

**Unified Regulatory Plan of the Department of Housing and Community Development
for State Fiscal Year 2024**

Prepared on June 30, 2023

Description of Agency or Boards

The Department of Housing and Community Development (DHCD) is the state housing agency. The agency oversees a number of statewide housing and community development programs and supports multiple boards that promulgate regulations related to housing and community development, as well as building safety and construction standards. Boards with regulatory authority supported by DHCD are as follows: Commission on Local Government (CLG), Manufactured Housing Board and Board of Housing and Community Development (BHCD). The Board of Housing and Community Development is expected to continue the process of updating the Uniform Statewide Building (USBC), Statewide Fire Prevention Code (SFPC), Industrialized Building Safety Regulations (IBSR) and Virginia Amusement Device Regulations (VADR). BHCD is directed to promulgate such regulations through Sections 36-98, 27-97, 36-73 and 36-98.3 of the Code of Virginia. BHCD is a state policy board and promulgates regulations related to housing, community development, building safety and fire prevention.

DHCD also prepares certain guidance documents related to provisions in state statute and the appropriations act.

Action/Stage or Guidance Document Forum ID (if available) Action 5875 / Stage 9903	
Title of Proposed Regulatory Action or Guidance Document Update the Uniform Statewide Building Code (USBC)	
Brief Overview This action already underway is the proposed regulations for the Uniform Statewide Building Code 13 VAC 5-63. The update will incorporate, by reference, the newest available nationally recognized model building codes and standards produced by the International Code Council (ICC). Chapter 36-98 of the Code directs BHCD to promulgate the Uniform Statewide Building Code. This update received certification from the Attorney General on 1/11/23 and the Governor completed review on 1/25/23. Public comment on the proposed regulations ended on 5/9/23. BHCD is expected to consider the final regulations at their next meeting in July.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility in construction methods.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) Action 5874 / Stage 9902	
Title of Proposed Regulatory Action or Guidance Document Update the Statewide Fire Prevention Code (SFPC)	
Brief Overview This action already underway is the proposed regulations for the Statewide Fire Prevention Code 13 VAC 5-51 (and 52). The update will incorporate, by reference, the newest available nationally recognized model building codes and standards produced by the International Code Council (ICC). Chapter 27-97 of the Code directs BHCD to promulgate the Statewide Fire Prevention Code. This update received certification from the Attorney General on 1/19/23 and the Governor completed review on 1/25/23. Public comment on the proposed regulations ended on 5/9/23. BHCD is expected to consider the final regulations at their next meeting in July.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility in fire safety and maintenance standards.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) Action 5873 / Stage 9900	
Title of Proposed Regulatory Action or Guidance Document Update the Industrialized Building Safety Regulations (IBSR)	
Brief Overview This action already underway is the proposed regulations for the Industrialized Building Safety Regulations 13 VAC 5-91. The update will incorporate, by reference, the newest available nationally recognized model building codes and standards produced by the International Code Council (ICC). Chapter 36-73 of the Code directs BHCD to promulgate the Industrialized Building Safety Regulations. This update received certification from the Attorney General on 1/19/23 and the Governor completed review on 1/25/23. Public comment on the proposed regulations ended on 5/9/23. BHCD is expected to consider the final regulations at their next meeting in July.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action

	<input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility for industrialized building construction.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) Action 5872 / Stage 9901	
Title of Proposed Regulatory Action or Guidance Document Update the Virginia Amusement Device Regulations	
Brief Overview This action already underway is the proposed regulations for the Virginia Amusement Device Regulations 13 VAC 5-31. The update will incorporate, by reference, the newest available nationally recognized model codes and standards produced by relevant amusement device standard writing entities. Chapter 36-98.3 of the Code directs BHCD to promulgate the Virginia Amusement Device Regulations. This update received certification from the Attorney General on 1/12/23 and the Governor completed review on 1/25/23. Public comment on the proposed regulations ended on 5/9/23. BHCD is expected to consider the final regulations at their next meeting in July.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	Consider state amendments to the model codes, as determined by Virginia stakeholders, and continue to provide maximum flexibility for amusement device operators.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Commission on Local Government Guidance Document Updates	
Brief Overview CLG staff will consider changes to streamline the commission's guidance documents (all documents).	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Guidance Document

Description	<input type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input type="checkbox"/> Action required by state statute
Deregulatory Component	Streamline guidance documents.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Manufactured Housing Board Public Participation Guidelines	
Brief Overview The Manufactured Housing Board conducted a periodic review in 2022-2023 and identified changes within their public participation guidelines that will align with DPB model guidelines that incorporate changes from state code (2012 Acts of Assembly, Chapter 795).	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	Update to address changes in state code (2012 Acts of Assembly, Chapter 795).
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Telecommunication Initiative (VATI) Program Guidelines	
Brief Overview The budget language enabling the VATI program (Item 115 L 2, 2022 Special Session I Budget) requires DHCD to create program guidelines. Through a significant public engagement process, DHCD updates program guidelines on a regular basis to ensure efficient use of state resources and to ensure all new legislative objectives are being achieved.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule

Deregulatory Component	Repeal unnecessary and potentially confusing regulatory language as state enabling legislation has been repealed.
Expected Date	September 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Broadband Availability Map Internet Service Provider Service Territory Data Submission Guidelines	
Brief Overview Section P of Item 115 (2022) of the Budget Bill directs DHCD to develop a statewide broadband availability map indicating broadband coverage, including maximum broadband speeds available in service territories in Virginia. As directed in the Budget Bill, all broadband service providers shall be required to submit updated service territory data to DHCD annually, including the locations to which they provide broadband service. This guidance document specifies internet service provider service territory data submission guidelines in order to create the statewide availability map.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	Update to include stakeholder input and comply with most recent legislation.
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Commission on Local Government Organization and Regulation of Procedure (1VAC 50-20)	
Brief Overview Pending the results of a Periodic Review, CLG is likely to undertake a regulatory action to consider changes to its Regulation of Procedure for Commission Proceedings.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action

Deregulatory Component	Consider updating requirements and timelines to be consistent with other such requirements in state code.
Expected Date	November 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone Job Creation Grant Instruction Manual	
Brief Overview - This manual provides instructions for qualifying for the Enterprise Zone (EZ) Job Creation Grant (JCG), which is part of the Enterprise Zone Grant Program (13VAC5-112). It has been compiled for the applicant (the business firm) and addresses the applicant's responsibilities in completing the application materials. BHCD adopts regulations regarding the EZ Grant Program.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	Yearly update to improve program administration.
Expected Date	January 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone Real Property Improvement Grant Instruction Manual	
Brief Overview - This manual provides instructions for qualifying for the EZ Real Property Improvement Grant (JCG), which is part of the Enterprise Zone Grant Program (13VAC5-112). It has been compiled for the applicant (the business firm) and addresses the applicant's responsibilities in completing the application materials. BHCD adopts regulations regarding the EZ Grant Program.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	Yearly update to improve program administration.

Expected Date	January 2024
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Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone CPA Agreed Upon Procedures Manual	
Brief Overview - This document provides instructions for CPAs performing the Agreed-Upon Procedures outlined by DHCD. These procedures test and report on the assertion of a business or qualified zone investor as to their qualification to receive JCGs or RPIGs related to the EZ Grant Program (13VAC5-112). The findings from these procedures are reported in the CPA Attestation Report. This report is a required application component for both the Job Creation Grant and Real Property Investment Grant.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	Yearly update to improve program administration.
Expected Date	January 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone Local Zone Administrators Manual	
Brief Overview - While DHCD administers the statewide Enterprise Zone program, the day-to-day administration of a designated zone is the responsibility of the participating jurisdiction. Each locality is required to designate a local zone administrator who is responsible for administering, managing and marketing the locality's zone(s). This document is a program manual for local zone administrators.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action

Deregulatory Component	Yearly update to improve program administration.
Expected Date	January 2024