

2016 Legislative Agenda & Talking Points



Not only does VAR introduce and fight to have our own bills passed, but we review, support, oppose, and track hundreds of other bills that could have an impact on your business. We are working every day to protect your interests and keep your businesses running smoothly.

Each year the VAR Leadership Team and the Public Policy Committee select a few bills in addition to the VAR Legislative Agenda to develop our top priority tracking list. These priority bills relate to private property rights, disclosure, property management, REALTOR® business and Real estate licensing among many others.

<p>HB 367</p> <p>Non-conforming Uses</p> <p>VAR Priority Bill</p> <p><i>Introduced by: Delegate Glen Davis</i></p>	<p>Talking Points:</p> <p><i>Thank House members for passing the bill; ask Senate members to please support the bill.</i></p>	<p>Summary of the Bill:</p> <ul style="list-style-type: none"> • Extends protections for business owners if a locality issues a notice of zoning violation for use on a specific property after the business owner has paid taxes & operated for more than 15 years. • Provides in such a case, the business owner has a right to file for rezoning or use permit without payment of any filing or related fees.
<p>HB 567</p> <p>Agency & Licensing Revisions</p> <p>VAR Agenda & Priority Bill</p> <p><i>Introduced by: Delegate Jackson Miller</i></p>	<p>Talking Points:</p> <p><i>Thank House members for passing the bill; ask Senate members to please support the bill.</i></p>	<p>Summary of the Bill:</p> <ul style="list-style-type: none"> • Allows the VREB to grant exemptions by waiving or exempting CE hours required in instances of licensee certified illness or undue hardship. • Allows the VREB to utilize deferred judgments including to complete education or other remedial steps, without licensee violations going on their permanent records; • Clarifies that the requirement for written brokerage agreements applies only to residential transactions and that commercial transactions do not require a disclosure of brokerage relationship. • Clarifies that showing property does not in and of itself trigger the requirement for a written brokerage agreement. • Clarifies that no cause of action is created by the real estate licensing statutes and regulations.
<p>HB 577</p> <p>Interpleader; earnest money deposits.</p> <p>VAR Agenda & Priority Bill</p> <p><i>Introduced by: Delegate Roxann Robinson</i></p>	<p>Talking Points:</p> <p><i>Thank House members for passing the bill; ask Senate members to please support the bill.</i></p>	<p>Summary of the Bill:</p> <p>Allows the general district court, in an interpleader case involving an earnest money deposit held in escrow by a real estate broker, to pay the funds to the Virginia Housing Trust Fund upon default of both of the stakeholders.</p>

<p>HB 684</p> <p>Common Interest Community (POA; COA)</p> <p>VAR Agenda & Priority Bill</p> <p><i>Introduced by: Delegate Chris Peace</i></p>	<p>Talking Points:</p> <p><i>Thank House members for passing the bill; ask Senate members to please support the bill.</i></p>	<p>Summary of the Bill:</p> <ul style="list-style-type: none"> • Makes clear limitations on the fees that POAs and COAs can charge to owners who want to rent their property; • Prohibits associations from evicting tenants; • Defines that delivery of the packet means “the packet being delivered to the purchaser or purchaser’s designated agent” by one of the methods outlined in the statute; • Clarifies if there are multiple POAs of COAs and multiple disclosure packets/resale certificates are therefore required, the three day right of rescission does not begin until the last packet or resale certificate has been delivered; • Increases the timeframe in which associations can back-charge sellers for the cost of packets to 60-days, from the existing 45-days, to satisfy concerns regarding delayed closings with TRID.
<p>HB 735</p> <p>Virginia Landlord Tenant Act Omnibus Bill</p> <p>VAR Priority Bill</p> <p><i>Introduced by: Delegate Jackson Miller</i></p>	<p>Talking Points:</p> <p><i>Thank House members for passing the bill; ask Senate members to please support the bill.</i></p>	<p>Summary of the Bill:</p> <ul style="list-style-type: none"> • H.B. 735 is the annual industry-supported omnibus bill amending the Virginia Residential Landlord Tenant Act. H.B. 735 is now consensus legislation and there is no opposition. • Clarifies that a housing provider is not required to make repairs to address damages noted at move-in inspection unless required by building code. • Clarifies that a tenant cannot prevent a housing provider from showing unit to prospective tenants prior to lease expiration, and adds a penalty of costs and attorney’s fees. Also clarifies that a housing provider may cite tenant for violations observed during such inspections.
<p>HB 741</p> <p>Home Inspector Licensure</p> <p>VAR Agenda & Priority Bill</p> <p><i>Introduced by: Delegate Jackson Miller</i></p> <p>SB 453</p> <p>Home Inspector Licensure</p> <p>VAR Agenda & Priority Bill</p> <p><i>Introduced by: Senator Bill Stanley</i></p>	<p>Talking Points:</p> <p><i>Thank House members for passing the bill; ask Senate members to please support the bill.</i></p> <p>Talking Points:</p> <p><i>Thank Senate members for passing the bill; ask House members to please support the bill.</i></p>	<p>Summary of the Bill:</p> <ul style="list-style-type: none"> • Allows any home inspector who is voluntarily certified in Virginia to be automatically grandfathered into the licensure program as of July 1, 2017. • It also creates a transition period of approximately a year and half for anyone who is not currently certified to obtain the necessary credentials for licensure. • Maintains licensed home inspectors in the same the regulatory body where voluntarily certified inspectors are currently regulated. • This bill is supported by many stakeholders in the real estate industry including Home Inspectors, Realtors, Home Builders and Banks.

**FOR MORE INFORMATION REGARDING THESE OR ANY OTHER STATEWIDE LEGISLATIVE INITIATIVES,
PLEASE VISIT www.VirginiaRealtorsChoose.com**

or

**CONTACT MARTIN K. JOHNSON, VAR’S CHIEF OF POLICY and ADVOCACY
Martin@VARealtor.com**