

**Unified Regulatory Plan of the Department of Housing and Community Development for  
State Fiscal Year 2025**

**Prepared on June 28, 2024**

## Agency Summary

The Department of Housing and Community Development (DHCD) oversees a number of statewide housing and community development programs and supports multiple boards that promulgate regulations and issue guidance documents related to housing, community development, building safety and construction standards, and units of local government. Boards with regulatory authority supported by DHCD are as follows: the Board of Housing and Community Development (BHCD), the Commission on Local Government (CLG), and the Manufactured Housing Board (MHB). The Board of Housing and Community Development is a state policy board and promulgates regulations related to housing, community development, building safety, and fire prevention. The Commission on Local Government promulgates regulations for the administration of its affairs as it assists with the implementation of Virginia laws governing the establishment, transition, and consolidation of units of local government, municipal annexation, the immunization of county areas from annexation, and the adjustment of local governmental boundaries. The Manufactured Housing Board issues licenses to manufacturers, dealers, brokers, and salespersons in the manufactured housing industry and promulgates regulations related to the implementation of the Manufactured Housing Licensing and Transaction Recovery Fund Law.

## Anticipated Regulatory Activities for State Fiscal Year 2025

<b>Action/Stage or Guidance Document Forum ID (if available)</b>	
Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b>	
Update to Virginia Telecommunication Initiative (VATI) Program Guidelines	
<b>Brief Overview</b>	
The Budget Language enabling the VATI program (Item 103 L.2., 2024 Special Session I Budget) requires DHCD to create program guidelines. Through a significant public engagement process, DHCD updates program guidelines on a yearly basis to ensure efficient use of state resources and to ensure all new legislative objectives are achieved.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input checked="" type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	Update to include stakeholder input and comply with most recent legislation while considering the requirements of Executive Directive 1 (2022) and Executive Order 19 (2022).
<b>Expected Date</b>	July 2024

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Issuance of Virginia Make Ready Initiative Guidelines and Criteria	
<b>Brief Overview</b> The Budget Language establishing the VATI Make Ready Initiative (Item 103 L.7., 2024 Special Session I Budget) requires DHCD to establish the program with an application process and scoring criteria. The guidance document will be issued by DHCD following public engagement and will create program guidelines in compliance with the enabling legislation.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input checked="" type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	Guidance document will comply with most recent legislation and requirements of Executive Directive 1 (2022) and Executive Order 19 (2022).
<b>Expected Date</b>	July 2024

<b>Action/Stage or Guidance Document Forum ID (if available)</b> 6314/10119	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Update after periodic review to conform to statute	
<b>Brief Overview</b> This regulatory action intends to update the MHB Public Participation Guidelines (13VAC6-11) to adhere to changes made in 2012 Acts of Assembly, Chapter 795. This action was initiated following a period review of the regulations and is anticipated to be noncontroversial as it only adds clarifying language.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	This action only adds clarifying language to existing regulations.

<b>Expected Date</b>	July 2024
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<b>Action/Stage or Guidance Document Forum ID (if available)</b> 6395/10329	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Amendments to accomplish regulatory reduction goals	
<b>Brief Overview</b> This regulatory action promulgated by the CLG is initiated to consider amendments to the Commission’s Organization and Regulations of Procedure (1VAC50-20) that will accomplish the directives related to regulatory reduction proscribed in Executive Order 19 (2022). The NOIRA stage for this action was completed on April 24, 2024.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	The goal of the action includes the review of discretionary requirements to determine whether such requirements impose burdens that may not be necessary to protect the public health, safety, and welfare in accordance with the regulatory reduction goal of Executive Directive Number One (2022) and Executive Order 19 (2022).
<b>Expected Date</b>	July 2024

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Repeal Rules and Regulations for the Virginia Low-Income Housing Tax Credit	
<b>Brief Overview</b> In 2016, Section 36-55.63 of the Code of Virginia was repealed. This Code Section enabled regulations to be promulgated by the BHCD for the Virginia Low Income Housing Tax Credit program. With the enabling legislation repealed, the regulation (13VAC5-175) should also be repealed.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track

<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Action
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary Action <input type="checkbox"/> Action required by state statute
<b>Deregulatory Component</b>	This action removes regulations no longer supported by enabling legislation. As such, this action will reduce regulations that no longer serve a purpose and minimize potential confusion.
<b>Expected Date</b>	August 2024

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Regulations to Address Local Fiscal Distress and State Intervention	
<b>Brief Overview</b> Chapter 426 of the 2024 Acts of Assembly (SB645) directs the CLG to act in an oversight capacity to determine whether a locality has taken appropriate actions related to fiscal distress. This regulatory action will establish guidelines and procedures for addressing local fiscal distress and state intervention. The emergency regulations will be used to publish the NOIRA for the permanent regulations.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Final <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Action
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary Action <input checked="" type="checkbox"/> Action required by state statute
<b>Deregulatory Component</b>	Regulations will comply with most recent legislation and requirements of Executive Directive 1 (2022) and Executive Order 19 (2022).
<b>Expected Date</b>	August 2024

<b>Action/Stage or Guidance Document Forum ID (if available)</b> 6445	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Regulatory Reduction Consideration Pursuant to EO19	
<b>Brief Overview</b> This regulatory action promulgated by the MHB is initiated to consider amendments to the Manufactured Housing Licensing Transaction Recovery Fund regulations (13VAC6-20) that will accomplish the directives related to regulatory reduction proscribed in Executive Order 19 (2022). The comment period for the NOIRA stage is scheduled to end July 31, 2024.	

<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	The goal of the action includes the review of discretionary requirements to determine whether such requirements impose burdens that may not be necessary to protect the public health, safety, and welfare in accordance with the regulatory reduction goal of Executive Directive Number One (2022) and Executive Order 19 (2022).	
<b>Expected Date</b>	September 2024	

<b>Action/Stage or Guidance Document Forum ID (if available)</b>		
Not Available		
<b>Title of Proposed Regulatory Action or Guidance Document</b>		
Regulations to Address Local Fiscal Distress and State Intervention		
<b>Brief Overview</b>		
Chapter 426 of the 2024 Acts of Assembly (SB645) directs the CLG to act in an oversight capacity to determine whether a locality has taken appropriate actions related to fiscal distress. This regulatory action will establish guidelines and procedures for addressing local fiscal distress and state intervention. The emergency regulations will be used to publish the NOIRA for the permanent regulations.		
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	Regulations will comply with most recent legislation and requirements of Executive Directive 1 (2022) and Executive Order 19 (2022).	
<b>Expected Date</b>	December 2024	

<b>Action/Stage or Guidance Document Forum ID (if available)</b> 6395	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Amendments to accomplish regulatory reduction goals	
<b>Brief Overview</b> This regulatory action promulgated by the CLG is initiated to consider amendments to the Commission's Organization and Regulations of Procedure (1VAC50-20) that will accomplish the directives related to regulatory reduction proscribed in Executive Order 19 (2022). The NOIRA stage for this action was completed on April 24, 2024.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	The goal of the action includes the review of discretionary requirements to determine whether such requirements impose burdens that may not be necessary to protect the public health, safety, and welfare in accordance with the regulatory reduction goal of Executive Directive Number One (2022) and Executive Order 19 (2022).
<b>Expected Date</b>	February 2025

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Update of Virginia Certification Standards Regulations	
<b>Brief Overview</b> This regulatory action promulgated by the BHCD will initiate a regular update of the Virginia Certification Standards (13VAC5-21) which establish standards for applicants for a certificate and the standards by which the applicant's eligibility will be evaluated. This update will incorporate the latest applicable model codes and standards, correlate with recent legislative changes, and will be reviewed for potential reductions in discretionary requirements.	
<b>Regulatory Stage (check one box)</b>	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document

<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary Action <input checked="" type="checkbox"/> Action required by state statute
<b>Deregulatory Component</b>	This update will incorporate the latest applicable model codes and standards, correlate with recent legislative changes, and will be reviewed for potential reductions in discretionary requirements.
<b>Expected Date</b>	February 2025

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Update of Virginia Amusement Device Regulations	
<b>Brief Overview</b> This regulatory action promulgated by the BHCD will initiate a regular update of the Virginia Amusement Device Regulations (13VAC5-31) which pertains to the construction, maintenance, operation, and inspection of amusement devices. This update will incorporate the latest edition of the referenced model codes and standards, correlate with recent legislative changes, and will be reviewed for potential reductions in discretionary requirements.	
<b>Regulatory Stage (check one box)</b>	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Final <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Action
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary Action <input checked="" type="checkbox"/> Action required by state statute
<b>Deregulatory Component</b>	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility for amusement device operators.
<b>Expected Date</b>	February 2025

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Update of Virginia Statewide Fire Prevention Code	
<b>Brief Overview</b> This regulatory action promulgated by the BHCD will initiate a regular update of the Virginia Statewide Fire Prevention Code (13VAC5-52) which pertains to the maintenance of structures, processes, and premises for the protection of life and property from the hazards of fire. This update will incorporate the latest edition of the referenced model codes and standards,	



correlate with recent legislative changes, and will be reviewed for potential reductions in discretionary requirements.	
<b>Regulatory Stage (check one box)</b>	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility in fire safety and maintenance standards.
<b>Expected Date</b>	February 2025

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Update of Virginia Uniform Statewide Building Code	
<b>Brief Overview</b> This regulatory action promulgated by the BHCD will initiate a regular update of the Virginia Uniform Statewide Building Code (13VAC5-63) which establishes construction standards for buildings and structures to be constructed at the least possible cost consistent with recognized standards of health, safety, and welfare. This update will incorporate the latest edition of the referenced model codes and standards, correlate with recent legislative changes, and will be reviewed for potential reductions in discretionary requirements.	
<b>Regulatory Stage (check one box)</b>	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility in construction methods.
<b>Expected Date</b>	February 2025

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Update of Virginia Industrialized Building Safety Regulations	
<b>Brief Overview</b> This regulatory action promulgated by the BHCD will initiate a regular update of the Virginia Industrialized Building Safety Regulations (13VAC5-91) which establish a uniform statewide construction standard for industrialized buildings to ensure safety to life, health, and property. This update will incorporate the latest edition of the referenced model codes and standards, correlate with recent legislative changes, and will be reviewed for potential reductions in discretionary requirements.	
<b>Regulatory Stage (check one box)</b>	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional Description</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary Action
<b>Deregulatory Component</b>	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility for industrialized building construction.
<b>Expected Date</b>	February 2025

<b>Action/Stage or Guidance Document Forum ID (if available)</b> Not Available	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Update of Virginia Manufactured Home Safety Regulations	
<b>Brief Overview</b> This regulatory action promulgated by the BHCD will initiate a regular update of the Virginia Manufactured Home Safety Regulations (13VAC5-95) which pertain to the production of manufactured housing and are guided by federal statutes. This action will incorporate the latest Federal Construction Standards of the US Department of Housing and Community Development, correlate with recent legislative changes, and will be reviewed for potential reductions in discretionary requirements.	
<b>Regulatory Stage (check one box)</b>	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
<b>Additional</b>	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Guidance Document

<b>Description</b>	<input type="checkbox"/> Exempt Action
<b>Legal Authority</b>	<input checked="" type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary Action <input checked="" type="checkbox"/> Action required by state statute
<b>Deregulatory Component</b>	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility for manufactured home production.
<b>Expected Date</b>	February 2025