

COMMONWEALTH OF VIRGINIA

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VIRGINIA HOUSING COMMISSION

Summary

Affordable Housing Solutions, Landlord/ Tenant & Real Estate Law Workgroup
Monday September 8, 2025, 1:30 p.m.
Senate Room A, General Assembly Building

Introduction:

Delegate Briana Sewell called the meeting to order at 1:39 p.m.

Members present: Delegate Briana D. Sewell, Senator Mamie E. Locke; Senator William M. Stanley (virtual), Martin Johnson, *Gubernatorial Appointee*; Bismah Ahmed, *Apartment and Office Building Association of Metropolitan Washington (AOBA)*; Robert Bradshaw, *Independent Insurance Agents of Virginia*; Andrew Clark, *Home Builders Association of Virginia*; Laura Dobbs, *Housing Opportunities Made Equal (H.O.M.E.)*(virtual); Randy Grumbine, *Virginia Manufactured and Modular Housing Association*; Kelly Harris-Braxton, *Virginia First Cities*; Erin Kormann, *Virginia Association of Realtors*; Isabel McLain, *Virginia Housing Alliance*; Christie Marra, *Virginia Poverty Law Center*; Renee Pulliam, *Virginia Apartment Management Association*; Elizabeth Steele, *GRS Title Services*.

Staff and speakers present: Molly Bowers, Jesseca Hoff, Delegate Joshua Cole, Senator Scott Surovell (virtual), Hollis Brown, *Virginia Association of Real Estate Inspectors (VAREI)*; Mamie Johnson, *Member Norfolk City Council*; Kimberley Pierce, *MUS Norfolk Department of Neighborhood Services*; Bryan Pennington, *Norfolk Director of Government Relations*.

Members absent: Delegate David Bulova, Delegate Adele Y. McClure.

Materials presented at the meeting are accessible through the [Commission's website](#).

HB 2602 (2025): Persons Seeking Temporary Shelter

Delegate Joshua Cole presented his legislation from the 2025 General Assembly Session **HB 2602**, which aimed to address the criminalization of homelessness. The bill, which was sent to the Commission for further study, would prohibit localities from passing ordinances that criminalize sleeping in legally parked vehicles and would require them to make reasonable efforts to provide temporary shelter.

Delegate Cole emphasized the human cost of such ordinances, referencing the Supreme Court's decision in *Grants Pass v. Johnson*, which he argued makes state-level protections necessary.

Questions & Discussion

Isabel McLain (*Virginia Housing Alliance (VHA)*) noted that VHA has identified at least 14 local ordinances in Virginia that criminalize life-sustaining activities for people experiencing homelessness. She noted that since the Supreme Court's decision, new ordinances have been passed, with one locality specifically quoting the case to assert its "new found authority" to pass such an ordinance. The ruling, she stated, "enables greater enforcement" of existing and new anti-camping laws.

Kelly King Horne (*Homeward*) added that while Virginia has a low per-capita rate of homelessness, state funding for emergency shelters has not increased since 2014. She stressed that arresting individuals for sleeping outside shifts costs from solutions to incarceration and sets individuals back significantly.

Christie Marra (*Virginia Poverty Law Center (VPLC)*) listed several cities with such ordinances, including Norfolk, Hampton, and Roanoke, to illustrate that this is a statewide problem.

Outcome: The Virginia Housing Commission staff were directed to gather research on the topic and report back to the Chair.

Home Inspector Disclaimer of Civil Liability

Hollis Brown, representing the **Virginia Association of Real Estate Inspectors (VAREI)**, presented a counter-perspective to Senator Surovell's proposal, arguing against prohibiting home inspectors from contractually limiting their civil liability. Mr. Brown explained that home inspections are a visual and time-limited process, not an exhaustive guarantee of a home's condition. Inspectors make observations based on what they can see at a specific point in time, without performing invasive actions like opening walls or moving furniture. He argued that removing contractual liability limits would expose inspectors—most of whom are solo operators or small businesses—to claims worth tens or hundreds of thousands of dollars, a risk far out of proportion to the modest fee charged for the service. This disproportionate risk, he stated, would increase insurance costs, drive inspectors out of the profession, and ultimately raise prices for consumers. Mr. Brown noted that consumers already have protection, as Virginia's Department of Professional and Occupational Regulation (DPOR) disciplines inspectors who violate standards. He concluded that the solution to improving the profession is not more litigation but better and more extensive entry-level training and field experience for inspectors. The current requirements are a 35-hour course with 50 inspections in the field or a 70-hour course with 25 inspections.

Questions & Discussion

Senator Scott Surovell stated that home purchasing is the largest investment most people make. He stated that insurance is the primary mechanism our society uses to manage professional risk and that this is one of the only professions with a special "carve-out" allowing them to limit liability.

Martin Johnson referenced his knowledge of real estate transactions and asked if other industries involved in the transaction such as foundation inspectors, termite inspectors or general contractors are afforded similar protections. **Hollis Brown** responded, saying that he does not have information about other trades.

Outcome: **Delegate Sewell** directed VHC staff to look into the matter of limited liability in other trades and suggested offline discussion before the Commission considers further action.

Eviction Crisis: Lessons from Norfolk

Representatives from **Virginia First Cities** and the **City of Norfolk** delivered a detailed presentation on the ongoing eviction crisis, combining regional data, personal testimony, and specific legislative requests.

Kelly Harris Braxton (*Virginia First Cities*) opened by presenting data showing the scale of eviction filings across its 17 member cities since March 2020. Notable totals included Richmond (50,306), Norfolk (39,832), Newport News (37,650), and Hampton (25,091).

Norfolk Councilwoman Mamie Johnson framed the issue with a personal story about her niece's recent eviction, reminding the workgroup that "eviction is the last level before homelessness" and is a reality that impacts families across the Commonwealth.

Kimberly Pierce, Norfolk's Director of Neighborhood Services, provided a deep dive into the city's data and prevention efforts. She explained that the city's work is centered in the Norfolk Eviction Prevention Center, which collaborates with numerous community partners like ForKids, Legal Aid Society of Eastern Virginia, and Regent University. Since 2020, the City of Norfolk has allocated over \$3 million in local, state, and federal funds for its eviction prevention work.

Pierce highlighted the severe housing instability in the city, where 54.3% of households are renter-occupied and 51% of those are cost-burdened. A significant number of these households—13,504—are severely cost-burdened, spending 50% or more of their income on rent. The primary reasons for rental hardship in 2024 were unemployment and income reduction, though residents also cited unexpected car repairs, medical issues, and domestic violence as triggers. A ten-year history of Writs of Eviction shows that after a decline during the 2020-2022 moratoriums, the number of writs has returned to pre-pandemic levels, with 2,487 writs ordered in the first half of 2025 alone. Notably, Norfolk's public housing authority is the city's second-largest evictor, filing 387 evictions between January and September 2024, far surpassing any other housing authority in the Hampton Roads region. Ms. Pierce concluded by citing a calculation that the total societal cost of these evictions—factoring in expenses like emergency shelter and medical care—was \$35.1 million.

Bryan Pennington, Norfolk's Director of Government Relations, concluded by outlining six areas for potential legislative action and study:

1. Review and consider a cap on the maximum attorney's fees awarded in eviction cases.
2. Provide permissive authority for localities to administer their own eviction diversion programs.
3. Require landlords to separate utility charges from rent in leases so tenants can access utility assistance programs.
4. Create a mechanism for enhanced state partnership and intervention with landlords who have high frequencies of eviction filings.
5. Study the impact of and consider placing a cap on total ancillary or "junk" fees assessed during the eviction process.
6. Mandate standardized, statewide court data collection for evictions to allow for more effective, data-driven policymaking.

Questions & Discussion

Renee Pulliam (*Virginia Apartment Management Association (VAMA)*) pointed out the significant difference between unlawful detainer (UD) filings and executed writs (actual evictions). In Norfolk in 2024, only 28% of UD filings resulted in an executed eviction. She asked what number would no longer be considered a "crisis."

Ms. Pierce and **Mr. Pennington** responded that the goal is not a specific number but to address the root causes of eviction through better data, wraparound services, and exploring mediation as an alternative to court.

Christie Marra (VPLC) noted that VPLC has a statewide report on attorney's fees in eviction cases forthcoming and supports Norfolk's legislative agenda.

Ancillary Fees in Rental Housing

Molly Bowers and **Jesseca Hoff** of the Virginia Housing Commission presented the results of a study on ancillary fees in the rental market, which found that the advertised rent is often not the true total cost of housing. **Molly Bowers** described the journey of a typical Virginia renter, which often involves pre-tenancy fees before a lease is ever seen, including non-refundable lease administration fees and mandatory monthly resident benefits packages. **Jesseca Hoff** then provided an overview of the national policy landscape, confirming this is not an issue unique to Virginia. She explained that other states are addressing the problem through enhanced price transparency, such as Minnesota's requirement to disclose all non-optional fees when an apartment is advertised, and by creating opt-out provisions for some recurring fees, as seen in Maine. **Hoff** also discussed reusable tenant screening reports as a potential solution to ease the financial burden of multiple application fees.

Questions & Discussion

Bismah Ahmed (*Apartment and Office Building Association (AOBA)*) stated that their members are transparent with fees upfront and that under the Virginia Residential Landlord and Tenant Act (VRLTA), all monies due under a lease are legally considered "rent."

Christie Marra (VPLC) emphasized that even when legal, the accumulation of application fees across multiple properties remains a significant financial barrier for low-income tenants.

Public Comment:

There was no public comment.

Conclusion:

The meeting was adjourned at 3:35 p.m.

The next full Virginia Housing Commission meeting will take place on October 7, 2025, at 10:00 a.m. in Senate Room C of the General Assembly Building.

Updated 9/11/25 at 12:25 p.m.