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**HOUSE BILL NO. 1697**

Offered January 10, 2001

Prefiled December 15, 2000

*A BILL to amend and reenact §§ 36-137 and 36-139 of the Code of Virginia, relating to the development of a special mortgage loan program for Virginia public school teachers.*

Patron—Baskerville

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:****1. That §§ 36-137 and 36-139 of the Code of Virginia are amended and reenacted as follows:**

§ 36-137. Powers and duties of Board.

The Board shall exercise the following powers and duties, and such others as may be provided by law:

1. Provide a means of citizen access to the Department.
2. Provide a means of publicizing the policies and programs of the Department in order to educate the public and elicit public support for Department activities.
3. Monitor the policies and activities of the Department and have the right of access to departmental information.
4. Advise the Governor and the Director on matters relating to housing and community development.
5. Make such rules and regulations as may be necessary to carry out its responsibilities and repeal or amend such rules when necessary.

6. Issue a certificate of competence concerning the content, application, and intent of specified subject areas of the building and fire regulations promulgated by the Board to present or prospective personnel of local governments and to any other persons seeking to become qualified to perform inspections pursuant to Chapter 6 (§ 36-97 et seq.) of this title and any regulations adopted thereunder, who have completed training programs or in other ways demonstrated adequate knowledge.

7. Levy by regulation up to one percent of building permit fees authorized pursuant to § 36-105 to support training programs of the Building Code Academy established pursuant to § 36-139. Local building departments shall collect such levy and transmit it quarterly to the Department of Housing and Community Development. Localities which maintain, individual or regional, training academies accredited by the Department of Housing and Community Development shall retain such levy. However, such localities may send employees to training programs of the Building Code Academy upon payment of a fee calculated to cover the cost of such training. Any unspent balance shall be reappropriated each year for the continued operation of the Building Code Academy. Annual collections of such levy in excess of \$500,000 or any unobligated fund balance greater than one-third of that year's collections shall be credited against the levy to be collected in the next fiscal year.

8. Establish general policies, procedures, and programs for the Virginia Housing Partnership Revolving Fund established in Chapter 9 (§ 36-141 et seq.) of this title.

9. Determine the categories of housing programs, housing sponsors and persons and families of low and moderate income eligible to participate in grant or loan programs of the Virginia Housing Partnership Revolving Fund and designate the proportion of such grants or loans to be made available in each category.

10. Advise the Director of the Department on the program guidelines required to accomplish the policies and procedures of the Virginia Housing Partnership Revolving Fund.

11. Advise the Virginia Housing Development Authority on matters relating to the administration and management of loans and grants from the Virginia Housing Partnership Revolving Fund.

12. Establish the amount of the low-income housing credit, the terms and conditions for qualifying for such credit, and the terms and conditions for computing any credit recapture amount for the Virginia income tax return.

13. Serve in an advisory capacity to the Center for Housing Research established by § 23-135.7:14.

14. Advise the Department in the development of the Comprehensive Housing Affordability Strategy to guide and coordinate the housing programs of the Department, the Virginia Housing Development Authority, and other state agencies and instrumentalities.

15. Advise the Department and the Director in the development of a mortgage loan program for teachers under contract with a Virginia school board that shall provide for interest rates below the prevailing rate of interest in Virginia for similar programs and be conditioned on the agreement by such teachers to teach in Virginia for a minimum of three years.

INTRODUCED

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59 § 36-139. Powers and duties of Director.

60 The Director of the Department of Housing and Community Development shall have the following  
61 responsibilities:

62 1. Collecting from the governmental subdivisions of the Commonwealth information relevant to their  
63 planning and development activities, boundary changes, changes of forms and status of government,  
64 intergovernmental agreements and arrangements, and such other information as he may deem necessary.

65 2. Making information available to communities, planning district commissions, service districts and  
66 governmental subdivisions of the Commonwealth.

67 3. Providing professional and technical assistance to, and cooperating with, any planning agency,  
68 planning district commission, service district, and governmental subdivision engaged in the preparation  
69 of development plans and programs, service district plans, or consolidation agreements.

70 4. Assisting the Governor in the providing of such state financial aid as may be appropriated by the  
71 General Assembly in accordance with § 15.2-4216.

72 5. Administering federal grant assistance programs, including funds from the Appalachian Regional  
73 Commission, the Economic Development Administration and other such federal agencies, directed at  
74 promoting the development of the Commonwealth's communities and regions.

75 6. Developing state community development policies, goals, plans and programs for the consideration  
76 and adoption of the Board with the ultimate authority for adoption to rest with the Governor and the  
77 General Assembly.

78 7. Developing a Comprehensive Housing Affordability Strategy to guide the development and  
79 implementation of housing programs in the Commonwealth for the purpose of meeting the housing  
80 needs of the Commonwealth and, in particular, those of low-income and moderate-income persons and  
81 families.

82 8. Determining present and future housing requirements of the Commonwealth on an annual basis  
83 and revising the Comprehensive Housing Affordability Strategy, as necessary to coordinate the elements  
84 of housing production to ensure the availability of housing where and when needed.

85 9. Assuming administrative coordination of the various state housing programs and cooperating with  
86 the various state agencies in their programs as they relate to housing.

87 10. Establishing public information and educational programs relating to housing; devising and  
88 administering programs to inform all citizens about housing and housing-related programs that are  
89 available on all levels of government; designing and administering educational programs to prepare  
90 families for home ownership and counseling them during their first years as homeowners; and promoting  
91 educational programs to assist sponsors in the development of low and moderate income housing as well  
92 as programs to lessen the problems of rental housing management.

93 11. Administering the provisions of the Industrialized Building Safety Law (§ 36-70 et seq.).

94 12. Administering the provisions of the Uniform Statewide Building Code (§ 36-97 et seq.).

95 13. Administering the provisions of the Statewide Fire Prevention Code (§ 27-94 et seq.).

96 14. Establishing and operating a Building Code Academy for the training of personnel in building  
97 regulations promulgated by the Board of Housing and Community Development.

98 15. Administering, in conjunction with the federal government, and promulgating any necessary  
99 regulations regarding energy standards for existing buildings as may be required pursuant to federal law.

100 16. Identifying and disseminating information to local governments about the availability and  
101 utilization of federal and state resources.

102 17. Administering, with the cooperation of the Department of Health, state assistance programs for  
103 public water supply systems.

104 18. Advising the Board on matters relating to policies and programs of the Virginia Housing  
105 Partnership Revolving Fund.

106 19. Designing and establishing program guidelines to meet the purposes of the Virginia Housing  
107 Partnership Revolving Fund and to carry out the policies and procedures established by the Board.

108 20. Preparing agreements and documents for loans and grants to be made from the Virginia Housing  
109 Partnership Revolving Fund; soliciting, receiving, reviewing and selecting the applications for which  
110 loans and grants are to be made from such fund; directing the Virginia Housing Development Authority  
111 as to the closing and disbursing of such loans and grants and as to the servicing and collection of such  
112 loans; directing the Virginia Housing Development Authority as to the regulation and monitoring of the  
113 ownership, occupancy and operation of the housing developments and residential housing financed or  
114 assisted by such loans and grants; and providing direction and guidance to the Virginia Housing  
115 Development Authority as to the investment of moneys in such fund.

116 21. Advising the Board on matters relating to policies for the low-income housing credit and  
117 administering the approval of low-income housing credits as provided in § 36-55.63.

118 22. Establishing and administering program guidelines for a statewide homeless intervention program.

119 23. Administering fifteen percent of the Low Income Home Energy Assistance Program (LIHEAP)  
120 Block Grant and any contingency funds awarded and carry over funds, furnishing home weatherization

and associated services to low-income households within the Commonwealth in accordance with applicable federal law and regulations.

24. *Establishing and administering, with such funds as may be made available or may be used for such purposes, a mortgage loan program for teachers under contract with a Virginia school board that shall provide for interest rates below the prevailing rate of interest in Virginia for similar programs and be conditioned on the agreement by such teachers to teach in Virginia for a minimum of three years. This program may provide for penalties for breaching the agreement to teach in Virginia for a minimum of three years that may include, but need not be limited to, increases in interest rates.*

25. Carrying out such other duties as may be necessary and convenient to the exercise of powers granted to the Department.