

## Virginia Housing Commission

### 2024 Workgroups

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| <p><b>Affordable Housing, Landlord Tenant, and Real Estate Law Workgroup</b></p>   |  |
| <p><a href="#">HB 1124 – Carr, B.</a> – Faith in Housing for the Commonwealth Act; constructions of affordable housing</p>           | <p><b>Faith in Housing for the Commonwealth Act.</b> Permits a religious organization, defined in the bill, to construct affordable housing on real estate owned by such religious organization (i) on or before January 1, 2024, or for a period of not less than five years, and (ii) for which the religious organization retains a majority ownership interest.</p>  |
| <p><a href="#">SB 233 – Hashmi, G.</a> – Faith in Housing for the Commonwealth Act; construction of affordable housing</p>           | <p><b>Faith in Housing for the Commonwealth Act.</b> Permits a religious organization, defined in the bill, to construct affordable housing on real estate owned by such religious organization (i) on or before January 1, 2024, or for a period of not less than five years, and (ii) for which the religious organization retains a majority ownership interest.</p>  |
| <p><a href="#">HB 863 – Hernandez, P.</a> – Virginia Residential Property Disclosure Act; flood-related disclosures</p>              | <p><b>Virginia Residential Property Disclosure Act; flood-related disclosures.</b> Requires the Real Estate Board to include on its repetitive risk loss disclosure form for owners of residential real property space for the disclosure of historical flood damages, flood insurance claims, and costs to such residential real property along with other related information. The bill also requires the owner of residential real property within the Commonwealth to disclose to any purchaser or renter of such property certain facts related to the flood history and risk of such property.</p>   |
| <p><a href="#">SB 354 – Locke, M.</a> – Real estate contract disclosures, certain; establishment by localities prohibited</p>        | <p><b>Establishment by localities of certain real estate contract disclosures prohibited.</b> Prohibits localities from establishing or enforcing a mandatory disclosure requirement for a real estate licensee, any party to a contract for the sale or listing of residential real property, or any authorized agent of such party. The bill provides that prohibited mandatory disclosures include mandatory notifications in contracts, contract amendments or addenda, advertising, other promotional materials, and subsequent deeds after the initial deed is recorded, related to the sale of residential real estate. This bill is identical to <a href="#">HB 467</a>.</p> |
| <p><a href="#">SB 555 – Williams Graves, A.</a> – First-time homebuyer; creates a tax credit for taxable years 2024 through 2028</p> | <p><b>First-time homebuyer tax credit.</b> Creates a tax credit for taxable years 2024 through 2028 for individuals or married couples filing jointly who sell residential real property that is the taxpayer's primary residence and is located in the Commonwealth to a first-time homebuyer, as defined by the bill. Such credit will be equal to two</p>   |

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|   | percent of the sales price of the property, not to exceed \$5,000.   |
| <p><a href="#">SB 693 – Sturtevant, G.</a> – Residential land; prohibited acquisition, restrictions, civil penalty</p>    | <p><b>Prohibited acquisition of residential land; restrictions; civil penalty.</b> Restricts any partnership, corporation, or real estate investment trust that manages funds pooled from investors, is a fiduciary to such investors, and has \$50 million or more in net value or assets under management on any day during a taxable year from acquiring any interest in residential land, as defined in the bill, in the Commonwealth and requires registration with the Secretary of the Commonwealth on or after July 1, 2024. The bill requires the Secretary to report annually by December 1 on the registrations and any penalties assessed for failure to register and to submit such report to the Governor and the General Assembly. The bill also requires all real property tax bills to contain notice of such prohibited business ownership restrictions and registration requirements.</p> |
| <p><a href="#">SB 512 – Williams Graves, A.</a> – Income tax, state; adaptive repurposing of underutilized structures</p> | <p><b>Income tax credit; adaptive repurposing of underutilized structures.</b> Creates a nonrefundable income tax credit in taxable years 2024 through 2028 for eligible expenses, defined in the bill, incurred in converting office buildings to residential uses. The credit may be claimed only in the year during which a qualified converted building, defined in the bill, is placed into service and is equal to (i) 20 percent or (ii) 30 percent in an at-risk locality, defined in the bill, of the amount of eligible expenses incurred. No single taxpayer may claim more than \$2.5 million in credits in any single taxable year and the credit is subject to an aggregate annual cap of \$30 million.</p>  |
| <p><a href="#">HB 878 – Bulova, D.</a> – Affordable housing; purchase of development rights</p>                           | <p><b>Purchase of development rights for affordable housing.</b> Permits any local government to purchase development rights or accept the donation of development rights in an effort to preserve and provide affordable housing. The bill grants local governments the powers necessary to carry out the purchase of such development rights. The bill prohibits the conversion or diversion of such affordable housing once the development rights are purchased unless the local</p>   |

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|   | government determines that such diversion is essential to the development and growth of the locality and in accordance with the locality's comprehensive plan.  |
| <a href="#">HB 1446 – Coyner, C.</a> – Real Property Tax; assessment of real property used for affordable housing     | <b>Real property tax; assessment of real property used for affordable housing.</b> Requires the duly authorized real estate assessor of a locality to appraise affordable rental housing in accordance with the income approach, as described by the bill. The bill provides that, should the duly authorized real estate assessor fail to follow generally accepted appraisal practices, the assessment will not be entitled to a presumption of correctness, and if the owner then successfully appeals such assessment, the locality shall reimburse the owner for attorney fees and costs incurred. |
| <a href="#">HB 477 – Coyner, C.</a> – Eviction Diversion Pilot Program; extends expiration of program to July 1, 2025 | <b>Virginia Residential Landlord and Tenant Act; Eviction Diversion Pilot Program; expiration.</b> Extends the expiration of the Eviction Diversion Pilot Program to July 1, 2025. Currently, the Program is set to expire on July 1, 2024. This bill is a recommendation of the Virginia Housing Commission. This bill is identical to <a href="#">SB 50</a> .   |
| <a href="#">SB 50 – Locke, M.</a> – Eviction Diversion Pilot Program; extends expiration of program to July 1, 2025   | <b>Virginia Residential Landlord and Tenant Act; Eviction Diversion Pilot Program; expiration.</b> Extends the expiration of the Eviction Diversion Pilot Program to July 1, 2025. Currently, the Program is set to expire on July 1, 2024. This bill is a recommendation of the Virginia Housing Commission. This bill is identical to <a href="#">HB 477</a> .  |

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| <b>Local Land Use and Community Living Workgroup</b>   |  |
| <a href="#">HB 528 – Krizek, P.</a> – Property Owners' Association Act; managed conservation landscaping, unreasonable restrictions prohibited | <b>Property Owners' Association Act; managed conservation landscaping; unreasonable restrictions prohibited.</b> Provides that no association shall prohibit an owner from installing managed conservation landscaping, defined in the bill, upon such owner's property unless such prohibition was recorded in the declaration for the association. The bill allows |

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|  | <p>associations to establish reasonable restrictions concerning the management, design, and aesthetic guidelines for managed conservation landscaping features.</p>   |
| <p><a href="#">HB 1236 – Marshall, D.</a> – Local government actions related to comprehensive plans; approval process</p>    | <p><b>Local government actions related to comprehensive plans, local planning commissions, subdivision plats and site plans, and zoning ordinances; approval process.</b> Makes several changes to local government land use approval processes, including (i) prohibiting use of the comprehensive plan as the basis, in whole or in part, for the disapproval of a site plan that is otherwise in conformity with duly adopted standards, ordinances, and statutes and (ii) allowing automatic approval of certain land use applications rather than a right to petition the circuit court, as provided under current law, if a locality does not approve or disapprove the application within the required timeframe. The bill also reduces from 12 months to four months the time within which a locality must initially act upon certain proposed zoning ordinance amendments and requires a locality to act on all such proposed amendments to the zoning ordinance or map that it has previously disapproved within 45 days after an amended proposal has been resubmitted for approval.</p> |
| <p><a href="#">SB 721 – Mulchi, T.</a> – Local government actions related to comprehensive plans, etc.; approval process</p> | <p><b>Local government actions related to comprehensive plans, local planning commissions, subdivision plats and site plans, and zoning ordinances; approval process.</b> Makes several changes to local government land use approval processes, including (i) prohibiting use of the comprehensive plan as the basis, in whole or in part, for the disapproval of a site plan that is otherwise in conformity with duly adopted standards, ordinances, and statutes and (ii) allowing automatic approval of certain land use applications rather than a right to petition the circuit court, as provided under current law, if a locality does not approve or disapprove the application within the required timeframe. The bill also reduces from 12 months to four months the time within which a locality must initially act upon certain proposed zoning ordinance amendments and requires a locality to act on all such proposed amendments to the zoning ordinance or map that it has previously</p>   |

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|  | <p>disapproved within 45 days after an amended proposal has been resubmitted for approval.</p>   |
| <p><a href="#">HB 646 – Coyner, C.</a> – Zoning; certified recovery residence</p>  | <p><b>Zoning; certified recovery residence.</b> Requires that a locality's zoning ordinances for all purposes shall consider a certified recovery residence in which individuals with substance use disorder reside as residential occupancy by a single family. The bill specifies that no conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such certified recovery residence.</p>  |
| <p><a href="#">SB 123 – VanVulkenburg, S.</a> – Improvements, repairs, or maintenance of property; entering adjoining property, petition for entry</p> | <p><b>Improvements, repairs, or maintenance of property; entering adjoining property; petition for entry.</b> Allows an owner or lessee of real property who seeks to improve, repair, or maintain his property to petition the circuit court for a license to enter adjoining property for the purpose of performing the improvements, repairs, or maintenance when the property is so situated that it is impossible to perform the improvements, repairs, or maintenance without entering such adjoining property and permission to enter such adjoining property has been denied. The bill provides that such license shall be granted by the court in an appropriate case upon such terms as justice requires. No such entry shall be deemed a trespass, and the licensee shall be liable to the adjoining owner or his lessee for actual damages occurring as a result of the entry.</p> |
| <p><a href="#">Code of Virginia §36-167</a> Housing Revitalization Zone Fund Established</p>   | <p><b>§ 36-167. Housing Revitalization Zone Fund established.</b></p> <p>There shall be set apart as a permanent and perpetual fund, known as the "Housing Revitalization Zone Fund," sums appropriated to the Fund by the General Assembly, all income from investments of moneys held in the Fund, and any other sums designated for deposit to the Fund from any source, public or private. The Fund is created for the purpose of making grant payments to</p>   |

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|  | <p>qualified business firms and qualified owner occupants. The Fund shall be administered and managed by the Virginia Housing Development Authority, subject to the right of the Department to direct the distribution of grants from the Fund for the payment of grants awarded by the Department to qualified business firms and qualified owner occupants.</p>  |
| <p><a href="#">Code of Virginia Chapter 24.1</a> Urban Public-Private Partnership Redevelopment Fund</p> | <p>15.2-2415. Creation and management of the Urban Public-Private Partnership Redevelopment Fund.</p> <p>There is hereby established in the state treasury a permanent and perpetual fund to be known as the Urban Public-Private Partnership Redevelopment Fund. The Fund shall consist of sums appropriated to the Fund by the General Assembly; sums which may be allocated to the Commonwealth for this purpose by the United States government; all interest earned on moneys in the Fund; and any other sums designated for deposit to the Fund from any source, public or private. The Fund is created to address the serious problem of a lack of developable land in urban areas of the Commonwealth and the high cost of redeveloping such land. The Fund shall make grants or loans to local governments for assembling, planning, clearing, and remediating sites for the purpose of promoting such sites to private developers for redevelopment.</p> <p>The Fund shall be administered and managed by the Department as prescribed in this chapter. The Department may disburse from the Fund reasonable costs and expenses incurred in administration and management of the Fund.</p> |

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| <p><b>Accessory Dwelling Units Workgroup</b></p>   |   |
| <p><a href="#">HB 900 – Srinivasan, K.</a> – Zoning; developmental and use of accessory dwelling units</p> | <p><b>Zoning; development and use of accessory dwelling units.</b> Requires a locality to include in its zoning ordinances for single-family residential zoning</p> |

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|  | <p>districts accessory dwelling units, or ADUs, as defined in the bill, as a permitted accessory use. The bill requires a person to seek a permit for an ADU from the locality, requires the locality to issue such permit if the person meets certain requirements enumerated in the bill, and restricts the fee for such permit to \$100 or less. The bill prohibits the locality from requiring (i) dedicated parking for the ADU; (ii) lot sizes or setbacks for the ADU greater than that of the primary dwelling; (iii) consanguinity or affinity between the occupants of the ADU and the primary dwelling; and (iv) redundant water, sewer, or septic capacity for the ADU. The bill has a delayed effective date of January 1, 2025.</p>                                |
| <p><a href="#">SB 304 – Salim, A.</a> – Zoning developmental and use of accessory dwelling units</p> | <p><b>Zoning; development and use of accessory dwelling units.</b> Requires a locality to include in its zoning ordinances for residential zoning districts accessory dwelling units, or ADUs, as defined in the bill, as a permitted accessory use. The bill requires a person to seek a permit for an ADU from the locality, requires the locality to issue such permit if the person meets certain requirements enumerated in the bill, and restricts the fee for such permit to \$250 or less. The bill prohibits the locality from requiring rear or side setbacks for the ADU greater than that of the primary dwelling or consanguinity or affinity between the occupants of the ADU and the primary dwelling. The bill has a delayed effective date of July 1, 2025.</p> |