

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 36-139 of the Code of Virginia, relating to Department of Housing and*
 3 *Community Development; powers and duties of Director; a comprehensive statewide housing needs*
 4 *assessment; review of certain parcels.*

5 [H 910]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 36-139 of the Code of Virginia is amended and reenacted as follows:**9 **§ 36-139. Powers and duties of Director.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

55 18. Designing and establishing program guidelines to meet the purposes of the Virginia Housing Trust
 56 Fund and to carry out the policies and procedures established by the Board.

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

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

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

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

71 23. Serving as the Executive Director of the Commission on Local Government as prescribed in
72 § 15.2-2901 and perform all other duties of that position as prescribed by law.

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

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

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

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

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

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

111 30. Conducting a comprehensive statewide housing needs assessment at least every five years, which shall
112 include (i) a review of housing cost burden and instability, supply and demand for affordable rental housing,
113 and supply and demand for affordable for-sale housing ~~and~~; (ii) regional or local profiles that focus on
114 specific housing needs of particular regions or localities; *and (iii) a review of parcels owned by any*
115 *partnership, corporation, or real estate investment trust that manages funds pooled from investors, is a*
116 *fiduciary to such investors, has a net value or net assets under management on any day in a taxable year, and*
117 *holds an interest in more than 50 single-family homes or in more than 10 percent of manufactured home*
118 *parks as that term is defined in § 55.1-1300.*

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

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

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

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