

COMMONWEALTH OF VIRGINIA

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VIRGINIA HOUSING COMMISSION

Meeting Summary

Neighborhood Transitions and Residential Land Use Workgroup General Assembly Building, House Room D November 10, 2010, 1:00 P.M.

Members Present: Delegate Rosalyn Dance, Delegate Glenn Oder, Delegate Daniel Marshall, Delegate David Bulova, Barry Merchant, Brian Gordon, Chip Dicks, Bill Ernst, Neal Barber, Ted McCormack

Staff Present: Elizabeth Palen, Jillian Malizio

I. Welcome and Call to Order

- **Delegate Rosalyn Dance, Chair**
 - o The meeting was called to order at 1:02PM.

II. Disposition of Proposed Legislation, Delegate Dance

- **HB232—Civil penalty for landlords (Dance, 2010)**
 - o HB 232 affords localities the ability to hold landlords responsible for tenants who continually violate § 18.2-387, § 18.2-388, or § 18.2-415 of the Code of Virginia. The bill provides a locality the proper tools to ensure that indifferent landlords pay attention to their property and take curative measures where tenants are disruptive in the neighborhoods. This bill has been modified from last session's bill to allow for sooner notification by the locality within a tighter timeframe.
 - o A discussion on the bill ensued.
 - o **Delegate Marshall**—*Can this bill be limited to apply only to Delegate Bulova's district?*
 - o **Delegate Bulova**—*No, other localities have requested similar legislation because they are having some of the same problems.*
 - o A vote was taken and the bill lacked the support of the workgroup. Amendments to the bill were proposed.
 - o **Delegate Marshall**—*Possibly the bill could be limited to areas surrounding colleges or universities.*
 - o A vote was taken and all agreed to recommend the bill to the full commission.
 - o **Delegate Dance**—*The bill will be recommended to the full commission.*
- **HB1280—Fair Housing Law**—The bill makes it a violation of the Fair Housing Act to deny the application for local land use ordinances or guidelines based on the fact

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DELEGATE G. GLENN ODER

SENATOR MAMIE E. LOCKE
SENATOR JOHN C. WATKINS
SENATOR MARY MARGARET WHIPPLE

F. GARY GARCZYNSKI
T. K. SOMANATH
MELANIE S. THOMPSON

that the proposed development shall be operated in full or in part as affordable housing.

- o A discussion on the draft ensued, before the workgroup voted to support the bill.
- o **Delegate Dance**—*The bill will be recommended to the full commission.*
- HB790—Removal of defacement from structures (Villanueva, 2010)
 - o The bill was requested by the City of Virginia Beach to help alleviate the costs of removing graffiti from public structures. The intent is to limit the ability to charge owners for removal of subsequent defacement and only when it cost over 1,000 dollars.
 - o **Delegate Dance**—*A sub-workgroup met to discuss the bill but was not able to reach a consensus on the issue. The bill will not be recommended to the full committee.*
- HB960—Local housing trust fund (Ingram, 2010)
 - o The bill will provide localities with the authority to create a local housing trust fund to make grants or loans to any development that will provide low or moderate income housing for families.
 - o Neal Barber spoke about the bill and presented his draft of the legislation.
 - o **Delegate Dance**—*The bill will not be recommended to the full committee.*

III. Landlord-Tenant Legislative Proposal

- Christie Marra, *Virginia Poverty Law Center*
- Chip Dicks, *Virginia Association of Realtors*
- Three separate bills were proposed.
- One issue was the procedures a tenant has to follow in the case of a dispute with his landlord. Currently, according the Virginia Landlord Tenant Act (VLTA) a tenant must file an action in court against the landlord. The proposed draft would take the procedures for making a complaint against a landlord from Virginia Residential Landlord Tenant Act (VRLTA) and copy them into the VLTA. The proposed bill which would allow tenants to pay rent into an escrow account when there is a dispute with the landlord over compliance with the rental agreement.
- **Delegate Bulova**—*Do you see any unintended consequences occurring with this bill?*
- **Christie Marra**—The issue has been with landlord who only own one single-family residence, those tenants are unsure of how to proceed.
- **Delegate Marshall**—*One of your proposed drafts would eliminate the security deposit provision in the VLTA. I would not support eliminating the provision.*
- **Brian Gordon, Apartment and Office Building Association**—*We have two concerns, first in apartments where many students live we have encountered the problem of students moving out long before the termination of their lease. And second, if there are no consequences for the renter, they may claim they didn't receive written notice.*
- **Sandra Winfree, Waverton Associates, Inc.**—*Other people in the field may have different perspectives, but this has not been an issue in any of our complexes.*
- **Delegate Dance**—*Changes shall be made to the bill and the full commission will consider the issue at the meeting on November 17, 2010.*

IV. Adjourn

- The meeting was adjourned at 2:30PM.

