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Exempt Action: Final Regulation Agency Background Document

Agency name	Real Estate Appraiser Board
Virginia Administrative Code (VAC) Chapter citation(s)	18VAC130-20
VAC Chapter title(s)	Real Estate Appraiser Board Rules and Regulations
Action title	HB 170 Amendment (Fair Housing and Appraisal Bias Course)
Final agency action date	June 24, 2026
Date this document prepared	August 20, 2026

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

This action amends the Real Estate Appraiser Board Rules and Regulations to conform to changes resulting from the enactment of Chapter [81](#) (House Bill 170) of the 2026 Acts of Assembly.

The legislation amended the Real Estate Appraiser Board's ("the Board") enabling statute to require applicants for licensure as real estate appraisers to successfully complete a minimum of two hours of education on fair housing and appraisal bias approved or administered by the Board prior to licensure. The legislation also establishes minimum subject matter requirements for this training, including instruction on (i) the legacy of segregation, unequal treatment, and the historic lack of access to housing opportunities; (ii) unequal access to amenities and resources on the basis of race, disability, and other protected classes; (iii) federal, state, and local fair housing laws; and (iv) anti-bias practices. In addition, the legislation requires that any course approved or administered by the Board be reviewed annually by the Fair Housing Board.

The regulatory amendment revises applicable provisions of the regulation to require applicants for licensure to complete a minimum two-hour course on fair housing and appraisal bias in accordance with § 54.1-2013 B of the Code of Virginia. The amendment also changes provisions regarding approval of pre-licensure education offerings to specify the required course content and adds a provision requiring annual review of qualifying courses by the Fair Housing Board, thereby conforming to the Board's regulations to the statutory requirements.

This action is exempt from the Administrative Process Act under § 2.2-4006(A)(4)(a) of the Code of Virginia, which states, in part:

A. The following agency actions otherwise subject to this chapter and § 2.2-4103 of the Virginia Register Act shall be exempted from the operation of this article:

4. Regulations that are:

- a. Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

In April 2026, the Governor approved Chapter [81](#) of the 2026 Acts of Assembly, which amends § 54.1-2013 of the Code of Virginia, which provides for the powers and duties of the Board, including those related to educational requirements for real estate appraiser licensure. The legislation mandates that applicants for licensure as real estate appraisers successfully complete a minimum of two hours of education on fair housing and appraisal bias which must include specified topics. In addition, the legislation requires that any course designed to satisfy this requirement be reviewed annually by the Fair Housing Board.

The legislation became effective on July 1, 2026. The purpose of this regulatory action is to implement and comply with the amendments to the Code of Virginia resulting from the passage of HB 170 during the 2026 General Assembly Session.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has "adopted final amendments" to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, "On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)]."

On June 24, 2026, the Real Estate Appraiser Board adopted final amendments to the Real Estate Appraiser Board Rules and Regulations.