

**Virginia Housing Commission
2023 Workgroups**

<p>Landlord Tenant Law, Real Estate Law, and Affordable Housing Solutions</p>	<p>Delegate Carrie Coyner, Chair</p>
<p>SB 1278: Boysko, J—Rent Stabilization</p>	<p>Local rent stabilization authority; civil penalty. Provides that any locality may by ordinance adopt rent stabilization provisions. The bill provides for notice and a public hearing prior to the adoption of such ordinance and specifies that all landlords who are under rent stabilization may be required to give up to a two-month written notice of a rent increase and cannot increase the rent by more than the locality's rent stabilization allowance, described in the bill as the maximum amount a landlord can increase a tenant's rent during any 12-month period, in effect at the time of the increase. The bill sets such allowance as equal to the annual increase in the Consumer Price Index for the region in which the locality sits, states that such allowance is effective for a 12-month period beginning July 1 each year and requires the locality to annually by June 1 publish such allowance on its website. Certain facilities, as outlined in the bill, are exempt from any such ordinance. The bill also requires such ordinance to provide a procedure by which a landlord may apply for an exemption from the rent stabilization provisions in situations where the net operating income generated by the rental facility has not been maintained due to escalating operating expenses or for other appropriate reasons as established by the locality. Finally, the bill provides that a locality may establish a civil penalty for failure to comply with the requirements set out in the ordinance that shall not exceed \$2,500 per separate violation.</p>
<p>HB 1836: Jenkins, C--Writs of eviction</p>	<p>Writs of eviction; returns to issuing clerk. Requires the sheriff executing a writ of eviction to return such executed writ to the clerk of court who issued such writ. The bill further directs the Office of the Executive Secretary of the Supreme Court of Virginia to report annually to the Chairmen of the Senate Committee on the Judiciary, the Senate Committee on General Laws and Technology, the House Committee for Courts of Justice, the House Committee on General Laws, and the Virginia Housing Commission on the number of executed writs returned during the preceding fiscal year and directs the Virginia Housing Commission to convene a stakeholder work group to study a more comprehensive data collection process to track the resolution of writs of unlawful detainers filed in the Commonwealth.</p>
<p>SB 1089: Ebbin, A--Writs of eviction</p>	<p>Writs of eviction; returns to issuing clerk. Requires the sheriff executing a writ of eviction to return such executed writ to the clerk of court who issued such writ. The bill further directs the Office of the Executive Secretary of the Supreme Court of Virginia to report annually to the Chairmen of the Senate Committee on the Judiciary, the Senate Committee on General Laws and Technology, the House Committee for Courts of Justice, the House Committee on General Laws, and the Virginia Housing Commission on the number of executed writs returned during the preceding fiscal year and directs the Virginia Housing Commission to convene a stakeholder work group to study a more comprehensive data collection process to track the resolution of writs of unlawful detainers filed in the Commonwealth.</p>

Deeds, C: by letter	Tax exemption—Organizations constructing or rehabilitating low-income housing: Property not previously exempt.
Surovell, S: by letter	"The Missing Middle"—affordable housing tax credit
Local Land Use and Community Living	Delegate David Bulova, Chair
HB 2047: Carr, B--Local zoning ordinance	Affordable housing; local zoning ordinance authority; comprehensive plan. Authorizes any locality in the Commonwealth to provide for an affordable housing dwelling unit program by amending the zoning ordinance of such locality. Current law restricts such authorization to counties with an urban county executive form of government or county manager plan of government and certain other localities. The bill also requires the comprehensive plan of each locality to show the connection between affordable housing and other needs of its residents, such as job creation, educational opportunities, and parks and recreational activities.
SB 1111: Hashmi, G—Vacant building registration	Powers of cities and certain towns; vacant building registration fees; civil penalty. Increases the maximum annual registration fee that cities and certain towns can impose on an owner of any building that has been vacant for at least 12 months and meets the definition of "derelict building" from \$100 to \$500. The bill increases the civil penalty for failing to pay such fee from \$200 to \$500 for the first violation and \$2000 for any subsequent violations and increases the civil penalty for failure to register such real property in conservation and rehabilitation districts designated by the governing body or in other areas designated as blighted from \$400 to \$1,000 for the first violation and \$4,000 for any subsequent violations.
SB 1163: Lewis, L—Community Revitalization Fund	Community revitalization fund; Accomack County. Adds Accomack County to existing provisions that allow the City of Richmond to establish a community revitalization fund for the purpose of preventing neighborhood deterioration. The community revitalization fund shall be exclusively composed of appropriated local moneys.
HB 2100: Hudson, S: Accessory Dwelling Units	Accessory dwelling units. Establishes authority and requirements for localities in the development and use of accessory dwelling units (ADUs). An ADU is defined in the bill as an independent dwelling unit on a single-family dwelling (SFD) lot with its own living, bathroom, and kitchen space. An ADU may be within or attached to an SFD or in a detached structure on a lot containing an SFD. An ADU may include, but is not limited to, basements, attics, flats, guest houses, cottages, and converted structures such as garages and sheds. The bill specifies that an ADU is not permitted in cases where it would violate historic preservation rules, deed restrictions, or property owners' association rules.
SB 1428: Surovell, S--Foreclosures of CIC's	Common interest communities; foreclosure remedy. Prohibits a common interest community association from conducting a foreclosure sale on a lien for unpaid assessments totaling less than \$5,000, excluding interest and attorney fees. Current law does not place a limit on the amount of assessments that must be unpaid before a common interest community association may conduct a foreclosure sale on a lien for any such unpaid assessments. The bill also limits interest charged on such unpaid assessments to an annual rate of six percent and prohibits any bill to enforce a lien from being entertained upon such

	property if the assessments are less than \$5,000. Current law prohibits any bill to enforce a lien from being entertained if such real estate is the judgment debtor's primary residence unless the judgment exceeds \$25,000.
Surovell, S: by letter	EV Chargers in complexes where there are not assigned parking spaces.
HB 1766: Reid, D—Uniform Building Code, Multifamily residential housing construction projects (At the request of the workgroup chair)	Uniform Statewide Building Code; multifamily residential housing construction projects; electric vehicle charging infrastructure standards. Requires the Board of Housing and Community Development to promulgate regulations for electric vehicle charging infrastructure standards for multifamily residential housing construction projects consisting of more than 25 residential dwelling units. The standards shall require a developer of such multifamily residential housing construction projects to ensure that at least 25 percent of the available parking spaces are electric vehicle charging ready during the design and construction process. Landlords, condominium unit owners' associations, and property owners' associations shall be authorized to negotiate with electric vehicle charging providers with respect to the installation and maintenance of electric vehicle infrastructure and any related revenue sharing. The bill also requires the Board to promulgate such regulations by January 1, 2024, and provides that such regulations shall only apply to any new multifamily residential housing construction projects approved by a locality after January 1, 2024.
Real Property, Community Development and Best Land-Use Practice	Delegate Danny Marshall, Chair
HJ 507: Marshall, D--Affordable and workforce housing	Study; Virginia Housing Commission; affordable housing; local regulation; report. Directs the Virginia Housing Commission, in consultation with the Department of Housing and Community Development and representatives of the Governor's office, to develop recommended revisions to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2 of the Code of Virginia to (i) streamline and enhance predictability in local development review processes and (ii) alleviate the effects of local policies or ordinances that contribute to increased housing costs and constrain the supply of affordable and workforce housing.
HB 1413: Marshall, D--Industrial development authorities	Industrial development authorities; safe and affordable housing; activation status of housing authority. Allows an industrial development authority to promote safe and affordable housing with respect to facilities used primarily for single or multifamily residences regardless of the activation status of the housing authority in such industrial development authority's locality.
HB 2045: Carr, B--Zoning for housing production act	Housing; creation of the Zoning for Housing Production Act; affordable dwelling unit policy incentives. Creates, within the Department of Housing and Community Development, the Zoning for Housing Production Act, which establishes a special nonreverting fund in the state treasury to be known as the Zoning for Housing Production Fund. The bill requires moneys from the Fund to be awarded as grants to localities by application to the Department for the purpose of creating and maintaining affordable housing in mixed-income communities, defined in the bill. To be eligible for a grant from the Fund, a locality is required to make a change to such locality's zoning ordinance in accordance

	with the requirements of the bill. The provisions of the bill expire on July 1, 2029.
Short-Term Rentals	Lee Vogler and Laura Lafayette, Co-Chairs
HB 2271: Marshall, D--Short term rentals	<p>Short-term rental property; locality's ability to restrict property managed by a Virginia realtor. Provides that a locality may not restrict by ordinance any short-term rental property managed by a Virginia realtor, defined in the bill. The bill provides that a locality may not enforce an ordinance against such property where the ordinance (i) prohibits short-term rentals; (ii) limits occupancy in a short-term rental property to less than what is allowed under the building code or local zoning regulations; (iii) limits the number of days in a calendar year for which a short-term rental property can be rented; (iv) requires an owner to occupy the short-term rental property as his primary residence for any number of days in a calendar year; (v) requires any type of remote monitoring device to be installed on the short-term rental property, including decibel, audio, or video; (vi) requires exterior or interior inspections of the short-term rental property pertaining to any items defined under the building code more frequently than every five years, unless a complaint has been filed with the locality or building authority; (vii) requires repairs, renovations, or updates to the structure of the short-term rental property that are greater than those required under the applicable building code; or (viii) requires an owner to add additional or otherwise alter existing parking spaces for the short-term rental property. The provisions of the bill shall apply to any short-term rental property managed by a realtor and operating as such on or after January 1, 2023.</p>
SB 1371: Lewis, L--Short term rentals	<p>Short-term rental property; locality's ability to restrict property managed by a Virginia realtor. Provides that a locality may not restrict by ordinance any short-term rental property managed by a Virginia realtor, defined in the bill. The bill provides that a locality may not enforce an ordinance against such property where the ordinance (i) prohibits short-term rentals; (ii) limits occupancy in a short-term rental property to less than what is allowed under the building code or local zoning regulations; (iii) limits the number of days in a calendar year for which a short-term rental property can be rented; (iv) requires an owner to occupy the short-term rental property as his primary residence for any number of days in a calendar year; (v) requires any type of remote monitoring device to be installed on the short-term rental property, including decibel, audio, or video; (vi) requires exterior or interior inspections of the short-term rental property pertaining to any items defined under the building code more frequently than every five years, unless a complaint has been filed with the locality or building authority; (vii) requires repairs, renovations, or updates to the structure of the short-term rental property that are greater than those required under the applicable building code; or (viii) requires an owner to add additional or otherwise alter existing parking spaces for the short-term rental property. The provisions of the bill shall apply to any short-term rental property managed by a realtor and operating as such on or after January 1, 2023.</p>