



# Virginia Housing Coalition

## Virginia Housing Coalition 2009 Legislative Priorities

### 2009 Sine Die (“Next to the Last”) Report

The 2009 General Assembly Session is not quite complete, as the House and Senate return for the Reconvened Session (Veto Session) on Wednesday, April 8<sup>th</sup>. On this one day, each house will consider the veto’s and recommendations for changes that the Governor has communicated to the House and Senate.

This report provides the current status of each bill or resolution followed on behalf of the Coalition this Session.

First, the Coalition’s policy priorities are listed – starting with the Housing Trust Fund. While the bill reintroduced by Sen. Mary Margaret Whipple ultimately failed, SB 1055 passed the Senate for the first time, thanks to an expanded cadre of advocates and the hard work of the Coalition’s members.

Positive policy change has passed both houses and is approved by the Governor in three of the six policy goals – (1) including reference to affordable housing in the new Urban Develop Areas required of certain localities, (2) increasing the limit on allowable tax credits for “liveable home” improvements in residential property, and (3) reforming the enabling statutes for localities addressing blighted properties. The first two bills were introduced at the request of the Coalition.

The Governor is recommending improvements to one bill supported by the Coalition – HB 2150 – which improves access by local governments to information about foreclosed properties. The Governor’s changes will further improve the bill, and is supported by the Coalition.

Legislation to achieve the final policy amendment – clarifying local authority to establish housing trust funds – is the Coalition’s goal for the 2010 General Assembly.

Elsewhere in the report, two other bills with Governor’s amendments will be considered at the Veto Session:

- HB 2096 – Affordable housing; localities allowed to waive certain fees for 501(c)3 organizations developing affordable housing; and
- HB 1788 / SB 1276 – Related to alternative onsite sewage systems.

**State Housing Trust Fund:** The Virginia Housing Coalition will be seeking the introduction of legislation to create a State Housing Trust Fund. Such legislation has been introduced in the last three sessions of the General Assembly. While the current fiscal crisis precludes the possibility of providing substantial funding to this initiative, the Coalition is dedicated to continuing the dialogue about how best to structure this effort when state budget conditions improve. Virginia remains as one of only a handful of states that do not have a state housing trust fund. The current housing crisis is a reminder that a flexible source of funds that are dedicated to improving housing opportunities can be a valuable asset to the Commonwealth – not just for families in need of housing but to impact overall economic conditions through the housing sector.

**SB 1055 - Housing Trust Fund; dedicating revenues to provide affordable housing.**

Would have established special, permanent, nonreverting fund to provide affordable housing in the Commonwealth. The bill also provides that a portion of the fund shall be used to provide matching funds to localities that have both established a local housing fund and appropriated local moneys to the fund. Under the bill, the Department of Housing and Community Development is required to establish criteria for the allocation of the matching funds to eligible localities and to annually report on the allocation of matching funds. In addition, the bill authorizes grants to be made from the Fund to support innovative housing projects and low and moderate income housing projects that are located in areas experiencing extreme shortages of such housing as well as rural housing initiatives. The bill also changes the name of the Virginia Housing Partnership Revolving Trust Fund to the Virginia Housing Trust Fund. This bill is recommended by the Virginia Housing Commission.

Patrons: Whipple, Howell, Puller and Ticer; Delegates: Amundson, Brink, Ebbin, Eisenberg, Englin, Marsden, Peace, Plum, Sickles, Vanderhye and Watts

01/21/09 Senate: Reported from General Laws and Technology with amendment (13-Y 0-N)

01/21/09 Senate: Rereferred to Finance

02/05/09 Senate: Reported from Finance (11-Y 4-N)

02/10/09 Senate: Passed Senate (23-Y 17-N)

02/16/09 House: Assigned App. sub: Economic Development, Agriculture and Natural Resources

02/19/09 House: Subcommittee recommends laying on the table

02/28/09 House: Left in Appropriations (The bill failed.)

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**Land Use and Affordable Housing:** As the Commonwealth moves toward developing more efficient land use patterns that reduce sprawl, the Coalition sees the opportunity to encourage localities to include affordable workforce housing in their planning efforts. We are seeking an amendment to HB 3202 (the 2006 comprehensive transportation bill) that will ensure that affordable housing is incorporated into the planning for the Urban Development Areas (UDA's) that are mandated in the legislation. The purpose of the UDA's is to allow for more efficient transportation patterns through higher housing development densities. In order to make this strategy successful, UDA's will need to incorporate the full range of housing types and costs so that a broad range of housing options will be accommodated.

**SB 1487 Comprehensive plan; requires urban development areas to provide for mix of residential housing, etc.**

Authorizes that a locality's comprehensive plan may provide for a mix of residential housing types, including affordable housing, to meet projected family income distributions of future residential growth, in any designated urban development areas (UDAs). *(This bill was introduced at the request of the Virginia Housing Coalition.)*

Patron: Vogel

02/03/09 Senate: Reported from Local Government (10-Y 4-N)

02/09/09 Senate: Read third time and passed Senate (33-Y 7-N)

02/13/09 House: Referred to Committee on Counties, Cities and Towns

02/20/09 House: Reported from Counties, Cities and Towns with amendment (changed "shall" to "may") (18-Y 4-N)

02/24/09 House: Passed House with amendment (96-Y 2-N)

02/25/09 Senate: House amendment agreed to by Senate (34-Y 4-N)

03/27/09 Governor: Approved by Governor-Chapter 327 (effective 7/1/09)

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**Local and Regional Housing Trust Funds:** Currently, the only mention of local Housing Trust Funds in the State Code appears in the Affordable Dwelling Unit ordinance description. Several localities have already established such funds (notably Fairfax and Charlottesville) but these are still the exception. We propose to create a much clearer enabling provision. This should be located in Virginia Code §15.2 and make clear that cities, counties and towns (as well as regional consortiums of the above) are authorized to create local housing trust funds that will be able to receive funds from: dedicated local revenues, state sources, and other public and private sources. Jurisdictions will be permitted to establish rules for expenditure of these funds that will advance the development, construction and operation of affordable housing pursuant to the plans of the locality or regional consortium.

*No legislation introduced this Session.*

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**Foreclosure Notification:** The Commonwealth, while in substantially better shape than many states, is experiencing double digit increases in the number of home foreclosures. This trend is expected to continue through 2009. The Federal Government has recently provided \$45m to the state and localities for the purpose of acquiring, rehabilitating and re-selling foreclosed properties in order to mitigate the impact that foreclosures are having in some neighborhoods. In order to access these funds, jurisdictions must be able to identify particular neighborhoods where foreclosures are concentrated and provide accurate data on the number and pace of foreclosures. The Coalition will be seeking legislation that requires lenders to report foreclosures and voluntary conveyances to the locality on a timely basis after the foreclosure sale or voluntary conveyance. This information should include the street address, building type, property value at time of property transfer and contact information for the new owner.

**HB 2150** - Notice of sale; locality in Planning District 8 to adopt ordinance to give notice to admin. officer.

Permits localities in Planning District 8 (northern Virginia) to adopt an ordinance to require that a notice be given to the chief administrative officer when residential property becomes subject

to a sale under a deed of trust. *(This bill was introduced at the request of Fairfax County. The bill was statewide when introduced, and amended in the House to authorize northern Virginia jurisdictions only. The Senate's amendment defines "residential property" for the purpose of these ordinances.)*

Patron: Rust

02/05/09 House: Subcommittee recommends reporting with amendment(s)  
02/06/09 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N)  
02/10/09 House: Passed House BLOCK VOTE (99-Y 0-N)  
02/17/09 Senate: Reported from Local Government with amendment (15-Y 0-N)  
02/23/09 Senate: Passed Senate with amendment (40-Y 0-N)  
03/30/09 House: Governor's recommendation received by House

*NOTE: As passed the bill contains a paragraph that puts responsibility on the local government to go after information on foreclosures when the mortgage loan secured by the deed of trust has been registered with a national mortgage loan electronic registration system (v. the lender being responsible for giving the information to the local government)  
The Governor's proposed amendments clarify that the mortgage holder is not relieved of the responsibility to provide the information unless the local government "has" (not "may have") access to such a system.*

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**Uniform Legislation for Blighted and Derelict Structures:** The current legislation addressing blighted properties is fragmented and not uniform across all localities. A comprehensive reformulation of enabling statutes for localities addressing blighted properties is currently being drafted in conjunction with localities, local housing authorities and the building industry. The Coalition expects to work aggressively for the passage of this legislation which will simplify and enhance the ability of localities to address neighborhood blight and derelict structures.

**HB 1671 - Derelict buildings and structures; locality authorized to require removal, repair, etc., thereof.**

Defines derelict buildings as a building, whether or not construction has been completed, that might endanger the public's health, safety, or welfare and has been (i) vacant, (ii) boarded up in accordance with the building code, and (iii) not lawfully connected to electric service from a utility service provider or not lawfully connected to any required water or sewer service from a utility service provider for a continuous period in excess of six months. Authorizes local governments to incentivize owners' timely submission of a plan for demolition or renovation, by providing real estate tax abatements and fee refunds. Simplifies tax lien enforcement and blight provisions and encourages action on derelict buildings by adjusting time frames. This bill is recommended by the Virginia Housing Commission. This bill is identical to SB 1094.

Patrons: Dance, Alexander, BaCote, Bouchard, Hall, Herring, Howell, A.T., Ingram, Marshall, D.W., Mathieson, McClellan, McQuinn, Melvin, Miller, P.J., Spruill, Toscano, Tyler, Ward and Ware, O.

03/27/09 Governor: Approved by Governor-Chapter 181 (effective 7/1/09) (HB 1671)

**SB 1094 - Derelict buildings and structures; locality authorized to require removal, repair, etc., thereof.**

Patrons: Locke, Lucas, Miller, Y.B. and Whipple

*(History for SB 1094)*

01/27/09 Senate: Reported from Local Government with amendments (8-Y 6-N 1-A)  
02/03/09 Senate: Committee amendments rejected  
02/03/09 Senate: Floor substitute printed 097689288-S1 (Obenshain )  
02/04/09 Senate: Read third time and passed Senate (37-Y 3-N)  
02/13/09 House: Reported from Counties, Cities and Towns with substitute (20-Y 0-N)  
02/17/09 House: Passed House with substitute (82-Y 13-N)  
03/27/09 Governor: Approved by Governor-Chapter 551 (effective 7/1/09) (SB 1094)

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**Livable Home Tax Credit (58.1-339.7):** This existing state income tax credit provides an incentive to owners who make accessibility improvements to their residences. The Coalition is seeking changes that will make the program more effective by increasing the credit cap per unit from \$500 to \$2,000, by increasing the credit percentage from 25% to 50% and refunding the credit when the taxpayer does not have sufficient tax liability. These changes will serve to encourage accessibility improvements by allowing the credit to cover an increased share of the cost. For example, under the current program, if the owner spends \$3,000 on accessibility improvements, they would qualify for a maximum credit of \$500. Under these revisions, the owner could receive a credit of \$2,000. Since many owners who need to make accessibility improvements have limited incomes, the increase in these limits should encourage more disabled persons to access the program. We are not proposing, at this time, to raise the overall program cap – keeping this change budget neutral.

**HB 1938 - Income tax, state; increases livable home tax credit.**

Increases the individual tax credit limit from \$500 to \$2,000 and the 25 percent amount for retrofitting to 50 percent for taxable years beginning on or after January 1, 2010. This bill incorporates HB 2343 (Amundson). *(This bill was introduced at the request of the Virginia Housing Coalition. SB 845 (Puller) was changed by its patron to mirror HB 1938 at the request of the Coalition.)*

Patrons: Peace, Bell, Lohr, McClellan, O'Bannon and Rust

01/26/09 House: Reported from Finance with substitute (21-Y 0-N)  
01/29/09 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)  
02/10/09 Senate: Reported from Finance (16-Y 0-N)  
02/12/09 Senate: Passed Senate (40-Y 0-N)  
02/23/09 Governor: Approved by Governor-Chapter 15 (effective 7/1/09)

**SB 845 - Livable home tax credit; increase limit on or after January 1, 2010.**

Patron: Sen. Puller

01/27/09 Senate: Reported from Finance with substitute (16-Y 0-N)  
01/30/09 Senate: Read third time and passed Senate (39-Y 0-N)  
02/18/09 House: Passed House BLOCK VOTE (98-Y 0-N)  
03/27/09 Governor: Approved by Governor-Chapter 496 (effective 7/1/09)

## Other Bills of Interest to the Coalition

### FAIR HOUSING

**HB 1625 - Fair housing protections; allows localities to expand beyond classes protected by state law.**

This bill would have allowed localities to expand fair housing protections beyond the classes protected by state law.

Patron: Englin

01/21/09 House: Subcommittee recommends laying on the table by voice vote

02/10/09 House: Left in General Laws (The bill fails.)

**HB 2668 - Fair Housing Law; unlawful discrimination when based on sexual orientation.**

Would have added discrimination based on sexual orientation as an unlawful discriminatory housing practice.

Patron: Scott, J.M.

02/10/09 House: Left in General Laws (The bill fails.)

### AFFORDABLE HOUSING

**HB 2096 - Affordable housing; localities waive certain fee for organization with primary purpose of assisting.**

Allows localities to waive certain fees for 501(c)(3) organizations with a primary purpose of assisting with the provision of affordable housing. (Requested by Habitat for Humanities chapter)

Patron: Orrock

03/30/09 House: Governor's recommendation received by House

*NOTE: The Governor's proposed amendment expands the authority beyond just "construction" of new housing to include "renovation or rehabilitation" as well.*

**HB 2132 - Workforce housing; locality may offer housing assistance grants to school division personnel.**

Provides that localities, in cooperation with the school board, may pursue housing assistance for its employees.

Patron: Miller, Jackson H.

03/27/09 Governor: Approved by Governor-Chapter 198 (effective 7/1/09)

**HB 2661 - Recordation tax; exemption.**

Would have eliminated the state's share of the recordation tax applied to a property's first \$200,000 of value on transactions between April 1, 2009, and ending September 30, 2009.

Patrons: Peace, Hugo and Pollard

02/10/09 House: Left in Appropriations (The bill fails.)

### REVITALIZATION

**HB 1936 - Resources Authority; authorized to finance any program to perform site acquisition develop work.**

Clarifies that the Virginia Resources Authority is authorized to finance any program or project to

perform site acquisition or site development work for economic and community development projects for any local government. This bill is identical to SB 1476.

Patron: Ingram

02/23/09 Governor: Approved by Governor-Chapter 14 (effective 7/1/09)

**HB 2027 - Derelict buildings; recycled goods.**

Allows for an owner of a building to apply to a locality and request that a building that fulfills certain conditions, be declared a derelict building and for the owner to receive a real estate tax abatement and allow for the building materials to be recycled.

Patron: Marshall, D.W.

01/29/09 House: Subcommittee recommends referring to VA Housing Commission by voice vote

01/30/09 House: Passed by in Counties, Cities and Towns with letter (The bill failed; however, this issue will be addressed by the Virginia Housing Commission in 2009.)

**HB 2120 - Graffiti abatement; permits localities to charge property owner for cost thereof.**

Permits localities to charge a property owner for the cost or expenses of abating graffiti that occurs on his vacant property, and to collect such charges as taxes are collected. If the charges remain unpaid, they shall constitute a lien and become enforceable in the same manner as unpaid local taxes.

Patron: Nichols

01/30/09 House: Incorporated by Counties, Cities and Towns (HB2138-Miller, J.H.)

**HB 2138 - Graffiti abatement; permits localities to charge property owner for cost thereof.**

Defines "defacement" to mean the unauthorized application by any means of any writing, painting, drawing, etching, scratching, or marking of an inscription, word, mark, figure, or design of any type. Permits localities to charge a property owner for the cost or expenses of removing defacement that occurs on a public or private building, wall, fence, or other structure located on an unoccupied property. Every charge that remains unpaid shall constitute a lien against such property, but no lien shall be chargeable to the owners of such property unless the locality shall have given a minimum of 15 days notice to the property owner prior to the removal of the defacement. This bill is identical to SB 1369.

Patron: Miller, J.H.

03/27/09 Governor: Approved by Governor-Chapter 462 (effective 7/1/09)

**SB 1369 - Graffiti abatement; permits localities to charge property owner for cost thereof.**

Patrons: Barker and Puller; Delegates: Nichols and Sickles

03/27/09 Governor: Approved by Governor-Chapter 319 (effective 7/1/09)

**SB 849 - Vacant building registration; Towns of Blacksburg and Vienna may require owner to register.**

Would have provided that the Towns of Blacksburg and Vienna may require the owner of a building that has been vacant for a continuous period of 12 months to register such building and may charge an annual registration fee not to exceed \$25. Failure to register may result in a civil penalty. The current provisions apply only to the Town of Pulaski and any city in the Commonwealth.

Patron: Edwards

02/20/09 House: Tabled in Counties, Cities and Towns (The bill fails.)

**LAND USE**

**HB 1681 - Wells, private; requires site plan to be included in an application for permit to construct.**

Requires a site plan, but not a survey plat, to be included in an application for a permit to construct a private well. Also clarifies that it is the landowner's responsibility to ensure that the well is located on his property.

Patron: Lewis

02/25/09 Governor: Approved by Governor-Chapter 59 (effective 7/1/09)

**HB 1788 - Alternative on-site sewage systems; no locality shall prohibit use thereof.**

Clarifies the locality's power to regulate nonconventional sewage disposal systems by prohibiting localities from prohibiting the use of such systems. This bill is identical to SB 1276.

Patrons: Hull and Knight

03/30/09 House: Governor's recommendation received by House

*NOTE: As passed, the bills require localities to permit the installation of any Health Department-approved alternative onsite septic system (AOSS) as soon as Boards of Professions' regulations for licensing AOSS system installers become effective. The bills also prohibit localities from imposing local AOSS maintenance standards on the systems once the State Board of Health promulgates its own operation and maintenance regulations. Neither regulation is currently in place.*

*The Governor's proposed amendments would delay BOTH restrictions on local governments until BOTH sets of state regulations are in place.*

**SB 1276 - Alternative on-site sewage systems; no locality shall prohibit use thereof.**

Stephen H. Martin

03/30/09 Senate: Governor's recommendation received by Senate (Same as for HB 1788)

**HB 2029 - Subdivision ordinances; bonding requirements.**

Reduces the bonding requirement from 25 percent to 10 percent of estimated construction costs for the administrative allowance required from a developer. This provision will sunset in 5 years.

Patron: Marshall, D.W.

03/27/09 Governor: Approved by Governor-Chapter 193 (effective 7/1/09)

**HB 2034 - Plats; extends period of validity with phased developments.**

Extends the period of plat validity with phased developments.

Patron: Lingamfelter

03/27/09 Governor: Approved by Governor-Chapter 194 (effective 7/1/09)

**HB 2055 - Development rights; makes extensive changes to provisions for making transfer process more usable.**

Makes extensive changes to provisions initially passed in 2006 for the purpose of making the transfer of development rights process more useable for property owners and localities. The amendments make clear that development rights may be severed but not immediately affixed to a receiving property. Other changes state that a locality may provide in its ordinance for (i) the owner of such development rights to make application to the locality for a real estate tax abatement for a period up to 25 years, to compensate the owner of such development rights for the fair market value of all or part of the development rights, (ii) the owner of a property to request designation by the locality of the owner's property as a "sending property" or a "receiving property," and (iii) the receiving areas to include such urban development areas in the locality established. Also, any proposed severance or transfer of development rights shall only be initiated upon application by the property owners of the sending properties, development rights, or receiving properties, and

a locality may not require property owners to sever or transfer development rights as a condition of the development of any property. This is a recommendation of the Joint Subcommittee Studying Transfer of Development Rights. This bill is identical to SB 1418.

Patrons: Lohr, Athey, Bell, Bowling, Caputo, Cline, Crockett-Stark, Gilbert, Iaquinto, Kilgore, Knight, Landes, Lewis, Marshall, D.W., Massie, Merricks, Orrock, Peace, Poindexter, Scott, E.T., Sherwood, Shuler and Toscano; Senator: Vogel

03/27/09 Governor: Approved by Governor-Chapter 413 (effective 7/1/09)

**SB 1418 - Development rights; permits localities to enact an ordinance.**

Patrons: Vogel and Stuart; Delegate: Cole

03/30/09 Governor: Approved by Governor-Chapter 731 (effective 7/1/09)

**HB 2077 - Land use actions; extension of approvals to address housing crisis.**

Extends the period of validity for certain preliminary and recorded plats and final site plans, as well as certain other land use approvals, to July 1, 2014.

Patrons: Oder, Byron and Peace

03/27/09 Governor: Approved by Governor-Chapter 196 (effective 7/1/09)

**HB 2322 - Urban development areas; counties shall have until July 1, 2011, to amend comprehensive plans.**

Provides that cities and towns shall have until July 1, 2012, to amend their comprehensive plans in accordance with the provisions of § 15.2-2223.1. Currently, counties have until July 1, 2011, to amend their comprehensive plans in accordance with the provisions of § 15.2-2223.1.

Patrons: Athey and Rust

03/27/09 Governor: Approved by Governor-Chapter 469 (effective 7/1/09)

**HB 2613 - Cash proffers; requires localities to phase out acceptance thereof.**

This bill would have required localities to phase out the acceptance of cash proffers by July 1, 2014.  
Patron: Hall

02/06/09 House: Tabled in Counties, Cities and Towns (The bill fails.)

**SB 1533 - Special use permits; extension of expiration dates.**

Extends the expiration of special use permits that were valid and outstanding as of January 1, 2009, to July 1, 2011.

Patron: Saslaw

03/27/09 Governor: Approved by Governor-Chapter 636 (effective 7/1/09)

## **RENTAL PROPERTIES**

**HB 2080 - Landlord and tenant laws; landlord to give same notice to tenant for application of insecticides.**

Requires the landlord to give the same notice to the tenant for the application of insecticides as is required for pesticide applications, and requires the tenant to prepare the dwelling unit for the application of insecticides or pesticides in accordance with any written instructions of the landlord, and if insects or pests are found to be present, to follow any written instructions of the landlord to eliminate the insects or pests following the application of insecticides or pesticides. The bill also (i) eliminates the landlord's obligation to pay all costs for mold remediation where the mold is a result of the tenant's failure to maintain the dwelling

unit; (ii) eliminates a tenant's right to repair, replace, or clean a damaged item in the dwelling unit and instead allows the landlord to do so and charge all costs to the tenant, which costs shall be due on the next rent due date; (iii) changes the cap on liquidated damages penalties included in a rental agreement to 150% of the per diem of the monthly rent; and (iv) amends the schedule of interest rates on security deposits between January 1, 2009 and December 31, 2009. The bill requires the landlord to provide notice to the tenant in the event of foreclosure under certain circumstances. The bill contains technical amendments.

Patron: Oder

03/30/09 Governor: Approved by Governor-Chapter 663 (effective 7/1/09)

**HB 2106 - Neighborhood Assistance Act tax credits; landlords participating in housing choice voucher programs.**

Would have allocated \$4.5 million in Neighborhood Assistance Act tax credits to landlords participating in housing choice voucher programs for low-income tenants.

Patrons: McClellan and Englin; Senator: McEachin

02/10/09 House: Left in Finance (This bill fails.)

**HB 2129 - Landlord and tenant laws; notice to tenant in event of foreclosure.**

Would have required a landlord to give written notice to the tenant of a mortgage default, notice of mortgage acceleration, or notice of foreclosure sale relative to the loan on the dwelling unit, within five business days after written notice from the lender is received by the landlord. The bill provides that it does not apply (i) to any managing agent who does not receive a copy of such written notice from the lender or (ii) if the tenant provides a copy of the written notice from the lender to the landlord or the managing agent.

Patron: Nichols

01/28/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/16/09 Senate: Passed Senate with amendments (40-Y 0-N)

02/19/09 House: Senate amendments rejected by House (1-Y 98-N)

02/23/09 Senate: Senate insisted on amendments (40-Y 0-N)

02/25/09 House Conferees: Delegates: Nichols, Jones, Oder

02/25/09 Senate Conferees: Senators: Herring, McEachin, Petersen

02/28/09 House: No further action taken

02/28/09 House: Failed to pass in House

**HB 2659 - Residential Landlord and Tenant Act; duplex shall be deemed to be one single-family residence.**

Provides that a duplex shall be deemed to be one single-family residence. The bill defines duplex.

Patron: Fralin

02/10/09 House: Left in General Laws (The bill fails.)

**SB 1019 - Neighborhood Assistance Act tax credits; landlords participating in housing choice voucher programs.**

Would have allocated \$4.5 million in Neighborhood Assistance Act tax credits to landlords participating in housing choice voucher programs for low-income tenants. The bill also would have increased the annual amount of Neighborhood Assistance Act tax credits from \$12 million to \$12.5 million, with the \$500,000 increase coming from a transfer of tax credits that are currently reserved for the low-income housing credit under § 58.1-435.

Patron: McEachin

02/02/09 Senate: Read third time and passed Senate (39-Y 0-N)

02/28/09 House: Left in Finance (The bill fails.)

## RESIDENTIAL HOME OWNERSHIP AND FORECLOSURE

### HB 1688 - Deed of trust; additional requirements applicable to foreclosures, notices, and reinstatement right.

Would have required certain institutional lenders that are the beneficiary of a first priority deed of trust securing a loan on residential real property that is the primary residence of the grantor, within two days after characterizing the loan as being in default, accelerating the balance due on the loan, or otherwise instituting collection proceedings on the loan as a result of the grantor's failure to make any payment due on the loan, to send written notice to the grantor that the beneficiary has taken such action with respect to the loan, and informing the grantor of any programs or options that the beneficiary provides, conducts, or has knowledge of, that may permit the grantor to avoid foreclosure of the deed of trust, and a telephone number or Internet address through which the grantor may find contact information for counseling agencies approved by the U.S. Department of Housing and Urban Development. The measure prohibits the beneficiary of such a loan that is in default status from unreasonably refusing to provide information regarding the status of the loan or to reply to inquiries from the grantor regarding the status of the loan or programs or options that may permit the grantor to avoid foreclosure. The measure also gives the grantor a new right, exercisable at any time, up to the date of the sale of the property, to cure the default, de-accelerate, and reinstate the loan by paying all sums that would have been due in the absence of default and performing any other obligation that the grantor would have been bound to perform in the absence of the default or acceleration. The grantor may exercise the right to cure a default as to a particular loan and reinstate that mortgage once every 18 months. The measure expires January 1, 2012. This bill has been incorporated into HB 2261.

Patron: Tata

02/06/09 House: Incorporated by Courts of Justice (HB2261-Kilgore)

### HB 1776 - Mortgage Lender and Broker Act; broker duties and liability.

Prohibits a mortgage broker from failing to use reasonable skill, care, and diligence in exercising the broker's duty, which is created hereby, to make reasonable efforts to secure a mortgage loan that is in the best interests of the applicant, considering the applicant's circumstances and loan characteristics. A borrower who suffers a loss as a result of a breach of such duty may bring an action to recover actual damages. SB 1020 is identical.

Patrons: McClellan, Peace and Valentine; Senator: McEachin

03/27/09 Governor: Approved by Governor-Chapter 189 (effective 7/1/09)

### SB 1020 - Mortgage Lender and Broker Act; broker duties and liability.

Patron: McEachin

03/27/09 Governor: Approved by Governor-Chapter 261 (effective 7/1/09)

### HB 1785 - Disclosure requirements; adds to list of exceptions.

Adds to the list of exceptions to disclosure requirements a disposition of a lot by a sale at an auction, where the association disclosure packet was made available as part of an auction package for prospective purchasers prior to the auction sale.

Patron: Hull

02/25/09 Governor: Approved by Governor-Chapter 69 (effective 7/1/09)

### HB 1787 - Mortgage Lender and Broker Act; homeownership education program.

Would have prohibited licensed mortgage lenders and mortgage brokers and certain other persons exempt from the licensing requirements of the Mortgage Lender and Broker Act from committing to make a high-risk mortgage loan unless the prospective borrower has completed a homeownership education course that has been approved by the Federal National Mortgage Association, Federal Home Loan Mortgage

Corporation, the Bureau of Financial Institutions, or the Virginia Housing Development Authority.  
Patron: Hull

02/03/09 House: Tabled in Commerce and Labor (The bill fails.)

**HB 1856 - Residential Property Disclosure Act; disclosure of stormwater detention facilities.**

Provides that an owner of real property disclose that no representations are being made with respect to the presence of any stormwater detention facilities located on the property and that purchasers are advised to exercise whatever due diligence they deem necessary to determine the presence of any stormwater detention facilities on the property, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event, prior to settlement pursuant to that contract.

Patrons: Shannon; Senator: Petersen

03/30/09 Governor: Approved by Governor-Chapter 641 (effective 7/1/09)

**HB 2030 - Mortgage Lender and Broker Act; eliminates provision that lenders, etc., are required to conduct.**

Repeals provisions enacted in 2008 that require licensed mortgage lenders and brokers (i) to conduct background checks on employees who may have access to or process personal identifying or financial information from a member of the public and (ii) to ensure that their employees are properly trained in applicable state and federal mortgage lending laws and regulations.

Patron: Marshall, Danny W.

03/27/09 Governor: Approved by Governor-Chapter 452 (effective 7/1/09)

**HB 2031 - Mortgage loan originators; definition, establishes licensure and registry.**

Prohibits an individual from acting as, or holding himself out to the public as being, a mortgage loan originator on or after July 1, 2010, unless he has obtained a license from the State Corporation Commission (SCC). The measure implements requirements of the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008, which allows states to retain regulatory authority over mortgage loan originators if they enact legislation that provides for the licensing and registration of such persons through the Nationwide Mortgage Licensing System and Registry. The measure establishes licensing procedures and criteria, including requirements for bonding, background checks, education, testing, continuing education, investigations, examinations, reporting, payment of annual fees, license suspension and revocation, and fines. The measure also provides for the SCC, to the extent practicable, to include in any written memorandum of understanding or other written agreement with the Registry provisions that address information security, disclosure of pending or incompletely adjudicated regulatory matters, licensing tests limited to specific products and services, reports on examination results, privilege or confidentiality of information, and review of the Registry's proposed budget, fees, and audited financial statements. SB 1171 is identical.

Patrons: Marshall, Danny W. and Hull

03/27/09 Governor: Approved by Governor-Chapter 453 (effective 7/1/09)

**SB 1171 - Mortgage loan originators; definition, establishes licensure and registry.**

Patron: Watkins

03/27/09 Governor: Approved by Governor-Chapter 273 (effective 7/1/09)

**HB 2261 - Consumer Protection Act; foreclosure rescues.**

Provides that the prohibition on fraudulent acts or practices committed by a supplier in a consumer transaction involving residential real property owned and occupied as the primary dwelling unit of the owner applies when the supplier of service to avoid or prevent foreclosure charges or receives a fee (i) prior to the full and complete performance of the services it has agreed to perform, if the transaction does not involve the

sale or transfer of residential real property, or (ii) prior to the settlement on the sale or transfer of residential real property, if the transaction involves the sale or transfer of the property. Currently, any practice where a supplier of a foreclosure avoidance or prevention service is to be paid a fee prior to the settlement on a sale of residential real property is prohibited, regardless of whether the fee is charged or collected as part of the transaction involving a sale of the property. The measure also clarifies that the existing prohibition on mandatory arbitration in an agreement with a property owner applies only to transactions involving foreclosure rescue services. This bill incorporates HB 1688. This bill is identical to SB 1169.

Patrons: Kilgore, Athey, Crockett-Stark, Nutter and Tata

03/27/09 Governor: Approved by Governor-Chapter 203 (effective 7/1/09)

**SB 1169 - Consumer Protection Act; foreclosure rescues.**

Patron: Watkins

03/27/09 Governor: Approved by Governor-Chapter 272 (effective 7/1/09)

**HB 2262 - Mortgage Lender and Broker Act; authorizes SCC to request Attorney General to investigate violation.**

Provides that no person in the business of originating residential mortgage loans shall use any deception, fraud, false pretense, false promise, or misrepresentation in connection with a mortgage loan transaction and authorizes the Attorney General to investigate any such violations. The Attorney General may bring an action in circuit court to enjoin any such violations. If a person is found to have committed a willful violation, the Attorney General may recover a civil penalty of not more than \$2,500 per violation. The Attorney General may also recover damages, restitution on behalf of borrowers, other costs and expenses, and attorney fees. The bill does not create a private right of action in favor of any person aggrieved by a violation. This bill is identical to SB 1170.

Patrons: Kilgore and Athey

03/27/09 Governor: Approved by Governor-Chapter 204 (effective 7/1/09)

**SB 1170 - Mortgage Lender and Broker Act; authorizes SCC to request Attorney General to investigate violation.**

Patrons: Watkins

03/30/09 Governor: Approved by Governor-Chapter 727 (effective 7/1/09)

**HB 2559 - Homestead exemption; increases for householders who are 65 years of age or older.**

Increases the homestead exemption from \$5,000 to \$10,000 for householders who are 65 years of age or older.

Patrons: Johnson, Kilgore, Hall and Nutter

03/27/09 Governor: Approved by Governor-Chapter 387 (effective 7/1/09)

**HB 2560 - Homestead exemption; increased for veterans.**

Increases the additional homestead exemption for veterans from \$2,000 to \$10,000.

Patrons: Johnson, Kilgore, Hall, Miller, J.H. and Nutter

03/27/09 Governor: Approved by Governor-Chapter 388 (effective 7/1/09)

**SB 906 - Income tax, state; homebuyer tax credit.**

Would have provided an income tax credit equal to \$2,500 for single taxpayers and \$5,000 for married taxpayers filing jointly for taxable years beginning on or after January 1, 2009, but before January 1, 2011, who purchase a principal residence during that period. Any tax credit claimed would be recaptured if

the taxpayer disposes of the principal residence within two years after purchase. The bill is contingent on supplemental appropriations that may be used for such a credit being included in a federal stimulus package adopted by March 27, 2009.

Patrons: Stosch and Watkins; Delegates: Ingram, Massie, O'Bannon and Peace

02/28/09 House: Left in Finance (The bill fails.)

**SB 991 - Mortgage lending practice; borrower right of action for violation of certain prohibited practices.**

Would have made it unlawful for a mortgage broker knowingly (i) to make or cause to be made any deliberate and material misstatement, misrepresentation, or omission during the mortgage lending process with the intention that it be relied on by a mortgage lender, borrower, or any other party to the mortgage lending process; (ii) to use or facilitate the use of any deliberate and material misstatement, misrepresentation, or omission, knowing the same to contain a material misstatement, misrepresentation, or omission, during the mortgage lending process with the intention that it be relied on by a mortgage lender, borrower, or any other party to the mortgage lending process; or (iii) to conspire to do either of such things. Violations are punishable as a Class 1 misdemeanor. Violators shall also be required to pay restitution.

Patron: Deeds

02/09/09 Senate: Failed to report (defeated) in Commerce and Labor (3-Y 11-N)

**SB 1291 - Deed of trust or mortgage: limitation on enforcement.**

Provides a transition period for mortgages and deeds of trust for which enforcement rights may have been cut off as a result of 2008 legislation that reduced the time in which a deed of trust or mortgage may be enforced from 20 years to 10 years after the maturity of the underlying obligation. The measure provides that if the secured obligation became due and payable between July 1, 1988, and July 1, 2000, the instrument may be enforced until July 1, 2010. If the instrument is not enforced by that date, its enforcement will be time barred unless the beneficiary of the deed of trust or mortgage has extended the limitations period, for 10 additional years, by filing a certificate in the circuit court. The measure addresses obligations that matured within the 20 years preceding the effective date of the 2008 legislation and for which the beneficiary's ability to extend its limitation period was curtailed. However, the bill shall have no effect on the rights of a person who (i) acquired an interest in the real property securing such deed of trust or mortgage between July 1, 2008, and the date of enactment of this subsection and (ii) would otherwise have priority over or take free of such deed of trust or mortgage under the laws of the Commonwealth at that time. This bill contains an emergency clause.

Patron: Edwards

03/16/09 Governor: Approved by Governor-Chapter 163 (effective 3/16/09)

**NOTE:** This law is effective as of March 16, 2009

**SB 1430 - Residential homes; bonds to fund grants for purchasers of newly constructed.**

Would have authorized the issuance of \$50 million in bonds to fund grants to individuals who purchase a principal residence in the Commonwealth that was first issued a certificate of occupancy on or after January 1, 2007, but before July 1, 2009.

Patrons: Stosch, Hanger, McEachin, Stuart, Vogel, Wagner and Watkins; Delegates: Hall, Ingram, Massie and Oder

02/28/09 House: Left in Appropriations (The bill fails.)

**SB 1441 - Income tax, state; homebuyer tax credit.**

Would have provided an income tax credit equal to \$1,250 for single taxpayers and \$2,500 for married taxpayers filing jointly for taxable years beginning January 1, 2009, and ending January 1, 2010,

who purchase a home for the first time during that period for use as their principal residence. The bill has an emergency clause.

Patrons: McEachin; Delegate: Peace

02/04/09 Senate: Incorporated by Finance (SB906-Stosch) (16-Y 0-N) **NOTE:** SB 906 failed.

**SB 1446 - Income tax, state; homebuyer tax credit.**

Would have provided an income tax credit equal to \$1,250 for single taxpayers and \$2,500 for married taxpayers filing jointly for taxable years beginning January 1, 2009, and ending January 1, 2010, who purchase a home for the first time during that period for use as their principal residence. The taxpayer must repay the credit over a 10-year period which begins the first year when no credit remains to be taken. The bill has an emergency clause.

Patrons: McEachin; Delegate: Peace

02/11/09 Senate: Left in Finance (The bill fails.)

**HJ 686 - Constitutional amendment; certain property exempt from taxation (first reference).**

The resolution would have provided that the General Assembly may enact legislation that will authorize localities by ordinance to exempt from property taxes up to 20 percent of the value of each residential or farm property that is the individual owner-occupants' primary dwelling and lived in continuously. This amendment is identical to SJR 333.

Patron: Brink

02/10/09 House: Left in Privileges and Elections (The resolution fails.)

**SJ 333- Constitutional amendment; certain property exempt from taxation (first reference).**

Patron: Whipple

01/27/09 Senate: Stricken at request of Patron in Privileges and Elections (13-Y 0-N)

**HJ 688 - Constitutional amendment; real property tax relief for persons 65 years old, etc. (first reference).**

Amends the Constitution of Virginia to allow the General Assembly to authorize localities to either waive or establish their own income or financial worth limitations for purposes of granting real property tax relief for persons not less than 65 years of age or persons permanently and totally disabled.

Patrons: Cole, Bell, Carrico, Gilbert, Janis and Watts

03/09/09 Senate: Signed by President

03/11/09 House: Signed by Speaker (Governor's signature is not required on resolutions.)

*(NOTE: Constitutional amendments required passage by two General Assemblies. This is accomplished by passage in one year (first reference) followed by a second year (second reference) when an election is held between the two Sessions.)*

## **BUILDING REGULATION / BUILDING CODE**

**HB 1708 - Elevator mechanics; Board of Contractors to delegate certification in event of emergency.**

Authorizes the Board for Contractors to delegate to the Director of the Department of Professional and Occupational Regulation certification of elevator mechanics in the event of emergency. The Board may also delegate to the Director the issuance of temporary certification of elevator mechanics. The bill increases the membership of the Board for Contractors by adding one member who must be a certified elevator mechanic or a licensed elevator contractor. The bill contains several technical amendments.

Patron: Oder

03/27/09 Governor: Approved by Governor-Chapter 184 (effective 7/1/09)

**HB 2032 - Mold inspectors and remediators; licensure thereof by Board for Asbestos, Lead, & Home Inspectors.**

Provides for the licensure of mold inspectors and mold remediators by the Board for Asbestos, Lead, and Home Inspectors. The bill increases the membership of this Board by one member to include a mold inspector or a mold remediator.

Patron: Marshall, D.W.

03/27/09 Governor: Approved by Governor-Chapter 358 (effective - see bill)

**HB 2078 - Uniform Statewide Building Code; authority of local building officials to issue summons.**

Would have provided that in addition to the penalties provided for in § 54.1-111, the local governing body of a county, city, or town may, by ordinance, authorize its building official to issue a summons for unlicensed activity by any person required to be licensed by the Board for Contractors.

Patron: Oder

01/28/09 House: Subcommittee recommends sending to the Virginia Housing Commission by voice vote (This bill fails to pass, and will be considered by the Commission in 2009.)

**HB 2266 - Freedom of Information Act; exemption for name, address, etc., of complainants relating to zoning.**

Freedom of Information Act; building and fire code complaints. Expands the current record exemption for the names, addresses, and telephone numbers of complainants relating to zoning enforcement complaints made to a local governing body to also include complaints relating to the Uniform Statewide Building Code or the Statewide Fire Prevention Code.

Patron: Ware, O.

03/27/09 Governor: Approved by Governor-Chapter 237 (effective 7/1/09)

**HB 2388 - Uniform Statewide Building Code; DGS to act as building official to determine compliance therewith.**

Would have clarified the applicability of the Uniform Statewide Building Code (USBC) to buildings and structures located on state property that are not owned by the state and the authority of the Division of Engineering and Buildings of the Department of General Services to act as the building official for determining compliance with the USBC.

Patron: Ebbin

02/10/09 House: Left in General Laws (The bill fails.)

**HB 2569 - Manufactured Housing Licensing and Transaction Recovery Fund Law; limits amount of actual damages.**

Limits to \$4,000 the amount of actual damages that a manufactured home dealer may retain when a buyer fails to accept delivery of a manufactured home that is larger than a single section unit and in the manufactured home dealer's stock. The bill also raises the limit of actual damages from \$5,000 to \$7,000 when a buyer fails to accept delivery of a manufactured home that is larger than a single section unit and is specially ordered for the buyer. The bill also (i) raises the maximum claim amount of a single claimant against the Manufactured Housing Recovery Fund for single or multiple violations by one or more regulants from \$20,000 to \$40,000, (ii) raises the minimum balance of the Fund from \$250,000 to \$300,000, (iii) authorizes interest earned on the Fund to be used for education programs for a wider range of individuals and to pay department staff expenses for conducting investigations, and (iv) authorizes the Manufactured

Housing Board to use up to five percent of the balance of the Fund in any fiscal year for educational purposes and to pay investigation expenses. Under the bill, the provisions raising the minimum fund balance and authorizing the use of the Fund balance and interest on educational programs and to pay investigative costs will expire on July 1, 2011.

Patron: Scott, J.M.

02/26/09 Governor: Approved by Governor-Chapter 141 (effective 7/1/09)

**SB 811 - Elevator mechanics, certified; Board for Contractors shall extend time for compliance for certain.**

Extends the time for compliance with elevator mechanic licensure requirements for individuals who install, service, or repair wheelchair lifts, incline chairlifts, dumbwaiters, and residential elevators until July 1, 2010. The bill also provides for the Board for Contractors to convene a group of stakeholders to evaluate the level of regulation appropriate for individuals who install, service, or repair wheelchair lifts, incline chairlifts, dumbwaiters, residential elevators, and Limited Use Limited Application (LULA) elevators and provide recommendations to the Senate Committee on General Laws and Technology and the House Committee on General Laws by November 30, 2009.

Patron: Cuccinelli

03/27/09 Governor: Approved by Governor-Chapter 251 (effective 7/1/09)

**SB 853 - Carbon monoxide detectors; Board of Housing & Community Development to establish requirements.**

Would have required the Board of Housing and Community Development to promulgate regulations establishing standards and requirements for carbon monoxide detectors in residential occupancies and dwelling units serviced by fuel-fired appliances.

Patron: Edwards

02/09/09 Senate: Read third time and passed Senate (40-Y 0-N)

02/28/09 House: Left in Appropriations (The bill fails.)

**SB 886 - Elevator mechanics; Board of Contractors to delegate certification in event of emergency.**

Authorizes the Board for Contractors to delegate to the Director of the Department of Professional and Occupational Regulation certification of elevator mechanics in the event of emergency. The Board may also delegate to the Director the issuance of temporary certification of elevator mechanics. The bill contains several technical amendments. The bill increases the Board's membership from thirteen to fourteen by adding a member who is either a certified elevator mechanic or a licensed elevator contractor.

Patron: McEachin

03/27/09 Governor: Approved by Governor-Chapter 586 (effective 7/1/09)

**SB 972 - Building Code; enforcement of Property Maintenance Code by local governing body.**

Would have authorized a local governing body to enforce the Virginia Maintenance Code in designated geographic areas of its jurisdiction.

Patron: Stuart

01/27/09 Senate: Read third time and passed Senate (32-Y 7-N)

02/19/09 House: Failed to report (defeated) in General Laws (5-Y 15-N)

**SB 1004 - Energy-efficient buildings for local taxes; adds architects to those persons authorized to certify.**

Adds 'architects' to those persons currently authorized to certify buildings as energy efficient using standards prescribed in the Uniform Statewide Building Code. The bill also makes technical changes.

Patron: Quayle

03/27/09 Governor: Approved by Governor-Chapter 512 (effective 7/1/09)

**SB 1139 - Uniform Statewide Building Code; rental occupancy permits.**

Would have provided that the building official may revoke any rental occupancy permit issued when the owner has violated any provision of the Uniform Statewide Building Code on two occasions within a six-month period and the owner has failed to submit a plan to remedy the violation.

Patron: Petersen

02/04/09 Senate: Stricken at request of Patron in General Laws and Technology (15-Y 0-N)

**SB 1478 - Freedom of Information Act; building and fire code complaints.**

Provides a record exemption under the Freedom of Information Act for the names, addresses, and telephone numbers of complainants relating to Uniform Statewide Building Code or Statewide Fire Prevention Code enforcement made to the local governing body. This bill incorporates SB 1014.

Patron: Locke

03/27/09 Governor: Approved by Governor-Chapter 326 (effective 7/1/09)

**SB 1459 - Manufactured Housing Licensing and Transaction Recovery Fund Law; raises maximum claim amount.**

Limits to \$4,000 the amount of actual damages that a manufactured home dealer may retain when a buyer fails to accept delivery of a manufactured home that is larger than a single section unit and in the manufactured home dealer's stock. The bill also raises the limit of actual damages from \$5,000 to \$7,000 when a buyer fails to accept delivery of a manufactured home that is larger than a single section unit and is specially ordered for the buyer. In addition, the bill raises the maximum claim amount of a single claimant against the Manufactured Housing Transaction Recovery Fund for single or multiple violations by one or more regulants from \$20,000 to \$40,000, and raises the minimum balance of the Fund from \$250,000 to \$300,000. The bill also (i) authorizes interest earned on the Fund to be used for education programs for a wider range of individuals and to pay department staff expenses for conducting investigations, and (ii) authorizes the Manufactured Housing Board to use up to five percent of the balance of the Fund in any fiscal year for educational purposes and to pay investigation expenses. The provisions of the bill amending § 36-85.31 will expire on July 1, 2011.

Patron: Puckett

03/27/09 Governor: Approved by Governor-Chapter 579 (effective 7/1/09)

**OTHER**

**HB 1890 - Housing authorities; changes number of qualified voters in locality needed to have referendum.**

Increases the number of qualified voters in a locality needed to have a referendum creating a housing authority from at least 100 voters to at least two percent of the qualified voters. The bill also provides that once a referendum has been held, no other referendum on the same question shall be held in the county, city, or town within five years of the date of the prior referendum.

Patron: Brink

02/25/09 Governor: Approved by Governor-Chapter 78 (effective 7/1/09)

**HB 1975 - Green roofs; authorizes counties, cities, and towns, by ordinance, to grant incentives, etc.**

Authorizes counties, cities, and towns to grant incentives or provide regulatory flexibility to

encourage the use of green roofs in the construction, repair, or remodeling of residential and commercial buildings. The incentives or regulatory flexibility could include (i) a reduction in permit fees when green roofs are used, (ii) a streamlined process for the approval of building permits when green roofs are used, or (iii) a reduction in any gross receipts tax on green roof contractors as defined by the local ordinance. This bill is identical to SB 1058.

Patrons: Ware, R.L., Ebbin and Ware, O.

02/23/09 Governor: Approved by Governor-Chapter 17 (effective 7/1/09)

**HB 2135 - Recordation/grantor tax; penalty if understatement of consideration is false with intent to evade.**

Changes from a Class 2 to a Class 1 misdemeanor the criminal penalty for knowingly misrepresenting the consideration for the interest in property conveyed for purposes of recordation and grantor taxes. The bill also would provide a penalty equal to 100 percent of the tax due on the understatement of the consideration in cases in which the understatement is false or fraudulent with the intent to evade a tax. The bill incorporates HB 1823.

Patrons: Miller, Jackson H. and Hugo

02/25/09 Governor: Approved by Governor-Chapter 95 (effective 7/1/09)

**SB 904 - Neighborhood Assistance Act tax credits; extends sunset date from July 1, 2009, to July 1, 2011.**

Extends the sunset date of the Neighborhood Assistance Act Tax Credit program from July 1, 2009, to July 1, 2011.

Patrons: Stosch; Delegate: O'Bannon

03/27/09 Governor: Approved by Governor-Chapter 502 (effective 7/1/09)

**SJ 332 - Constitutional amendment; tax exemptions for buildings constructed or designed to conserve energy (first reference).**

Authorizes the General Assembly to enact laws to permit localities to exempt from property taxes, any property, including real or personal property, equipment, facilities, or devices, constructed or designed to conserve energy and natural resources in a manner that meets or exceeds performance standards established for such purposes. The amendment also deletes the authorization for the General Assembly by general law to directly exempt from property taxes such property and property designed to abate pollution or transfer or store solar energy.

Patrons: Petersen; Delegates: Scott, J.M. and Sickles

03/09/09 Senate: Signed by President

03/11/09 House: Signed by Speaker (The Governor's signature is not required on resolutions.)

*(NOTE: Constitutional amendments required passage by two General Assemblies. This is accomplished by passage in one year (first reference) followed by a second year (second reference) when an election is held between the two Sessions.)*

## **STUDIES**

**HJ 632 - Human services & social policy; JLARC to study feasibility of adopting 'housing first' approach.**

Would have directed the Joint Legislative Audit and Review Commission (JLARC) to study the feasibility of adopting a "housing first" approach to human services and social policy in Virginia.

Patron: Englin

02/10/09 House: Left in Rules (The resolution fails.)

**HJ 675 - Home energy consumption; Housing Commission directed to study.**

Would have directed the Virginia Housing Commission to study home energy consumption.

Patron: Brink

02/10/09 House: Left in Rules (The resolution fails.)

**HJ 716 - Affordable housing; Dept. of Housing and Community Development and Taxation to jointly study.**

Directs the Department of Housing and Community Development and the Department of Taxation to study incentives for affordable housing. They are to complete their work by November 30, 2009.

Patron: Caputo

02/10/09 House: Left in Rules (The resolution fails.)

**HJ 727 - Veterans; JLARC to study ways to reduce homelessness among those in State.**

Directs the Joint Legislative Audit and Review Commission to study ways to reduce homelessness among veterans in the Commonwealth.

Patrons: Bouchard, Bowling, Englin, Jones, Knight, Mathieson, Phillips, Plum, Tata, Tyler and Watts; Senators: Blevins, Deeds, Quayle and Wagner

02/10/09 House: Left in Rules (The resolution fails.)

**SJ 319 - Home energy consumption; Housing Commission to study.**

Directs the Virginia Housing Commission to study home energy consumption.

Patrons: Whipple, Barker, Herring, Howell, Petersen and Ticer; Delegates: Amundson, Brink, Bulova, Ebbin, Eisenberg, Englin, Hugo, Marsden, Plum, Rust, Sickles, Vanderhye and Watts

02/28/09 House: Left in Rules (The resolution fails.)

For additional information on any of these, please contact:

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*Prepared by SR Consulting, Inc.*

*March 30, 2009*