceeding.

"Proceeding" means any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative and whether formal or informal.

Section 10. Provisions Not Exclusive. As authorized by the Virginia Nonstock Corporation Act, the provisions of this Article are in addition to and not in limitation of the specific powers of an organization to indemnify directors and officers set forth therein. If any provision of this Article shall be adjudicated invalid or unenforceable by a court of competent jurisdiction, such adjudication shall not be deemed to invalidate or otherwise affect any other provision hereof or any power of indemnity which Joy House may have under the Virginia Nonstock Corporation Act or other laws of the Commonwealth of Virginia.



**Article Six  
Registered Agent**

The name of Joy House's initial registered agent is Barbara T. Lester.

The initial registered agent is an officer and director of Joy House.

Joy House's initial registered office address which is identical to the business office of Joy House, is 11032 Ashburn Road, North Chesterfield, Va. 23235.

The registered office is physically located in the City of Richmond.

Dated: June 13, 2017

Incorporator:



\_\_\_\_\_  
Rebecca C. Bowen

BYLAWS  
OF  
JOY HOUSE RVA

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BYLAWS  
OF  
JOY HOUSE RVA

ARTICLE I

DIRECTORS

Section 1. General Authority. All corporate powers of the corporation shall be exercised by or under the authority of, and the property, business and affairs of the corporation managed under the direction of, the directors.

Section 2. Annual Meetings. An annual meeting of the directors shall be held on the 2<sup>nd</sup> Tuesday in March of each year selected by the President for the purpose of appointing officers and transacting such other business as may properly come before the meeting.

Section 3. Regular Meetings. Regular meetings of the directors may be held at such times as the board of directors may designate from time to time.

Section 4. Special Meetings. Special meetings of the directors may be held at any time at the call of the President, the Secretary or any of the directors.

Section 5. Notice of Meetings. Notice of the date, time and place of each meeting of the directors and, in the case of an annual meeting or a special meeting, the purpose or purposes of the meeting, shall be given to each director not less than five and not more than 60 days prior to the date of the meeting. Notice to a director shall be in writing and shall be deemed given and received when personally delivered or mailed by first class mail to the director at the director's address as reflected in the records of the corporation.

A director's attendance at or participation in a meeting waives any required notice to him of the meeting unless he at the beginning of the meeting or promptly upon his arrival objects to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to the action taken at the meeting.

Section 6. Place of Meetings. Meetings of the directors shall be held at such place, within or without the Commonwealth of Virginia, as the board of directors may designate from time to time.

Section 7. Waiver of Notice. Notice of any meeting of the directors may be waived before or after the date and time of the meeting in a writing signed by the director entitled to notice and delivered to the Secretary of the corporation for inclusion in the minutes of the meeting or filing with the corporate records.

Section 8. Action Without Meeting. Any action required or permitted by law to be taken at a meeting of the directors may be taken without a meeting if the action is taken by all of the members of the board of directors. The action shall be evidenced by one or more written consents stating the action taken, signed by each director either before or after the action taken, and included in the minutes or filed with the corporate records reflecting the action taken.

Section 9. Conduct of Meetings. The President, or in his absence, a Vice President, if any, shall act as chairman of and preside over meetings of the directors. If no such officer is present, the members present at the meeting shall elect a chairman. The Secretary, or in his absence an Assistant Secretary, if any, shall act as secretary of such meetings. If no such officer is present, the chairman shall appoint a secretary of the meeting.

Section 10. Procedure at Meetings. The procedure at meetings of the directors shall be determined by the chairman, and the vote on all matters before any meeting shall be taken in such manner as the chairman may prescribe.

Section 11. Participation by Conference Telephone. The board of directors may permit any or all directors to participate in a meeting of the directors by, or conduct the meeting through the use of, conference telephone or any other means of communication by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by such means shall be deemed to be present in person at the meeting. When a meeting is so conducted, a written record shall be made of the action taken at such meeting.

Section 12. Quorum. A quorum at any meeting of the directors shall be a majority of the number of directors in office immediately before the meeting begins. The affirmative vote of the majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors.

Section 13. Committees. The board of directors may create one or more committees and appoint two or more members of the board of directors to serve on them at the pleasure of the board of directors. Any such committee, to the extent specified by the board of directors, may exercise the authority that may be exercised by the board of directors except to the extent prohibited or restricted by law, the articles of incorporation or these bylaws.

The provisions of Sections 5 through 12 of this Article, which provide for, among other things, meetings, action without meetings, notice and waiver of notice, quorum and voting requirements of the board of directors, shall apply to committees and their members as well.

Section 14. Vacancies. Vacancies on the board of directors may be filled by the affirmative vote of a majority of the remaining directors, even though less than a quorum.

## ARTICLE II

### OFFICERS

Section 15. Generally. The officers shall be a President, a Secretary and a Treasurer, each of whom shall be appointed by the board of directors at the annual meeting of the directors or, if a vacancy shall exist in any such office, at a special meeting of the directors held as soon as may be practicable after the resignation, death or removal of the officer theretofore holding the same. The board of directors or the President may also at any time appoint one or more Vice Presidents or other officers and assistant officers and fill any vacancy that may exist in any such office as a result of the resignation, death or removal of the officer holding the same. Any officer may hold more than one office. Each officer shall have the authority and perform the duties which pertain to the office held by him, or as set forth in these bylaws or, to the extent consistent with these bylaws, such duties as may be prescribed by the board of directors or the President.

Section 16. President. The President shall be the chief executive officer of the corporation. The President shall have general supervision over, responsibility for and control of the other officers, agents and employees of the corporation. The President shall be a director. The President shall act as chairman of and preside over meetings of the directors and shall perform, to the extent consistent with these bylaws, such duties as may be conferred upon him by the board of directors.

Section 17. Secretary. The Secretary shall have the responsibility for preparing and maintaining custody of minutes of meetings of the directors in a book or books kept for that purpose and the responsibility for authenticating records of the corporation. The Secretary may, but need not be, a director. The Secretary shall maintain a record of directors, giving the names and addresses of all directors.

Section 18. Treasurer. The Treasurer shall be the chief financial officer of the corporation. The Treasurer may, but need not be, a director. The Treasurer shall have the custody of all moneys and securities of the corporation and shall deposit the same in the name and to the credit of the corporation in such depositories as may be designated by the board of directors and, unless otherwise prescribed by the board of directors or the President, shall maintain the books of account and financial records.

Section 19. Delegation of Power. In the event of and during the absence, disqualification or inability to act of any officer other than the President, such other officers or employees as may be designated by the board of directors or by the President shall have the authority and perform the duties of such officer.

Section 20. Term. Officers shall hold office until the next succeeding annual meeting of the directors of the corporation or until their respective successors are appointed.

Section 21. Resignation. An officer may resign at any time by delivering written notice to the board of directors, the President or the Secretary. A resignation shall be effective when delivered unless the notice specifies a later effective date.

Section 22. Removal. Any officer may be removed, with or without cause, at any time by the board of directors and any officer or assistant officer, if appointed by another officer, may likewise be removed by such officer.

### ARTICLE III

#### SEAL

The seal of the corporation shall be a flat-face circular die, of which there may be any number of counterparts or facsimiles, in such form as the board of directors may from time to time adopt. Affixing a seal shall not be required to evidence corporate action.

### ARTICLE IV

#### AMENDMENTS

These bylaws may be amended, altered or repealed by the board of directors.

ADOPTED: June 15, 2017

# DOCUMENT RETENTION POLICY

## JOY HOUSE RVA

### ARTICLE I

#### Purpose

The purpose of this document retention policy is for Joy House RVA (the "Organization") to promote the proper treatment of corporate records of the Organization.

### ARTICLE II

#### Policy

Section 1. General Guidelines. Records should not be kept if they are no longer needed for the operation of the business or required by law. Unnecessary records should be eliminated from the files. The cost of maintaining records is an expense which can grow unreasonably if good housekeeping is not performed. A mass of records also makes it more difficult to find pertinent records.

From time to time, the Organization may establish retention or destruction policies or schedules for specific categories of records in order to ensure legal compliance, and also to accomplish other objectives, such as preserving intellectual property and cost management. Several categories of documents that warrant special consideration are identified below. While minimum retention periods are established, the retention of the documents identified below and of documents not included in the identified categories should be determined primarily by the application of the general guidelines affecting document retention, as well as the exception for litigation relevant documents and any other pertinent factors.

Section 2. Exception for Litigation Relevant Documents. The Organization expects all officers, directors, and employees to comply fully with any published records retention or destruction policies and schedules, provided that all officers, directors, and employees should note the following general exception to any stated destruction schedule: If you believe, or the Organization informs you, that Organization records are relevant to litigation, or potential litigation (i.e., a dispute that could result in litigation), then you must preserve those records until it is determined that the records are no longer needed. That exception supersedes any previously or subsequently established destruction schedule for those records.

Section 3. Minimum Retention Periods for Specific Categories.

- (a) Organizational Documents. Organizational records include the Organization's articles of incorporation, by-laws and IRS Form 1023, Application for Exemption. Organizational records should be retained permanently. IRS regulations require that the Form 1023 be available for public inspection upon request.



- (b) Tax Records. Tax records include, but may not be limited to, documents concerning payroll, expenses, proof of contributions made by donors, accounting procedures, and other documents concerning the Organization's revenues. Tax records should be retained for at least seven years from the date of filing the applicable return.
- (c) Employment Records/Personnel Records. State and federal statutes require the Organization to keep certain recruitment, employment and personnel information. The Organization should also keep personnel file that reflect performance reviews and any complaints brought against the Organization or individual employees under applicable state and federal statutes. The Organization should also keep in the employee's personnel file all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel. Employment applications should be retained for three years. Retirement and pension records should be kept permanently. Other employment and personnel records should be retained for seven years.
- (d) Board and Board Committee Materials. Meeting minutes should be retained in perpetuity in the Organization's minute book. A clean copy of all other Board and Board Committee materials should be kept for no less than three years by the Organization.
- (e) Press Releases/Public Filings. The Organization should retain permanent copies of all press releases and publicly filed documents under the theory that the Organization should have its own copy to test the accuracy of any document a member of the public can theoretically produce against the Organization.
- (f) Legal Files. Legal counsel should be consulted to determine the retention period of particular documents, but legal documents should generally be maintained for a period of ten years.
- (g) Marketing and Sales Documents. The Organization should keep final copies of marketing and sales documents for the same period of time it keeps other corporate files, generally three years.

An exception to the three-year policy may be sales invoices, contracts, leases, licenses, and other legal documentation. These documents should be kept for at least three years beyond the life of the agreement.

- (h) Development/Intellectual Property and Trade Secrets. Development documents are often subject to intellectual property protection in their final form (e.g., patents and copyrights). The documents detailing the development process are often also of value to the Organization and are protected as a trade secret where the Organization:

## Joy House RVA

### Conflict of Interest Policy

#### Article I Purpose

The purpose of the conflict of interest policy is to protect Joy House RVA's (the "Organization") interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

#### Article II Definitions

1. **Interested Person** Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. **Financial Interest**

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,

b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or

c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

**Article III**  
**Procedures**

**1. Duty to Disclose**

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

**2. Determining Whether a Conflict of Interest Exists**

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

**3. Procedures for Addressing the Conflict of Interest**

a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

c. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

**4. Violations of the Conflicts of Interest Policy**

a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Article IV**  
**Records of Proceedings**

The minutes of the governing board and all committees with board delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**Article V**  
**Compensation**

a. A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**Article VI**  
**Annual Statements**

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

a. Has received a copy of the conflicts of interest policy,

- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**Article VII**  
**Periodic Reviews**

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

**Article VIII**  
**Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

## JOY HOUSE RVA (JOY HOUSE)

### Confidentiality Policy for Board Members, Committee Members, and Staff

The following policies apply to members of the Joy House RVA board, its staff and consultants, volunteers, and to members of committees authorized by the board. References in the policies to board members are intended also to apply to committee members.

Introduction. Joy House is and should be a transparent organization. All of its Board and Committee actions, financial reports and State and Federal filings are and should be a matter of public record. At the same time, the deliberations of the Board and Committees and their discussions deserve confidentiality in order to promote and enhance the greatest possible give and take to enable the Board to reach the best possible conclusions. To that end, the following policies are adopted.

#### Board and Committee Meetings:

1. On any vote of the board, both the numbers of affirmative and negative votes and the individual votes of board members, unless specifically requested by a member otherwise, shall be confidential [but the record of individual votes must be kept on file].
2. Board, committee, and staff members shall not disclose to anyone outside of Joy House the statements, positions, or votes by any board or committee member on actions taken by the board or its committees. Only in extraordinary situations will a board or committee member disclose his or her position or vote on a board or committee action, and only after advising the board's chair before making such a disclosure.
3. The general "sense of the board" on a particular matter may be conveyed to a partner organization, project participant, vendor, or donor when the sharing of such information is helpful in conveying the board's concerns. However, such information should only be shared with the concerned party. In addition, such information may be shared with a donor when the information has been requested and is deemed important in helping the donor arrive at an informed decision on a grant proposal or opportunity.

#### Executive Sessions:

4. The minutes of the board meeting shall indicate when the board goes into executive session but shall not normally reflect any of the topics or discussion that occurs in executive session. However, when the board takes an action in

executive session that needs to be recorded, the board chair will provide any such text that is to be included in the official minutes of the meeting.

Board and Committee Agendas:

5. The agenda prepared for the board and staff is confidential and should be treated as an internal document restricted to Joy House use. No portion of the agenda may be shared, in written or oral form, with any individual or with any organization outside of Joy House. Exceptions may be made only with the consent of the chief executive.

Personal Information on Staff and Board Members:

6. The home addresses, telephone numbers, fax numbers, and e-mail addresses of board, committee, and staff members are not to be given out to any individual or organization without the express permission of the person to be disclosed.

Information on Donors and Prospects:

7. All information obtained about donors and prospective donors will remain confidential and not discussed with any individual other than a board or staff member, unless otherwise authorized by the donor or prospective donor.
8. The home addresses, telephone numbers, fax numbers, or e-mail addresses of donors and prospective donors are not to be given out to any individual or organization without the express permission of the person to be disclosed.
9. When a donor requests that his or her gift or fund be treated as an anonymous gift or fund, the donor's wishes are to be honored by both board and staff members.

In signing this statement, I confirm that I have received a copy of the Confidentiality Policy and agree to abide by the guidelines set forth therein.

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Please print name: Board Member, Committee Member, Staff Member

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Signature: Board Member, Committee Member, Staff Member      Date

# Joy House RVA

## Whistleblower Policy

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### General

Joy House RVA (the "Organization") requires directors, officers and employees to observe high standards of business and personal ethics (the "Ethics") in the conduct of their duties and responsibilities. As employees and representatives of the Organization, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

### Reporting Responsibility

It is the responsibility of all directors, officers and employees to comply with the Ethics and to report violations or suspected violations in accordance with this Whistleblower Policy.

### No Retaliation

No director, officer or employee who in good faith reports a violation of the Ethics shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organization prior to seeking resolution outside the Organization.

### Reporting Violations

The Ethics address the Organization's open door policy and suggest that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if an employee is not comfortable speaking with his or her supervisor or is not satisfied with the supervisor's response, the employee is encouraged to speak with the President. Supervisors and managers are required to report suspected violations of the Ethics to the Organization's President, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when an employee is not satisfied or uncomfortable with following the Organization's open door policy, individuals should contact the Organization's President directly. If the complaint relates to the President, the employee may report to the Board.



### **Compliance Officer**

The Organization's President, as Compliance Officer, is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Ethics and, at her discretion, shall advise the Board. The President has direct access to the Board and is required to report to the Board at least annually on compliance activity.

### **Accounting and Auditing Matters**

The board of directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The President shall immediately notify the Board of any such complaint and work with the committee until the matter is resolved.

### **Acting in Good Faith**

Anyone filing a complaint concerning a violation or suspected violation of the Ethics must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Ethics. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

### **Confidentiality**

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

### **Handling of Reported Violations**

The President will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

- i. Derives independent economic value from the secrecy of the information;
- ii. Has taken affirmative steps to keep the information confidential.

The Organization should keep all documents designated as containing trade secret information for at least the life of the trade secret.

- (i) Contracts. Final, execution copies of all contracts entered into by the Organization should be retained. The Organization should retain copies of the final contracts for at least three years beyond the life of the agreement, and longer in the case of publicly filed contracts.
- (j) Correspondence. Unless correspondence falls under another category listed elsewhere in this policy, correspondence should generally be saved for two years.
- (k) Banking and Accounting. Accounts payable ledgers and schedules should be kept for seven years. Bank reconciliations, bank statements, deposit slips and checks (unless for important payments and purchases) should be kept for three years. Any inventories of products, materials, and supplies and any invoices should be kept for seven years.
- (l) Insurance. Expired insurance policies, insurance records, accident reports, claims, etc. should be kept permanently.
- (m) Audit Records. External audit reports should be kept permanently. Internal audit reports should be kept for three years.

Section 4. Electronic Mail. E-mail that needs to be saved should be either:

- (i) Printed in hard copy and kept in the appropriate file; or
- (ii) Downloaded to a computer file and kept electronically or on disk as a separate file.

The retention period depends upon the subject matter of the e-mail, as covered elsewhere in this policy.

To:  
David Watson, AICP  
Senior Planner  
Department of Planning and Development Review  
900 E. Broad St., Room 511  
Richmond, VA 23219

From:  
Joy House RVA,  
Dr. Barbara Lester, Mr. Ron Lester  
11032 Ashburn Rd. North Chesterfield, VA 23235  
804 267 9523, Dr. Lester

The information you requested is below. Please let us know if you have any additional questions.

Dr. Barbara Lester and Mr. Ron Lester

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Our zoning office reviewed my draft ordinance and have some concerns which I am sharing below.

1) Have applicant provide documentation for the areas below

***i.* Detailed description of the managing entity, including the organizational structure, mission statement, and any by laws;**

**Joy House RVA Board Policy**

**Mission Statement:**

Joy House RVA is non-profit working to help women transition from homelessness to independent living through transitional homes and mentoring services. Homes are privately owned, fully furnished with rent between \$250 and \$350/month. The residents

are offered 9-month leases and may continue month to month for up to 18 months. Joy House RVA provides the mentoring and support services that prepare the women to move into their own homes.

(Note: the home owner is responsible for home maintenance and repair)

## **List of Officers, Trustees and Salaried Staff for Joy House RVA for 2019**

**Primary business address: 11302 Ashburn Road, North Chesterfield, VA 23235**

**The transitional home for the women is located on Delaware Ave., Richmond, VA**

### **Officers as required for 501 c3:**

**EIN: 82-2484681**

Barbara Thrush Lester, President  
11302 Ashburn Road  
North Chesterfield, VA 23235

Ronald Wiley Lester, Secretary  
11302 Ashburn Road  
North Chesterfield, VA 23235

Catherine Mina Jones, Treasurer  
13201 Langford Drive  
Midlothian, VA 23113

### **Directors:**

Barbara Thrush Lester, President  
11302 Ashburn Road  
North Chesterfield, VA 23235

Ronald Wiley Lester, Secretary  
11302 Ashburn Road  
North Chesterfield, VA 23235

Catherine Mina Jones, Treasurer  
13201 Langford Drive  
Midlothian, VA 23113

Salaried staff: none at present

**Policy is expressed in the following documents which are attached:**

**ii. Detailed description of programs offered on the premises, including operating procedures and characteristics, the intent of the programs and a description of how the programs support a long term strategy for meeting the clients' needs;**

Programs are generally not offered on the premises, except mentoring and Bible Study.

Women are referred to us from Caritas Homeless Shelter to Joy House RVA.

Barbara Lester welcomes each woman into the home, outlines the expectations and rules, and pairs them with a mentor for general encouragement. They are expected to meet at least twice a month, at the house or other location. She does a follow-up review in two weeks to verify understanding.

As each woman has a particular need we refer to other organizations or to volunteer/experts. Some women come to Joy House with some social services already in place as a result of their stay with CARITAS.

As needed we may refer them to:

STEP (Strategies to Elevate People) for who wish to obtain new skills and better pay or train for something they prefer to do instead of their present position.

CrossOver Health Care Ministry - provides Christian based health care including medical, vision, dental, mental health, pharmacy and social services. Patients must meet the financial criteria, see <https://www.crossoverministry.org>

Center for Christian Counseling - provides mental health evaluation and treatment that is Christian based.

Read Center: is available for increasing literacy skills and obtaining a GED. <https://readcenter.org>

Joy House encourages (optional) spiritual growth opportunities through Bible study or links to local churches.

Volunteers to counsel on finances, health, stress, etc.  
Other as listed in Resident's Handbook

**The goal** is that after 9 - 18 months at Joy House, each woman will be ready to move into her own place and be healthy, functioning well, and independent.

See the Residents' Handbook and the Mentor Handbook for more details.

**iii. Detailed description of off-site programs offered, and/or description of linkages to programs operated by others;**

See # 2 above and the Resident's Handbook, pages 4 - 16. Our most used resources are the volunteer mentors, The Center for Christian Counseling, and STEP.

**iv. Detailed description of the number and type of clients to be served, including an outline of program objectives, eligibility criteria, and requirements for referrals to other programs;**

Number of clients: four

Joy House RVA works with women only, as they share living space.

The home on Delaware Ave provides four private rooms, shared 2 full baths, share living space and kitchen, and a washer and dryer..

Program objectives:

See # 1 and 2 above

Eligibility criteria:

The women are referred to us by CARITAS homeless shelter, as they appear to be good candidates for becoming independent with some time to adjust and learn any skills they may be lacking. The women need to be healthy enough to manage themselves and stairs, as all bedrooms are on the second floor. Women must be willing to accept all conditions of the program.

Requirements for referrals to other programs:

Rather than being required to accept referrals women are referred to programs depending on their particular need. See Resident's Handbook. This is a mutually chosen referral by the resident and her mentor or the Directors. The programs Joy House RVA links with and the volunteers help the women assess their strengths and needs. They work toward being able to move to their own home and live independently.

Generally the women eligible to live at Joy House RVA have a job or are on temporary disability. They are able to live in a shared living space without supervision. They are willing to work toward becoming independent and to agree to what is written in the Resident's Handbook. The low rent, about \$300 a month allows them to have a safe home where they can save, plan and train toward becoming independent.

**v. Operational details for on-site programs including: hours of operation, number and type of staff, staff qualifications, and typical hours worked by staff; method of client supervision; operating procedures including procedures for orienting a new client to the facility's programs; expectations for clients; prerequisites for continued client enrollment such as a requirement that the client participate in programs; rules of behavior for clients; the location and nature of any security features and arrangements; and names and telephone numbers of persons to contact in emergencies and any emergency procedures;**

Hours of operation: the four women live independently for low rent (about \$300/month). There are no "hours of operation". Each woman must set her own appointments with resource groups.

There is no staff on premises, but one of the ladies in residence helps to welcome newcomers and coordinate chores and duties and communicate with Dr. Barbara Lester. (She is allowed to live there longer than the usual 9 - 18 months. Dr. Barbara Lester checks in regularly with the women and they are able to contact her directly.

Note: Joy House is run by the three volunteer Board Members with the help of volunteers.

Orienting: Dr. Barbara Lester meets with each woman who moves in, explains the expectations, rules and opportunities. She matches them with a mentor.

Mentors are trained by Dr. Barbara Lester and have a Mentors Handbook. (See attachment). They have a minimum 2 hours session for training, with availability for further training if necessary.



Security and Safety procedures are posted. A shared chore assignment list is posted in the same area. Each lady has Dr. Barbara Lester's phone number. If Dr. Lester is unavailable, Mr. Lester's number is also available as well as one other. Residents can also contact their mentors.

House Rules for Joy House: The following rules are posted and are given to the residents of "Joy House RVA as part of their lease.

*The following rules are given to the residents of Joy House RVA to ensure that all residents will be treated with respect and equality in the everyday running of Joy House.*

*Foremost - Do unto others as you would have others do unto you!*

- *No alcohol in the house*
- *No smoking in the house*
- *No overnight guest in the house*
- *No pets*
- *Contact owners when an emergency arises*
- *Contact owners for non-emergency issues only during normal business hours (9am to 5pm)*
- *Never use the downstairs fireplace (in the dining room). The chimney has been permanently sealed. A fire set in the fireplace will burn the house down!*
- *The filter for the heating unit must be changed every ninety (90) days. The owners will supply these filters, which are stored next to the refrigerator. Please mark on the filter the date it was installed. The vent where the filter is to be installed is located in the front hallway adjacent to the stairs.*
- *The room air conditioners will be installed by the owners when the weather changes for their use. The filters must be cleaned monthly. Most of these filters are the type that can be rinsed out in the sink.*

- *Tenants are responsible for replacing all burned out light bulbs.*
- *The owners are responsible for the replacement of the smoke alarm batteries.*
- *Quiet time should be observed from 10:00pm until 7:00am daily. (Includes talking, computer use, television and radio playing.)*
- *Bathroom time should not exceed 45 minutes at one session.*
- *All foods should be labeled with the residents initials. Do not take or use other residents food. This will be considered stealing.*
- *Cleaning of the house common areas (dining room, bath rooms, utility room, living room, stair well and kitchen) should be done on the rotating basis among all residents as is posted at the house.*
- *Upkeep of the grounds (front, side and back yards) should be done on a rotating basis as is posted at the house among all residents. The grass should not be taller than 4".*
- *The owners will provide the following tools for lawn care: lawn mower, rake, rotary weed cutter, shovel and hedge clippers.*
- *The residents will supply the gas and oil for the lawn mower on a rotating basis as is posted at the house.*
- *The leaves should be raked to the curb in the front yard, as per the city's leaf pickup schedule.*
- *Any debris (trash/trimmings) should be picked up and deposited in the trash can.*
- *By city ordinance snow/ice must be removed from the public sidewalks abutting the property.*
- *Thermostat temperature setting will remain between 71 to 75 degrees. If a resident is cold after the thermostat has been set to 75 degrees, the resident then should use appropriate clothing to stay comfortable.*
- *Overnight guests are not permitted.*
- *House guests are welcome. However, all residents must be informed of the presence of said guests upon arrival.*

• *House guest must vacate the house premises by 9:00pm.  
Failure to comply with the above addendum will result in the following:*

*First Offense: Written warning.*

*Second Offence: Twenty five dollar (\$25.00) fine*

*Third Offence: Thirty (30) day notice given for termination of lease.*

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*Signature and date*

**2) Confirm if live-in supervising person is required for program.**

No, no live-in supervising person is required.

**3) Confirm duration of residence stay at this location for transition program.**

Nine to eighteen months. This is a recent change from 6 to 12 months.

**4) Are children allowed to reside at this location with parent.**

NO. They may visit during the day and early evening if the other residents agree.

Please provide the requested material at your earliest convenience.

David

**David Watson, AICP  
Senior Planner**

Department of Planning and Development Review  
900 E. Broad St., Room 511  
Richmond, VA 23219  
Office: 804-646-1036