

VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

CHAPTER 693

An Act to amend and reenact § 36-139 of the Code of Virginia and § 1 of Chapter 495 of the 1996 Acts of Assembly, relating to the Low Income Home Energy Assistance Program; administration; study.

[H 1103]

Approved April 16, 1998

Be it enacted by the General Assembly of Virginia:

1. That § 36-139 of the Code of Virginia is amended and reenacted as follows:

§ 36-139. Powers and duties of Director.

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

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

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

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

4. Assisting the Governor in the providing of such state financial aid as may be appropriated by the General Assembly in accordance with ~~§ 15.1-1412~~ 15.2-4216.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20. Preparing agreements and documents for loans and grants to be made from the Virginia Housing

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

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

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

23. *Administering fifteen percent of the Low Income Home Energy Assistance Program (LIHEAP) 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.*

~~23.~~ 24. Carrying out such other duties as may be necessary and convenient to the exercise of powers granted to the Department.

2. That § 1 of Chapter 495 of the 1996 Acts of Assembly is amended and reenacted as follows:

§ 1. That the Department of Social Services, or any other agency succeeding in pertinent authority, is directed to allocate at least ~~7.5~~ *fifteen* percent of all federal low-income fuel assistance program funding made available to the Commonwealth to low-income weatherization assistance programs, to the extent such allocation is permitted by federal law.

3. That the Department of Social Services shall submit the application for the Low Income Home Energy Assistance Program (LIHEAP) Block Grant and serve as the lead agency for such block grant. The Department of Social Services shall prepare its portion of the application. The Department of Housing and Community Development shall prepare its portion of the application for submission which is limited to the weatherization program and associated services. The Department of Social Services shall incorporate the Department of Housing and Community Development's portion of the application in total for the Commonwealth's application for LIHEAP Block Grant.

4. That an interagency agreement between the Departments of Social Services and Housing and Community Development be developed detailing the administrative responsibilities of each agency.

5. That the regulations promulgated by the State Board of Social Services before July 1, 1998, relating to the weatherization component of the Virginia Energy Assistance Program shall continue in effect until final regulations are adopted by the Board for Housing and Community Development, at which time the regulations of the State Board of Social Services shall be superseded. The Board of Housing and Community Development shall adopt regulations relating to the weatherization component of the Virginia Energy Assistance Program in accordance with the emergency regulation provisions of the Administrative Process Act (§ 9-6.14:1 et seq.).

6. That the Department of Housing and Community Development shall coordinate efforts with the Virginia League of Social Services Executives, Inc., the Virginia Council Against Poverty, and the Association of Energy Conversation Professionals to study the structure for the effective delivery of Low Income Home Energy Assistance Program (LIHEAP) services. This study shall include consideration of (i) the coordination between local weatherization providers, local community action agencies, and local departments of social services and (ii) possible future programs, using LIHEAP funds, which encourage self-sufficiency by addressing the underlying contributing causes of energy-induced hardships. The Department of Social Services is requested to assist with this endeavor. The Department of Housing and Community Development shall report its findings and recommendations to the Governor and the 1999 Session of the General Assembly.