

2026 SESSION

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1 **HOUSE BILL NO. 464**

2 Offered January 14, 2026

3 Prefiled January 12, 2026

4 *A BILL to amend and reenact § 36-139 of the Code of Virginia, relating to Department of Housing and*
5 *Community Development; powers and duties of Director; accessory dwelling unit construction guide.*

6 Patron—Cohen

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That § 36-139 of the Code of Virginia is amended and reenacted as follows:**

10 **§ 36-139. Powers and duties of Director.**

11 The Director of the Department of Housing and Community Development shall have the following
12 responsibilities:

13 1. Collecting from the governmental subdivisions of the Commonwealth information relevant to their
14 planning and development activities, boundary changes, changes of forms and status of government,
15 intergovernmental agreements and arrangements, and such other information as he may deem necessary.

16 2. Making information available to communities, planning district commissions, service districts and
17 governmental subdivisions of the Commonwealth.

18 3. Providing professional and technical assistance to, and cooperating with, any planning agency, planning
19 district commission, service district, and governmental subdivision engaged in the preparation of
20 development plans and programs, service district plans, or consolidation agreements.

21 4. Assisting the Governor in the providing of such state financial aid as may be appropriated by the
22 General Assembly in accordance with § 15.2-4216.

23 5. Administering federal grant assistance programs, including funds from the Appalachian Regional
24 Commission, the Economic Development Administration and other such federal agencies, directed at
25 promoting the development of the Commonwealth's communities and regions.

26 6. Developing state community development policies, goals, plans and programs for the consideration and
27 adoption of the Board with the ultimate authority for adoption to rest with the Governor and the General
28 Assembly.

29 7. Developing a Consolidated Plan to guide the development and implementation of housing programs
30 and community development in the Commonwealth for the purpose of meeting the housing and community
31 development needs of the Commonwealth and, in particular, those of low-income and moderate-income
32 persons, families and communities.

33 8. Determining present and future housing requirements of the Commonwealth on an annual basis and
34 revising the Consolidated Plan, as necessary to coordinate the elements of housing production to ensure the
35 availability of housing where and when needed.

36 9. Assuming administrative coordination of the various state housing programs and cooperating with the
37 various state agencies in their programs as they relate to housing.

38 10. Establishing public information and educational programs relating to housing; devising and
39 administering programs to inform all citizens about housing and housing-related programs that are available
40 on all levels of government; designing and administering educational programs to prepare families for home
41 ownership and counseling them during their first years as homeowners; and promoting educational programs
42 to assist sponsors in the development of low and moderate income housing as well as programs to lessen the
43 problems of rental housing management.

44 11. Administering the provisions of the Industrialized Building Safety Law (§ 36-70 et seq.).

45 12. Administering the provisions of the Uniform Statewide Building Code (§ 36-97 et seq.).

46 13. Establishing and operating a Building Code Academy for the training of persons in the content,
47 application, and intent of specified subject areas of the building and fire prevention regulations promulgated
48 by the Board of Housing and Community Development.

49 14. Administering, in conjunction with the federal government, and promulgating any necessary
50 regulations regarding energy standards for existing buildings as may be required pursuant to federal law.

51 15. Identifying and disseminating information to local governments about the availability and utilization
52 of federal and state resources.

53 16. Administering, with the cooperation of the Department of Health, state assistance programs for public
54 water supply systems.

55 17. Advising the Board on matters relating to policies and programs of the Virginia Housing Trust Fund.

56 18. Designing and establishing program guidelines to meet the purposes of the Virginia Housing Trust

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59 Fund and to carry out the policies and procedures established by the Board.

60 19. Preparing agreements and documents for loans and grants to be made from the Virginia Housing Trust
61 Fund; soliciting, receiving, reviewing and selecting the applications for which loans and grants are to be
62 made from such fund; directing the Virginia Housing Development Authority and the Department as to the
63 closing and disbursing of such loans and grants and as to the servicing and collection of such loans; directing
64 the Department as to the regulation and monitoring of the ownership, occupancy and operation of the housing
65 developments and residential housing financed or assisted by such loans and grants; and providing direction
66 and guidance to the Virginia Housing Development Authority as to the investment of moneys in such fund.

67 20. Establishing and administering program guidelines for a statewide homeless intervention program.

68 21. Administering 15 percent of the Low Income Home Energy Assistance Program (LIHEAP) Block
69 Grant and any contingency funds awarded and carry over funds, furnishing home weatherization and
70 associated services to low-income households within the Commonwealth in accordance with applicable
71 federal law and regulations.

72 22. Developing a strategy concerning the expansion of affordable, accessible housing for older Virginians
73 and Virginians with disabilities, including supportive services.

74 23. Serving as the Executive Director of the Commission on Local Government as prescribed in
75 § 15.2-2901 and perform all other duties of that position as prescribed by law.

76 24. Developing a strategy, in consultation with the Virginia Housing Development Authority, for the
77 creation and implementation of housing programs and community development for the purpose of meeting
78 the housing needs of persons who have been released from federal, state, and local correctional facilities into
79 communities.

80 25. Administering the Private Activity Bonds program in Chapter 50 (§ 15.2-5000 et seq.) of Title 15.2
81 jointly with the Virginia Small Business Financing Authority and the Virginia Housing Development
82 Authority.

83 26. Developing a statement of tenant rights and responsibilities explaining in plain language the rights and
84 responsibilities of tenants under the Virginia Residential Landlord and Tenant Act (§ 55.1-1200 et seq.) and
85 maintaining such statement on the Department's website. The Director shall also develop and maintain on the
86 Department's website a printable form to be signed by the parties to a written rental agreement
87 acknowledging that the tenant has received from the landlord the statement of tenant rights and
88 responsibilities as required by § 55.1-1204. The Director may at any time amend the statement of tenant
89 rights and responsibilities and such printable form as the Director deems necessary and appropriate. The
90 statement of tenant rights and responsibilities shall contain a plain language explanation of the rights and
91 responsibilities of tenants in at least 14-point type. The statement shall provide the telephone number and
92 website address for the statewide legal aid organization and direct tenants with questions about their rights
93 and responsibilities to contact such organization.

94 27. Developing a statement of tenant rights and responsibilities explaining in plain language the rights and
95 responsibilities of tenants under the Virginia Manufactured Home Lot Rental Act (§ 55.1-1300 et seq.) and
96 maintaining such statement on the Department's website. The Director shall also develop and maintain on the
97 Department's website a printable form to be signed by the parties to a written rental agreement
98 acknowledging that the tenant has received from the landlord the statement of tenant rights and
99 responsibilities as required by § 55.1-1303. The Director may at any time amend the statement of tenant
100 rights and responsibilities and such printable form as the Director deems necessary and appropriate. The
101 statement of tenant rights and responsibilities shall contain a plain language explanation of the rights and
102 responsibilities in at least 14-point type. The statement shall provide the telephone number and website
103 address for the statewide legal aid organization and direct tenants with questions about their rights and
104 responsibilities to contact such organization.

105 28. Developing a sample termination notice that includes language referencing acceptance of rent with
106 reservation by a landlord following a breach of a lease by a tenant in accordance with § 55.1-1250. The
107 sample termination notice shall be in at least 14-point type and shall be maintained on the Department's
108 website.

109 29. Developing and operating a Virginia Residential Sites and Structures Locator database to assist
110 localities in marketing any structures and parcels determined by the locality to be suitable for future
111 residential or mixed-use development or redevelopment and that are under (i) public ownership, (ii) public
112 and private ownership, or (iii) private ownership if the owner or owners have authorized the locality to
113 market the structure or parcel for future residential or mixed-use development or redevelopment purposes.

114 30. *Developing an accessory dwelling unit construction guide, in plain language and in consultation with
115 the Virginia Municipal League and the Virginia Association of Counties, that provides (i) an overview of the
116 accessory dwelling unit construction process; (ii) a review of ordinances, permits, fees, programs, and
117 incentives related to accessory dwelling unit development by locality; and (iii) a catalog of model accessory
118 dwelling unit designs suitable for various local conditions and restrictions. Such guide shall be updated at
119 least every five years.*

120 30. 31. Conducting a comprehensive statewide housing needs assessment at least every five years, which

121 shall include (i) a review of housing cost burden and instability, supply and demand for affordable rental
122 housing, and supply and demand for affordable for-sale housing and (ii) regional or local profiles that focus
123 on specific housing needs of particular regions or localities.

124 34. 32. Developing a statewide housing plan that reflects the findings of the statewide housing needs
125 assessment conducted pursuant to subdivision 30, which plan shall include measurable goals and be updated
126 at least every five years to reflect changes in the Commonwealth's housing goals, and providing an annual
127 report to the General Assembly on progress toward meeting the goals identified in such plan and the
128 availability of housing that is accessible to people with disabilities.

129 32. 33. Collecting reports submitted by localities pursuant to § 36-139.9 in any manner prescribed by the
130 Department, including any forms developed by the Department to collect the information required to be
131 reported by the localities pursuant to such section and publishing such reports on its website.

132 33. 34. Carrying out such other duties as may be necessary and convenient to the exercise of powers
133 granted to the Department.

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