

# DIVISION OF BUILDING AND FIRE REGULATIONS

## 2019 ANNUAL REPORT

The development, promotion and uniform enforcement of regulations that achieve safe, affordable buildings in Virginia.



# BUILDING AND FIRE REGULATIONS

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## MISSION

The development, promotion and uniform enforcement of regulations that achieve safe, affordable buildings in Virginia.

## VISION

Safe, affordable buildings for Virginia communities.



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# MESSAGE FROM THE DEPUTY DIRECTOR

Cindy L. Davis



Friends and Colleagues,  
The Division of Building and Fire Regulations (BFR), within the Virginia Department of Housing and Community Development (DHCD), is pleased to present the 2019 Annual Report highlighting the programs, processes, events and staff that serve and support residents and visitors to the commonwealth. Some of the more significant items detailed inside this year's report include:

- Completion of the proposed phase of the 2018 code update process
- Identified subject areas needing substantial study via the sub-workgroup process
- State Building Code Technical Review Board retreat and approval of written policies
- Collaboration with VHDA and indieDwell for the construction and approval of shipping container home
- Opening of a new DHCD office in Wytheville
- Partnered with Viridiant to support a grant application for the study of energy efficiency in Virginia and the development of related training

Also, noteworthy in 2019 was saying happy retirement to Charlotte Carter and Eric Leatherby, two long-time employees of DHCD. We also welcomed Thomas King, Aliza Barbour, Paul Messplay, and Brian Hilderbrand to the DHCD team. These new staff members bring a wealth of technical skills and talents to the agency. We all look forward to continuing our collaborative relationships with all stakeholders to continue to provide Virginia with a safe, efficient and affordable built environment.

Respectfully,

A handwritten signature in black ink that reads "Cindy L. Davis". The signature is fluid and cursive.

Cindy L. Davis, C.B.O. Deputy Director  
Division of Building and Fire Regulations  
VA Department of Housing and Community Development

# DIVISION OF BUILDING AND FIRE REGULATIONS

## 2019 AT-A-GLANCE

### INDUSTRIALIZED BUILDINGS (IB)

17 Plants inspected in three states  
 13 Approved Compliance Assurance Agencies  
 120 Plan reviews audited

### IB SEALS SOLD



244 CODE OPINIONS DATABASE UPDATES

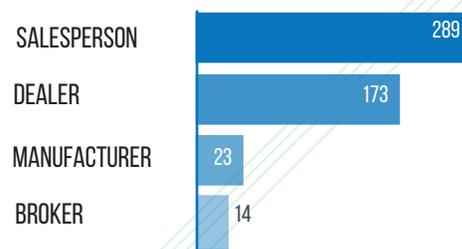
1,858 CUSTOMER CALLS ANSWERED

3,562 CUSTOMER EMAILS ANSWERED

### MANUFACTURED HOUSING (MH)

34 Dealer Lots Inspected  
 2 MH Board Meetings  
 2 Complaints resolved

### MH LICENSES ISSUED



### CODE DEVELOPMENT

21 Workgroup Meetings  
 152 Proposals Submitted  
 108 Proposals Voted on

### JACK A. PROCTOR VIRGINIA BUILDING CODE ACADEMY (VBCA)



### CLASSES HELD

63



### STUDENTS TRAINED

1,701



### ONLINE MODULES COMPLETED

3,973



### CERTIFICATIONS ISSUED

599



### CONTINUING EDUCATION APPLICATIONS PROCESSED

579



### VOLUNTEER SME/INSTRUCTOR HOURS

2,476

# DIVISION OF BUILDING AND FIRE REGULATIONS

## 2019 Outreach

### STAKEHOLDER SUPPORT

The Division of Building and Fire Regulations (BFR) maintains positive relationships with various stakeholder and client groups across the country, state and region. This involvement provides benefits to staff, the agency, our stakeholders and the residents of Virginia.

Stakeholder support includes serving on boards of directors, providing training and scholarship opportunities, collaborating with industry to find solutions to problems and concerns, serving as officers in various organizations, serving on national code, professional development, certification and testing councils and committees, collaborating with organizations to find subject matter experts for training and curriculum development, and providing technical code collaboration and presentations specific to industry needs.

#### Agency support:

- Building and Fire Regulations staff served on the Commonwealth of Virginia Campaign (CVC) annual charitable giving campaign for DHCD.
- Building and Fire Regulations team members participated in the Virginia Governor's Housing Conference by serving on the conference committee and filling various support roles.
- In support of Executive Order 25, Building and Fire Regulation staff participated on a housing technology workgroup that includes various stakeholders to explore opportunities to advance technology and opportunities for affordable housing in Virginia. BFR staff assisted VHDA, project:HOMES and indieDWELL in approving and installing Virginia's first factory-built shipping container home in Richmond.

#### International Code Council board and national participation:

- ICC board officer and vice president
- ICC Off-Site Construction Standard Development Committee member
- ICC Residential Energy Code Committee member
- National Certification Program for Construction Code Inspectors (NCPCCI)
- Women in Code Enforcement and Development (WICED) board member
- WICED of Virginia past president

#### Stakeholders supported include:

- International Code Council (ICC)
- National Institute of Building Sciences (NIBS)
- American Institute of Architects (AIA) Virginia
- Virginia Building and Code Officials Association (VBCOA)
- Virginia Plumbing and Mechanical Inspectors Association (VPMIA)
- Virginia Chapter of the International Association of Electrical Inspectors (IAEI)
- Home Builders Association of Virginia (HBAV)
- Virginia Manufactured/Modular Housing Association (VAMMHA)
- Modular Building Institute (MBI)
- Virginia Elevator Safety Association (VAESA)
- Women in Code Enforcement and Development (WICED-National + Virginia Chapter)
- Virginia Association of Realtors (VAR)
- Virginia Fire Prevention Association (VFPA)
- Apartment and Office Building Association (AOBA)
- Virginia Retail Merchants Association (VRMA)
- Interstate Industrialized Buildings Commission
- Modular Homebuilders Association
- Virginia Energy Efficiency Council (VAECC)
- Viridiant
- Federal Emergency Management Agency (FEMA)
- Virginia Department of Conservation and Recreation (DCR)
- Virginia Department of Health (VDH)
- Virginia Department of Social Services (DSS)
- Virginia Department of Environmental Quality (DEQ)

# DIVISION OF BUILDING AND FIRE REGULATIONS

## 2019 Highlights

### CINDY DAVIS ELECTED VICE PRESIDENT OF THE INTERNATIONAL CODE COUNCIL (ICC)

DHCD Deputy Director Cindy Davis was elected vice president of the International Code Council (ICC). Members of the International Code Council welcomed a new slate of officers and directors to its 2019–2020 board of directors during the Annual Business Meeting on Oct. 21, 2019, at the ICC Annual Conference in Las Vegas. Three senior officers were elected to the executive committee and five directors were elected or re-elected by eligible governmental member voting representatives and honorary members to serve on the board. The board is comprised of four officers, eight at-large directors and six sectional directors who all serve the interests of code professionals in the building safety industry through advocacy, education and research; set the strategic direction for the association; and act as the voice of the association's 64,000 members across the country and around the world.



L to R: Steve McDaniel, Alan Boswell, Greg Wheeler, Cindy Davis, Michael Wich, Tom Peterson, Michael L. Savage Sr.

### DHCD WORKS WITH PARTNERS TO BRING FIRST SHIPPING CONTAINER HOME TO VIRGINIA

In the fall of 2018, the Virginia Housing Development Authority (VHDA) visited a manufacturing plant in Idaho where indieDwell was constructing new single family homes out of used shipping containers. VHDA was so impressed with the quality, efficiency and affordability of the container homes being produced, they decided to partner with Project Homes and IndieDwell to bring the first ever factory-built shipping container home to Virginia. DHCD worked with indieDwell and NTA, a Virginia approved compliance assurance agency, to ensure the manufacturing process and the home were in compliance with Virginia's regulations. The new shipping container home was showcased at both the Housing-X Conference in Richmond on May 22, 2019, and has since been set on a permanent site in the city of Richmond for a family to enjoy. Shipping container homes from indieDwell were also on display at the 2019 Virginia Governor's Housing Conference.



### DHCD ANNOUNCES THE OPENING OF SATELLITE OFFICE IN WYTHEVILLE

The new office, located at 105 E Main Street, Wytheville, is located in the building owned by the Virginia Housing and Development Authority (VHDA). DHCD is grateful for the collaboration with VHDA that allowed us to provide resources for Southwest Virginia. Brian Hilderbrand, former building official for Washington County, has been hired for the Wytheville position. Hilderbrand has been very involved with various stakeholder groups throughout the region and will be a great resource for DHCD support in that area of the commonwealth.



# DIVISION OF BUILDING AND FIRE REGULATIONS

## 2019 Highlights

### CHARLOTTE CARTER AND ERIC LEATHERBY RETIRE

Charlotte Carter, after more than 30 years with DHCD and most of which were the Virginia Building Code Academy (VBCA), retired in March 2019. Carter is known for her dedication and commitment overseeing the academy through its growth, as well as her outstanding customer service. All those attending the academy over the years knew Carter, and she became the face of the academy!

Eric Leatherby joined DHCD in 1999, bringing with him many years of valuable experience in the manufactured housing and industrialized building industries. Leatherby retired in December 2019 after more than 20 years in the State Building Codes Offices as a code and regulations specialist.

### BFR TEAM ARRIVALS

BFR saw many new faces added to the team throughout 2019. The State Building Codes Office (SBCO) welcomed Thomas King from DHCD's Division of Operations. King is a U.S. Navy veteran and brought with him valuable leadership, problem solving and training skills. SBCO welcomed Brian Hilderbrand as the Southwest region code and regulation specialist at DHCD's new Southwest Virginia office in Wytheville. Hilderbrand brought with him many years of experience in the construction field and code administration, as well as many code enforcement certifications. Paul Messplay joined SBCO as a code and regulation specialist. Messplay also brought with him several years of construction and code enforcement experience and is an ICC certified Master Code Professional.

VBCA welcomed Aliza Barbour as a training coordinator from Virginia State University. Barbour brought training development and coordination experience and applies that experience in her role in supporting the daily operations of the academy. Kelly Duggins, with VBCA, was promoted to lead training coordinator in the spring. In his new role, Duggins oversees and manages the academy operations and onsite student engagement.

### BFR SUPPORTS JURISDICTIONS

Through the Virginia Building Code Academy, BFR provided ICC memberships for all 162 jurisdictions enforcing the USBC, as well as providing a complete set of the 2015 Virginia codes to all 162 jurisdictions enforcing the USBC. In addition, the team provided a complete historic library of every code adopted in Virginia, dating back to 1973 to all jurisdictions.



# BUILDING SAFETY MONTH

## 2019 BSM Campaign

### 2019 BSM CAMPAIGN CONTEST

The division of Building and Fire Regulations continued its annual tradition of supporting ICC's Building Safety Month with the third annual Building Safety Month Campaign Contest. The program saw an increase in applicants for the second consecutive year. Campaigns engaged citizens and stakeholders through a variety of activities and initiatives, including radio and newspaper ads, cookouts, speeches, raffles, giveaways and other special events.

Participating localities described all of the festivities and promotional opportunities conducted in their jurisdiction to promote building safety and awareness of code enforcement in the built environment. DHCD selected winners for each of the three categories, based on department size: large (more than 40 employees), mid-sized (11-40 employees) and small (10 or fewer employees). Winners received a free day of training and lunch for up to 40 employees, provided by the Jack A. Proctor Virginia Building Code Academy.

### 2019 BSM CAMPAIGN CONTEST

LARGE DEPARTMENT: [City of Alexandria](#)

MID-SIZED DEPARTMENT: [Grayson County](#)

SMALL DEPARTMENT: [City of Winchester](#)



City of Alexandria



Grayson County



City of Winchester

### 2019 BSM PROCLAMATION EVENT

As part of the annual celebration of Building Safety Month in May, Governor Northam, along with Deputy Secretary of Commerce and Trade Cass Rasnick and Deputy Secretary of Public Safety and Homeland Security Ryant Washington, presented the Building Safety Month proclamation during a special event with DHCD and representatives from the building and fire community. The proclamation event also included the recognition of the scholarship winners for the 2019 BSM essay contest. This event was held at the new Institute for Contemporary Art at Virginia Commonwealth University.



# BUILDING SAFETY MONTH

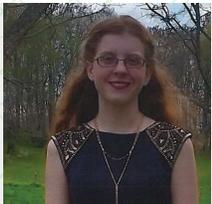
## BSM Essay Contest

The third annual Building Safety Month (BSM) Student Essay Contest proved to be a great success. DHCD partnered with the Virginia Building and Code Officials Association (VBCOA) and the Virginia Plumbing and Mechanical Inspectors Association (VPMIA) to award five high school and college students with scholarships to help towards the cost of their higher-education goals. A \$2,000 scholarship was awarded to first place, second place received the \$1,000 scholarship, and three scholarships of \$500 each were awarded to the honorable mentions.

The award recipients attended the 2019 Building Safety Month proclamation event held at the VCU Institute for Contemporary Art, where they were each presented their scholarship by Gov. Ralph Northam. The scholarship contest continues to increase awareness among students in regards to the importance of building codes and building safety. Congratulations to our 2019 winners!



**FIRST PLACE:**  
**Kyle Renaux**  
Homeschool,  
Hampton, Virginia



**HONORABLE MENTION:**  
**Arden Floyd**  
Orange County  
High School  
Orange, Virginia



**HONORABLE MENTION:**  
**Kariyah Jones**  
James Madison  
University  
Harrisonburg, Virginia



**HONORABLE MENTION:**  
**Nathalie Williams**  
Broadway  
High School  
Keezletown, Virginia



**SECOND PLACE:**  
**Grace Beattie**  
Midlothian  
High School  
Midlothian, Virginia

# STATE TECHNICAL REVIEW BOARD (STRB)

## 2019 Board Overview

The State Technical Review Board (STRB) consists of 14 citizens appointed by the governor to ensure Virginia's building code is administered fairly and well-understood by the citizens of Virginia. The STRB's primary purpose is to hear appeals from enforcement actions under the Virginia Uniform Statewide Building Code, the Virginia Statewide Fire Prevention Code, the Virginia Industrialized Building Safety Regulations, the Virginia Manufactured Home Safety Regulations and the Virginia Certification Standards. A secondary function of the State Technical Review Board is to provide interpretations of the provisions of the USBC and SFPC, and make recommendations to the Virginia Board of Housing and Community Development (BHCD) for future modifications, amendment, or repeal of such provisions.

### STRB STAFF ACCOMPLISHMENTS

The STRB held the first ever STRB Retreat. In addition, the team drafted 23 policies, which were vetted by the review board establishing the Review Board Policy Manual. STRB staff added the interpretation booklets and board policies to the review board database and ensured protection and preservation of all review board interpretations by converting all records to electronic format (1974-present). The new electronic record is searchable and includes bookmarks at each interpretation.

### STRB DEPARTURES

E.G. "Rudy" Middleton resigned from the STRB after two years of dedicated service representing the Electrical Contractors. Middleton was appointed to the board by former Gov. Terry McAuliffe.

### STRB ACTIONS

- 7 SBCTRB Board meetings
- 11 Appeals filed
- 17 Appeals processed
- 15 Final orders
- 6 Interpretation requests
- 3 Informal fact-finding conferences

### STRB CHANGES

- 1 Board member resigned (E.G. "Rudy" Middleton)
- 1 Vacancy

### STRB MEMBERSHIP

- James R. Dawson | Chair
- W. Shaun Pharr, Esq. | Vice Chair
- Vince Butler
- Daniel Crigler
- Alan D. Givens
- Christina Jackson
- Joseph Kessler
- Eric Mays, PE
- Joanne Monday
- Patricia S. O'Bannon
- Kenney Payne
- Richard C. Witt
- Aaron Zdinak, PE

### STAFF TO THE BOARD

- Justin I. Bell, Esq. | Board Counsel
- W. Travis Luter Sr. | Board Secretary

# INDUSTRIALIZED BUILDINGS (IB)

## 2019 Snapshot

Industrialized Building Safety Regulations (IBSR) regulates industrialized buildings (IB), often referred to as modular buildings. IBSR provides for the administration and enforcement of uniform statewide standards. DHCD is the building official for IBs and accredits third-party Compliance Assurance Agencies (CAA) to review designs, inspect construction and certify the buildings through the application of the Virginia Registration Seal, and the performance of the CAA is monitored by DHCD.

3,761

Industrialized Building  
Seals Sold

17

Industrialized Building  
Plants Audited

### IB SEALS SOLD

CONSTRUCTION

2,337

RESIDENTIAL

1,424

### APPROVED THIRD-PARTY AGENCIES

13 Approved Compliance Assurance Agencies

120 Plan reviews audited

### PLANT AUDITS

5 Virginia

8 North Carolina

4 Georgia

\$282,075

COLLECTED FOR SEALS SOLD

# VIRGINIA MANUFACTURED HOUSING BOARD (VMHB)

## 2019 Board Overview

The Virginia Manufactured Housing Board (VMHB) promulgates the licensing regulations to carry out the requirements for licensing of manufactured homes manufacturers, dealers, brokers and salespersons.

VMHB is comprised of nine members, appointed by the governor, representing specific groups designated in enabling legislation. VMHB adopts and, with the assistance of DHCD staff, carries out the enforcement of the Manufactured Housing Licensing and Transaction Recovery Fund regulations. The board is responsible for licensing manufactured home dealers, brokers, manufacturers and salespersons working for those companies, and they are authorized to receive consumer complaints on manufactured homes and make case decisions as necessary to resolve certain complaints.

The board held two meetings throughout 2019.

### VMHB MEMBERSHIP

- Walter Cleaton | Chair
- David C. Bridges | Vice Chair
- Shawna J. Cheney
- Jim Trepinski
- Keith W Hicks
- Sean Hicks
- James W. Roncaglione
- Cindy Tomlin



# MANUFACTURED HOUSING (MH)

## 2019 Snapshot

DHCD regulates Virginia's manufactured housing industry through the Virginia Manufactured Home Safety Regulations (MHSR) and the Virginia Manufactured Housing Licensing and Transaction Recovery Fund Regulations (MHLTRFR).

All licenses, except temporary or special licenses, are issued for a one-year period and must be renewed annually.



\$93,475 Collected for all MH Licensing Fees

\$16,378 Collected from HUD for SAA functions

\$37,950 DMV revenue received

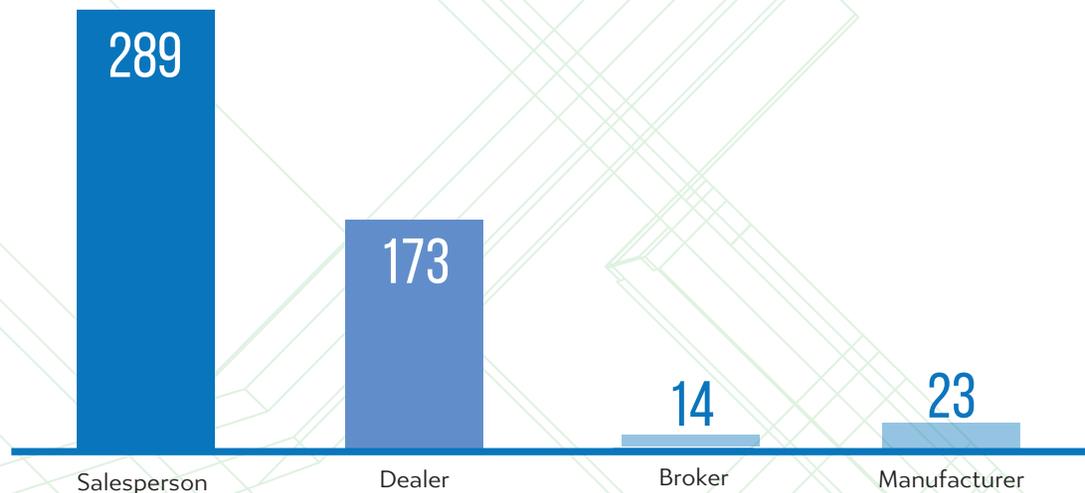
6 Complaint cases

34 Dealer lots inspected

2 Subpart I record reviews conducted

2 Plant inspected

### MH LICENSES ISSUED



# CODE DEVELOPMENT

## 2018 Code Development Process



The 2018 code update cycle kicked off in March of 2019 with the publishing of the Notices of Intended Regulatory Action (NOIRA). This action alerts the public that the BHCD intends to consider amending the regulations. This also started a 30-day public comment period, during which proposals and comments were submitted through DHCD's online code development system, cdpVA, to amend Virginia's building and fire regulations. A public hearing was also held in July 2019 allowing the public to speak directly to BHCD.

As with previous code update cycles, workgroups were utilized in an effort to vet code update proposals and try to reach consensus. Several proposals, topics and initiatives went through sub-workgroups prior to being heard by the full workgroups. These sub-workgroups included: energy, resiliency, residential uses, residential electrical dock safety and school safety.

After the conclusion of the workgroup meetings, 108 proposals were voted on by BHCD's Codes and Standards Committee at their meeting in September 2019. In December 2019, BHCD approved the proposed regulations, which were published in the Virginia Register of Regulations on Feb. 3, 2020.

The next action is the final phase of the process. After the deadline for submitting proposals passes, workgroups will reconvene to consider new and carryover proposals. A public hearing will be held in May 2020. Similar to the proposed phase, once the workgroups vet the proposals and make recommendations, BHCD's Codes and Standards Committee will vote on whether to approve the proposed changes. The full board will subsequently approve the final regulations, which will be published in the Virginia Register of Regulations in early 2021.

- 4 Regular workgroup meetings
- 4 Fire Prevention Code Edit workgroup meetings
- 5 Residential Uses sub-workgroup meetings
- 4 School Safety sub-workgroup meetings
- 2 Energy sub-workgroup meetings
- 3 Resiliency sub-workgroup meetings
- 2 Residential Electrical Dock Safety sub-workgroup meetings
- 2 Amusement Device Technical Advisory Committee meetings





# JACK A. PROCTOR VIRGINIA BUILDING CODE ACADEMY

## 2019 Highlights

63

Live Classes Held

1,701

Students Trained

3,973

Online Modules Completed

599

Certifications Issued

579

CE Applications Processed

2,476

VOLUNTEER SUBJECT-MATTER/INSTRUCTOR HOURS

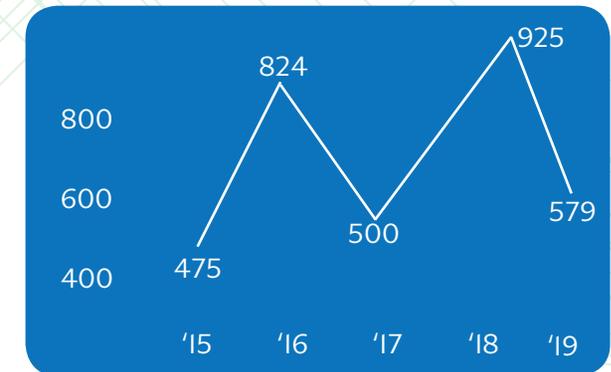
TOTAL ATTENDANCE



CERTIFICATIONS ISSUED



COUNTINUING EDUCATION APPLICATIONS PROCESSED



## 2019 ACCOMPLISHMENTS

DHCD, through VBCA, partnered with Viridiant for the development and delivery of a four-hour energy code training. This initiative was funded through a Southwest Energy Efficiency Alliance (SEEA) grant and designed specifically for code officials to address code compliance.



We acknowledge and thank our BHCD members for their hard work, support and efforts in maintaining the quality codes Virginia is known for.

### 2019 VIRGINIA BOARD OF HOUSING AND COMMUNITY DEVELOPMENT MEMBERS

Abigail Johnson, Congressional district 1  
Andrew Friedman, Congressional district 2  
Jeff Sadler, Congressional district 3  
Helen Hardiman, Congressional district 4  
Earl Reynolds, Congressional district 5  
Mimi Elrod, Congressional district 6  
Richard Gregory, Congressional district 7  
Patricia Shields, Congressional district 8  
Steve Semones, Congressional district 9 | Chair  
Brett Meringoff, Congressional district 10  
Sonny Abbasi, Congressional district 11 | Vice Chair  
Keith Johnson, Virginia Fire Services Board  
Susan F. Dewey, Executive Director, VHDA  
Sean Farrell, Virginia Building and Code Officials Association





**VIRGINIA DEPARTMENT OF HOUSING  
AND COMMUNITY DEVELOPMENT**  
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