



Exempt Action Final Regulation Agency Background Document

Agency name	Board of Housing and Community Development
Virginia Administrative Code (VAC) citation	13 VAC5-200
Regulation title	Solar Energy Criteria for Tax Exemption
Action title	Update Solar Energy Criteria for Tax Exemption
Final agency action date	7/21/2008
Document preparation date	7/24/2008

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Section 58-16.4 of the 1978 Code of Virginia provided localities the authority to grant real estate tax credits for solar heating systems. The original law and subsequent regulations required the Department of Housing and Community Development to approve the applications from the local building officials in order to qualify for the credits. The law was subsequently amended to eliminate the application approval requirement by the Department of Housing and Community Development.

The regulatory change amends 13 VAC 5-200 to comport with current state statute provided in Section 58.1-3661 of the Code of Virginia regarding the Solar Energy Tax Credit and to eliminate reprint language of the HUD federal regulations (there will be a reference to the federal regulation, but not a reprint of the federal regulation).

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On July 21, 2008, the Board of Housing and Community Development adopted amendments to 13 VAC 5-200-100, Solar Energy Criteria for Tax Exemption.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

No impact