

**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
MEETING
11:00 A.M., October 16, 2017
Glen Allen, Virginia**

Members Present

Mr. John Ainslie
Mr. John Patrick “J.P.” Carr
Mr. James “Robby” Dawson
Ms. Susan Dewey
Mr. Sean Farrell
Ms. Helen Hardiman
Ms. Abigail Johnson
Mr. Rich Napier
Mr. Shekar Narasimhan
Mr. Jeff Sadler
Mr. Steve Semones
Ms. Patricia Shields
Mr. Tommy Shields

Members Absent

Mr. Earl Reynolds

Call to Order

Mr. John Ainslie, Chairman of the Board of Housing and Community Development, called the meeting of the Board to order.

Roll Call

The roll was called by Mr. Kyle Flanders of the Department of Housing and Community Development’s (DHCD) Policy Office. Mr. Flanders reported that a quorum was present.

Public Comment

Mr. Bryan Holland stated that he was speaking as a representative of the National Electrical Manufacturers Association (NEMA). Mr. Holland expressed his concerns over the delayed adoption of the national model code.

Mr. Andrew Milliken of the Stafford County Fire Marshal’s Office expressed concerns moving forward with a non-consensus document and asked the Board to give due regard to the model code.

Mr. Ned Yost asked for approval of his proposal of sprinklers in one and two single family dwellings marketed for seniors. Mr. Yost’s full comments are attached to these minutes.

Mr. William Andrews of the Fire Marshal's Office for the City of Richmond was concerned about removing language on skid tanks which need to stay in the fire code.

Mr. David Beahm of Virginia Building and Code Officials Association (VBCOA) stated that model codes are not enforceable and that is why states are given the flexibility to adopt codes that work best in their state and Virginia has been recognized nationally for our process and our codes.

Ms. Linda Hale, Chief Fire Marshal of Loudon County, asked that the Board reconsider and asked to delay this until the 2018 code cycle.

Mr. Jimmy Moss of VBCOA thanked everyone for the work put in and to move forward in the process.

Mr. Andrew Baxter, Fire Chief for the City of Charlottesville, understands removing unenforceable language but does not feel the final document has had enough time to be vetted by staff and asked that final action be delayed until the 2018 cycle.

Mr. Don Surrena from the National Association of Home Builders referenced the sprinkler proposal for homes marketed for seniors stating that developers will not build if it is made a requirement.

Mr. Dan Buuck from the National Association of Home Builders spoke about the arc fault circuit interrupters (AFCI) proposal stating that, unlike other safety measures, there had not been a decrease in electrical fires since the introduction of AFCIs.

Mr. Roger Glover, President of Cornerstone Homes, stated he felt it was unfair to target clients and felt that senior homes were already constructed with additional safety measures and asked the board not to approve the sprinkler proposal for homes marketed for seniors.

Mr. Andrew Clark of the Home Builders Association of Virginia introduced himself and Craig Toalson and stated that the home builders look forward to working with all stakeholders and support final adoption today.

Ms. Chelsea Harnish, Executive Director of the Virginia Energy Efficiency Council, stated that they were pleased about the compromise energy proposals before the Board and about the blower door study.

Mr. Shaun Pharr of the Apartment and Office Building Association of Metropolitan Washington (AOBA) and the Virginia Apartment Management Association (VAMA), expressed concern with 105.4 in the Virginia Maintenance Code regarding notice of violation. His members feel that the term multiple or repeated violations on the same property is far too broad a measure that will harm mid-size and large properties that are good actors.

Jeff Sargent of the National Fire Protection Association (NFPA) discussed AFCI's and how they trip for a reason and are not a nuisance.

Eric Lacey from the Responsible Energy Codes Alliance stated that he thought the process had been fair and thoughtful and felt the air leakage study will be a step in the right direction before the 2018 code cycle.

No additional comments were made by the public; the public comment period was then closed.

Approval of Minutes

A motion was made and properly seconded to approve the minutes of the September 18, 2017, meeting of the Board; the motion passed.

Report of the SFPC Committee, the Codes and Standards Committee, and the Joint Board Meeting

Mr. J.P Carr, Chairman of the Statewide Fire Prevention Code (SFPC) and the Codes and Standards committees, provided a report from the committees held prior to the meeting of the Board. Mr. Carr stated that no recommendation was provided by the SFPC Committee and that the Codes and Standards committee recommended approval of the SFPC with the amendment of section 301.3. The Codes and Standards committee recommended approval of the Uniform Statewide Building Code (USBC) with the removal of section 106.4. Both the Industrialized Building

Safety Regulations (IBSR) and the Virginia Amusement Device Regulations (VADR) were recommended for approval.

Review and Adoption of Final Regulations for the SFPC

The motion to the Board, in the form of a recommendation by the committee, was that the SFPC be adopted with amendment to section 301.3 which changes the language from shall to may. After discussion over the repercussions of passing one code without the others, a vote was called, seconded, and the motion passed.

Review and Adoption of Final Regulations for the USBC

The motion to the Board, in the form of a recommendation by the committee, was that the USBC be adopted with the removal of section 106.4 pertaining to communication within local governments. Mr. Robby Dawson moved to amend the main motion to include proposal number CB-903.2.4 regarding sprinklers in buildings with Group F-1 occupancy. Ms. Helen Hardiman seconded the motion. After additional discussion, a vote was called on the amended motion which failed. The main motion was then voted on and passed.

Review and Adoption of Final Regulations for the IBSR

The motion to the Board, in the form of a recommendation by the committee, was that the IBSR be adopted; the motion passed.

Review and Adoption of Final Regulations for the VADR

The motion to the Board, in the form of a recommendation by the committee, was that the VADR be adopted; the motion passed.

Approval of Update Process for the IRF Guidelines

Mr. Bill Shelton, Director of DHCD, provided an overview of the process for updating the Industrialized Revitalization Fund (IRF) guidelines. Mr. Sean Farrell moved to begin the review process for the IRF Guidelines; the motion was seconded and passed.

Approval of Update Process for PAB Guidelines

Mr. Shelton provided an overview of the process for updating the Private Activity Bond (PAB) guidelines. Mr. Steve Semones moved to begin the review process; the motion was seconded and passed.

Approval of EZ Periodic Review

Mr. Shelton provided an overview of the process for the periodic review of the Enterprise Zone program. A motion was made and seconded to begin the periodic review process; the motion passed.

VHDA Report	Ms. Susan Dewey indicated that Virginia Housing Development Authority (VHDA) was beginning the process of updating the Qualified Allocation Plan (QAP) as part of the Low Income Housing Tax Credit (LIHTC) program which they will be holding a series of forums for comment through 2018 for changes to take effect in 2019. VHDA is also working on community outreach and capacity building for their nonprofit partners.
VFSB Report	Mr. Farrell stated that the Virginia Fire Services Board (VFSB) last met on August 4. He stated that the agency has signed a contract to enhance data reporting and they are currently updating training and policies. Both the chair and vice chair of the VFSB were reelected and the next meeting will be in February in Virginia Beach.
Report of the Director	Mr. Shelton reported that DHCD was entering a new consolidated plan five year period and hoped that federal appropriations for a number of grant programs the agency oversees will be announced soon. The Housing Policy Advisory Council is scheduled to meet October 30 th and will be releasing the study at the Governor's Housing Conference which will be held November 15 – 17 in Norfolk.
Unfinished Business	Mr. Farrell made a motion to have staff continue to work on the SFPC workgroup; the motion was seconded by Ms. Hardiman and passed. Mr. Farrell also made a motion to have staff develop a guidance document for communication between the USBC and SFPC; the motion was seconded by Mr. Semones and passed.
New Business	Ms. Hardiman asked for an update to the assessment of fair housing. Mr. Shelton responded that staff continues to keep this a priority, but is waiting on further guidance from the U.S. Department of Housing and Urban Development (HUD).
Board Matters	There were no Board matters to be discussed.
Future Meetings	Mr. Ainslie directed board members to review the dates of the proposed meetings for 2018 with the next meeting of the Board to be held in January.
Adjournment	Upon a motion duly made and seconded, the meeting was adjourned.

E. D. "Ned" Yost
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Oct. 16, 2017

Board Members and Staff, BHCD

I'm Ned Yost, a Senior Citizen, I'm still pursuing the Board's support for sprinkler protection for new one and two family dwellings designed and marketed to Virginia's Senior Citizens, age 55+

NFPA's President Jim Pauley's June 12th letter of support is part of my proposal. In his commentary after London's Grenfell fire, under the caption "The System is Broken", citing a list of worldwide fire events, he writes: "These incidents illustrate how, either intentionally or accidentally, the global fire prevention and protection system has been broken. This is a system that the public believes exists and that it counts on for its safety. But it is also a system that, through complacency, bad policy and a focus on the economics of construction over the safety of building occupants, has let the public down". Pauley continues: "When policy makers decide to remove life safety and property provisions from codes, they have substituted politics for technical requirements that were determined after extensive input from knowledgeable people across a spectrum of professional disciplines."

NFPA has provided me current statistics and data: Across the country, between 1980 and 2016, "the death rate per 1000 fires ended higher in 2016 than in 1980". "93% of all structure fire deaths resulted from home fires." "During this period, (2010 to 2016), people 65 and over made up only 14% of the US population, but they accounted for one-third (33%) of the home fire deaths".

For Virginia during this same period, the US News Media reported 288 home fire fatalities in residential buildings. Of these deaths, 94, about 33%, "were age 65 years old or over". At your Sept. 18th Board meeting, State Fire Marshall McGraw reported that in 2016 46% of Virginia's fire fatalities were age 55+.

Contradicting the Cornerstone Public Comment circulated to you, NFPA responds: "Fire sprinklers installed to NFPA's standard 13D do NOT require an outside agency inspecting them annually."

NFPA reports the public's awareness is increasing. "A 2014 Harris Poll and Home Fire Sprinkler Coalition found that 74% of homeowners said they are more likely to buy a home with fire sprinklers than without them."

I believe this Board is empowered to protect the lives and look after the health of Virginia's citizens. Again I ask you to approve my proposal to protect Virginia's Senior Citizens living in new one and two-family dwellings designed, developed and marketed to Seniors 55 years of age or older.

Thank you,

A handwritten signature in black ink, appearing to read "Ned Yost", with a long horizontal flourish extending to the right.

Ned Yost