

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2344 of the Code of Virginia, relating to the Real Estate Board;*  
3 *authority to hear fair housing violations by real estate licensees.*

4 [H 1480]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-2344 of the Code of Virginia is amended and reenacted as follows:**8 **§ 54.1-2344. Fair Housing Board; membership; terms; chairman; powers and duties.**

9 A. The Fair Housing Board shall be composed of 12 members, to be appointed by the Governor, as  
10 follows: one representative of local government, one architect licensed in accordance with Chapter 4  
11 (§ 54.1-400 et seq.) of this title, one representative of the mortgage lending industry, one representative  
12 of the property and casualty insurance industry, two representatives of the residential property  
13 management industry not licensed in accordance with Chapter 21 (§ 54.1-2100 et seq.) of this title, at  
14 least one of whom is a member of a property owners' association or condominium unit owners'  
15 association, one contractor licensed in accordance with Chapter 11 (§ 54.1-1100 et seq.) of this title, one  
16 representative of the disability community, one representative of the residential land lease industry  
17 subject to Chapter 13.3 (§ 55-248.41 et seq.) of Title 55, and three citizen members selected in  
18 accordance with § 54.1-107. All terms of Board members shall be for terms of four years.

19 B. The Board shall elect a chairman from its membership.

20 C. The Board shall adopt a seal by which it shall authenticate its proceedings.

21 D. The Board shall be responsible for the administration and enforcement of the Fair Housing Law.  
22 However, the Board shall have no authority with respect to *any of the following respondents who have*  
23 *allegedly violated, or who have in fact violated, the Fair Housing Law:* (i) a real estate broker, real  
24 estate salesperson, real estate brokerage firm licensed in accordance with Chapter 21 (§ 54.1-2100 et  
25 seq.), or their agents or employees ~~who have allegedly violated, or who have in fact violated, the Fair~~  
26 ~~Housing Law~~ or (ii) *a property owner or his agent or principal, who has engaged a real estate licensee*  
27 *to perform real estate activities within the purview of Chapter 21 (§ 54.1-2100 et seq.), which licensee*  
28 *has also been charged with a violation of the Fair Housing Law in the same case. In no event shall the*  
29 *jurisdiction be split between the Real Estate Board and the Board on the same such case.*

30 The Board shall have the power and duty to establish, by regulation, an education-based certification  
31 or registration program for persons subject to the Fair Housing Law who are involved in the business or  
32 activity of selling or renting dwellings. The Board shall also establish, by regulation, educational  
33 materials on the Fair Housing Law and require a signed affidavit from persons in the business or  
34 activity of selling or renting dwellings, that they have read and understood the provided materials. The  
35 Board shall have the authority to approve training courses and instructors in furtherance of the  
36 provisions of this chapter.

37 No education-based program established by the Board shall require Board certification or registration  
38 where an individual holds a valid license issued by the Real Estate Board. Any courses approved by the  
39 Real Estate Board to meet the fair housing requirement of § 54.1-2105.03 and the instructors approved  
40 by the Real Estate Board to teach continuing education courses in accordance with § 54.1-2105.02 shall  
41 not require additional approval by the Fair Housing Board to meet any education requirements in this  
42 section and in the regulations of the Fair Housing Board.

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