

In The Matter Of:
*BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
PUBLIC HEARING*

*Transcript of Proceedings
July 14, 2025*

ORTEGA INTERNATIONAL REPORTING
*6933 Commons Plaza, Suite 119
Chesterfield, VA 23832
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1 VIRGINIA:

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4 BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

5
6
7 PUBLIC HEARING

8
9
10 Monday, July 14, 2025

11
12 10:00 a.m.

13
14
15 When heard at:

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17
18 Virginia Housing Center

19 4224 Cox Road

20 Glen Allen, Virginia

21
22
23
24 Reported by:
25 JUAN ORTEGA, CCR

1 A P P E A R A N C E S:

2

3 MEMBERS PRESENT:

4 Louie Berbert, Chair

5 Sylvia Bryant

6 Cindy Davis (Remote)

7 Bill Garrett

8 Roger Jones

9 Mark Trostle (Remote)

10 Keith Johnson

11 Maggie Beale

12 Lynne Goldberg (Remote)

13 Jenna Goodman

14 Tammy Neale

15 Hank Osleger

16 J.M. Snell

17 Scott Stosser (Remote)

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1 A P P E A R A N C E S: (Cont'd)

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3 DEPARTMENT OF HOUSING AND COMMUNITY
4 DEVELOPMENT (DHCD) STAFF:

5 Lyndsi Austin, Associate Director

6 Justin Bell, Attorney General

7 Trisha Lindsey, Policy and Legislative
8 Services Director

9 Andrew Malloy, Sr. Policy Analyst

10 Florin Moldovan, Code and Regulation
11 Specialist

12 Sandra Powell, Senior Deputy of Community
13 Development and Housing

14 Sulaiman Safi, Board Coordinator

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1 P R O C E E D I N G S

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4 CHAIR BERBERT: All right. Good
5 morning, everybody. I'm going to call
6 the public hearing to order.

7 My name is Louie Berbert, and I
8 currently serve as the chair of the
9 Board of Housing and Community
10 Development.

11 Today, the Board is going to hold
12 a public hearing to receive comments
13 prior to the proposed regulations.
14 I'd like to welcome all the board
15 members of the Housing Community and
16 Development as well as the Virginia
17 Fire Services Board that are here
18 today.

19 Thank you for attending.

20 Before we get started, I'd like
21 to take a moment to let the board
22 members introduce themselves. So
23 we'll just go around and I will start
24 with Mr. Snell.

25 MR. SNELL: I'm J.M. Snell.

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2 I'm from Harrisonburg, Virginia,
3 and I serve in two capacities, the
4 Board of Housing and the Board of
5 Housing representative on the Fire
6 Services Board.

7 MS. NEALE: Good morning.

8 My name is Tammy Neale and I'm
9 the CEO of Virginia Housing, and
10 welcome to our facility today.

11 MR. GARRETT: My name is
12 Bill Garrett. I'm here in Richmond
13 and I'm a homebuilder by trade and
14 still fairly new to the board.

15 MS. BEAL: I'm Maggie Beal.

16 I'm interim director for
17 Department of Housing and Community
18 Development.

19 CHAIR BERBERT: Louie Berbert
20 again, and I'm from Virginia Beach.

21 And thank you guys for being
22 here.

23 MR. JONES: I'm Roger Jones.

24 I'm from Manassas, Virginia. And
25 happy to be here. Thanks.

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2 MR. HUX: Good morning. Billy
3 Hux, State Fire Marshal.

4 MR. SYKES: Good morning.

5 Steven Sykes. I work for the
6 Virginia Fire Services Board. Served
7 in the City of Fairfax as the building
8 official and fire marshal.

9 MR. JOHNSON: Keith Johnson here
10 representing the Virginia Fire
11 Service.

12 MR. OSLEGER: Hank Osleger, I'm
13 from Fredericksburg, Virginia, where
14 I'm a custom homebuilder.

15 MS. BRYANT: Sylvia Bryant, and
16 I'm from Norfolk and I represent
17 several contractors.

18 MR. DAVIS: Joshua Davis with the
19 State Fire Marshal's Office.

20 MS. GOODMAN: Jenna Goodman with
21 Virginia Building Code Revisions.

22 MR. MILLER: John Miller, I'm
23 chief of fire emergency responses with
24 the Department of Forestry and a
25 member of the fire service.

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2 MR. MAIATICO: Gerry Maiatico, I
3 serve as an assistant chief and fire
4 code official for Warren County,
5 Virginia. And I'm on the Fire
6 Services Board.

7 CHAIR BERBERT: I think we have a
8 couple of folks online as well if you
9 can introduce yourselves.

10 MR. TROSTLE: Mark Trostle here
11 from Northern Virginia.
12 Unfortunately, I'm traveling today
13 across the Delmarva Peninsula.

14 MS. DAVIS: Good morning. I'm
15 Cindy Davis from Henrico County.
16 Retired.

17 MR. STOSSER: I'll go next.
18 Scott Stosser from Blacksburg,
19 Virginia. I'm a local builder there,
20 and developer. I'm in Florida today.

21 MS. GOLDBERG: Lynne Goldberg,
22 I'm in Alexandria, Virginia. And I
23 work for a concession company on the
24 board.

25 MR. BURKE: Don Burke, Northern

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2 Virginia, Alexandria. Longtime
3 resident of the state.

4 CHAIR BERBERT: All right. Thank
5 you. I think that's all of our board
6 members today.

7 Before we get started, I'd like
8 to explain how the hearing will be
9 conducted. Anyone wishing to speak
10 should sign up in the registration
11 table near the door or enter their
12 name on the chat online.

13 Comments offered by previous
14 speakers need not be repeated. A
15 speaker may establish a point simply
16 by referring to the earlier statement
17 that expresses their position. We do
18 have a time limit of two minutes, so
19 please be respectful of that.

20 If you hear a chime go off, your
21 time has expired and I will remind you
22 if I need to. We welcome the
23 submission of written statements as
24 well. The board will review all
25 written materials that are submitted.

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2 If you have written statements today,
3 please submit them to staff.

4 We will receive public comment in
5 this order. First, we're going to go
6 through the Virginia Statewide Fire
7 Prevention Code. Then we'll move on
8 to the Uniform Statewide Building
9 Code. Third, the Virginia Amusement
10 Device Regulations. Fourth, the
11 Virginia Industrialized Building and
12 Safety Regulations. And we'll
13 conclude with the Virginia
14 Certification Standards and the
15 Virginia Manufactured Home Safety
16 Regulations.

17 For each regulation, we're going
18 to start with those who are
19 participating in the room, and I will
20 now open the public hearing and ask
21 Mr. Sawyer to call the first speaker.

22 MR. SAWYER: Yes, sir, Mr. Chair.

23 Anybody in the room wish to speak
24 on the Statewide Fire Prevention Code?

25 All right, Mr. Chair. Nobody in

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2 the room, so we'll turn to online. So
3 I believe -- so speaking on the
4 Statewide Fire Prevention Code first.
5 I see Mr. Ross Shearer.

6 Mr. Shearer, if you'd like to
7 speak -- provide comment.

8 MR. SHEARER: Oh, I didn't think
9 I'd be starting off. But here it
10 goes.

11 I'm Ross Shearer. I live in
12 Vienna where I've been for 40 years.
13 The board is charged with serving the
14 public through a broad range of
15 instruments that include the
16 construction standards of the Uniform
17 Statewide Building Code. The code's
18 existence signifies that Virginia --
19 Virginians recognize that the concept
20 of a free market to deliver suitable
21 housing for Virginians cannot be
22 relied on.

23 To restrain the inevitable drift
24 from quality construction, a
25 regulatory framework is necessary with

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specific components benefitting us both collectively as well as individually as members of the community and as users of housing.

The USBC promotes safe, affordable housing for Virginia, thus stabilizing neighborhoods and promoting trust in the construction industry. It should continue its progress of adopting improvements. Please recognize in the spirit of probity that the commons we all live within shares both national and global consequences.

The oceans, the atmosphere, the many features of planet Earth that support us are tragically threatened in a significant part by inadequately restrained market pressures. Virginians expect the Commonwealth to complete its recent progress by fully adopting the current International Code Council's model including the residential energy efficiency and the

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2 fire protection portion.

3 Thank you.

4 MR. SAWYER: Thank you.

5 Would anybody else online wish to
6 speak on the Statewide Fire Prevention
7 Code?

8 CHAIR BERBERT: In the comments
9 section, I see Kimberly Dyke-Harsley.
10 On the Statewide Fire Prevention Code.
11 You may begin.

12 MS. DYKE-HARSLEY: Pardon me.
13 I'll be waiting for the building
14 code -- Statewide Building Code.
15 Thank you.

16 CHAIR BERBERT: All right. Thank
17 you, Kimberly.

18 MR. SAWYER: All right.

19 Mr. Chair, we are going to the
20 Uniform Statewide Building Code now.
21 We have first signed up -- okay. So
22 virtual online, we have
23 Mr. Steve Shapiro followed by Glen
24 Besa, and then Mr. Don Burke.

25 Yes, ma'am. And Ms.

1 P R O C E E D I N G S

2 Dyke-Harsley.

3 But, Steve Shapiro, if you'd like
4 to go first.

5 MR. SHAPIRO: Thank you. Good
6 morning.

7 My name is Steve Shapiro, and I
8 represent the Apartment and Office
9 Building Association and the Virginia
10 Apartment Management Association.
11 We've been longtime participants in
12 the code development process and I'm
13 currently participating on the
14 heating/cooling study group and the
15 State Fire Prevention Code Energy
16 Sub-work groups.

17 I'd like to recognize the
18 outstanding work that the DHDC staff
19 does in support of the code process
20 both at the meetings as well as
21 between the meetings. We are
22 fortunate to have such a dedicated,
23 knowledgeable staff to work with.

24 Lastly, I want to encourage the
25 Board to keep on track so that the

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2 2024 codes will become effective in
3 October of 2027 at the latest.

4 The International Code Council,
5 ICC, is currently developing 2027 I
6 codes which should be available in
7 late 2026. So we don't want to see
8 Virginia falling further behind the
9 most recent available codes.

10 Thank you for your time today.

11 CHAIR BERBERT: Thank you.

12 MR. SAWYER: Up next, we have
13 Mr. Glen Besa, followed by Mr. Don
14 Burke, and then Ms. Dyke-Harsley.

15 Mr. Besa, if you'd like to
16 provide comment.

17 MR. BESA: Yes, my name is
18 Glen Besa. I live in Chesterfield
19 County. I'm speaking as a private
20 citizen. Housing affordability is on
21 people's minds these days. I think
22 both of our gubernatorial candidates
23 have addressed this issue. It's
24 important to recognize that
25 affordability includes not just the

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cost of housing, but also taxes, insurance, and utilities, specifically, energy. The rising cost of energy.

Energy efficiency is critical in reducing energy costs to homeowners and apartment owners. And also reducing energy pollution and climate impacts. I'm very concerned about climate impacts. And I think it's -- I think we need to recognize that today's higher energy prices, you know, are reflected in the ability for people to actually afford housing.

And so, I think it's critically important that this -- this board adopts Virginia's Building Code to fully comply with the 2024 IECC. That's really critical that we do that. We're falling behind. There's no good reason to be doing that particularly if you are concerned with housing affordability.

Thank you so much for your time

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today.

MR. SAWYER: Thank you, Mr. Besa.

Next up we have Mr. Don Burke,
followed by Kimberly Dyke-Harsley, and
then Mr. Bill Penniman.

MR. BURKE: Yes, thank you. As I
mentioned earlier, I'm a longtime
resident of Virginia up in Alexandria.
And I'm also responding as a private
citizen.

Virginia's building codes are the
land that time forgot. We remain
stuck at 2009 residential energy
efficiency levels for walls and air
leakage infiltration, key measures
that save energy and money, improve
comfort and resiliency, and reduce
pollution. While the 2021 IECC
significantly boosted an ample of
efficiency, Virginia decided to leave
walls and air leakage behind.

As for the current 2024 IECC
standard, the DOE determined that it
saves homeowners money, energy, and

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2 reduces pollution compared to the 2018
3 IECC. Virginia's Building Code should
4 fully comply with the IECC by removing
5 past weakening amendments and
6 strengthening efficiency codes beyond
7 the 2024 IECC, especially since these
8 structural efficiencies last the
9 lifetime of the building.

10 For example, Appendix CCG and RK
11 regarding making building ready for EV
12 charging should be made mandatory.
13 Despite what is heard in the
14 mainstream media, EV adoption
15 continues to grow and will eventually
16 become the predominant mode of
17 powering our vehicles. Almost
18 certainly within the time span of the
19 buildings being built now.

20 Improving energy efficiency is
21 more crucial than ever due to high
22 energy prices and the need to reduce
23 climate impacts. Virginia law
24 requires the building code to follow
25 national standards for energy

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conservation and HV2227 from the 2021 legislative session requires consideration of adopting efficiency standards at least as stringent as the latest IECC.

Builder consent or opposition is not a relevant factor. How much longer will Virginia be lost in time by ignoring the law, model building codes, and global trends all of which will benefit homeowners and the residents of Virginia now and in the future through lower cost, less energy, and less pollution?

Thank you.

CHAIR BERBERT: All right. Thank you, Mr. Burke.

MR. SAWYER: Next up, we have Ms. Kimberly Dyke-Harsley followed by Mr. Bill Penniman. And if anybody would like to speak on the USBC and is online, please put your name on the chat.

MS. DYKE-HARSLEY: Greetings. My

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name is Kimberly Dyke-Harsley. I'm here today for the public hearing referencing Code of Virginia Title 36 for housing, Section 36-98, where it says, "The building code shall supersede those codes and regulations of the counties and municipalities, other political subdivisions, and state agencies."

So I look at Title 6 of the Virginia Administrative Code for Agency 15. Chapter 40 Section 1160c, as in Charlie, says, "Heat shall be equally distributed in all rooms so that a temperature no less than 65 degrees is maintained."

"Air-conditioning for mechanical ventilation systems -- pardon me -- such as electric fans shall be provided when the temperature exceeds 85 degrees." I even think it's against the law where your pet can't be outside in such extreme heat or cold temperatures. What more for

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2 humans?

3 6-15-45870 says, "Well-ventilated
4 and when the temperature exceeds 85
5 degrees, mechanical air circulation
6 shall be provided."

7 So I would like you as a board to
8 ensure that, I don't know if I need to
9 reach out to Department of General
10 Services as the enforcer of this code
11 for these men and women behind these
12 walls, they have to have circulated
13 air in this extreme heat and extreme
14 cold.

15 Unfortunately, the bill that was
16 pushed -- brought to delegacy made it
17 to the governor's desk and I do
18 understand that Governor Youngkin had
19 to look at the appropriated money.
20 And a study needs to be done. But I
21 mean, how long do we need to study the
22 effects of extreme heat and extreme
23 cold on human beings?

24 One legislator made a reference
25 to the military and how they were

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expected to endure. That's true.
They don't have COPD, heart illness,
high blood pressure, asthma, and
certainly they have insurance to cover
those things. So that really wasn't
appropriate or in alignment with what
our bill was hoping to push for sale
conditions.

CHAIR BERBERT: Thank you, Ms.
Dyke-Harsley. Your time has expired.

MS. DYKE-HARSLEY: Oh, I'm so
sorry. Thank you. You all have a
great day.

CHAIR BERBERT: You, too. Thank
you.

MR. SAWYER: Next up, we have
Mr. Bill Penniman.

MR. PENNIMAN: Good morning. I'm
William Penniman. I'm a member of the
Energy Sub-work group in which I'm a
volunteer representative of the
Virginia chapter. The Sierra Club.
This is the third building code cycle
in which I've actively participated.

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2 Just a few brief points. First,
3 maximizing energy efficiency in new
4 dwellings is a smart and necessary
5 investment for Virginia and its
6 residents and it will be increasingly
7 important as energy costs and global
8 temperatures rise, and as power
9 outages threaten people in homes that
10 are poorly insulated.

11 As with the IECC -- as with each
12 IECC update since 2009, the U.S.
13 Department of Energy has documented
14 that fully implementing the 2024 IECC
15 will save residents money every year
16 during their occupancy whether new
17 or -- whether initial or later
18 occupants, even after considering the
19 incremental costs of mortgages
20 attributable to compliance.

21 A full IECC compliance will also
22 reduce air pollution, improve indoor
23 comfort, reduce the need for utilities
24 to raise rates, and increase
25 resiliency during periods of outages.

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Unfortunately, Virginia has failed to fully comply with the IECC for well over a decade. It is vital that the Board remove all past weakening amendments. The most significant ones in the case of residential has to do with residential walls and insulation and air infiltration which have been behind the IECC standards since 2012.

These efficiency standards are especially important because they restrict air and temperature movement through a building's envelope. And because they're structural, they will last for the life of the building benefitting everyone, not just the initial owners. The IECC has reaffirmed the value and practicality of these standards for wall insulation and infiltration in five updates from 2012 to 2024. It even strengthened the wall insulation standard beyond 2012 levels and 2021.

The 2024 IECC actually lowers

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2 construction costs compared to the
3 2021 IECC by offering builders more
4 flexibility to implement alternative
5 combinations of efficient measures.
6 However, that greater flexibility is
7 predicated on full adoption of the
8 IECC -- IECC's prescribed standards,
9 not on continued use of outdated
10 standards adding --

11 CHAIR BERBERT: Thank you,
12 Mr. Penniman.

13 MR. PENNIMAN: -- make matters
14 worse, not better. Thank you.

15 CHAIR BERBERT: Thank you.

16 MR. SAWYER: Before we go on to
17 the next one, is there anybody else in
18 the room who would like to speak on
19 the Uniform Statewide Building Code?

20 MR. JONES: I would. I believe
21 the energy code has gotten to be too
22 complicated and difficult --

23 MR. SAWYER: Real quick. Could
24 you please state your name?

25 MR. JONES: Oh, my name is Joshua

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2 Jones. I'm with Henrico Building
3 Inspections.

4 MR. SAWYER: Thank you.

5 MR. JONES: I believe the energy
6 code has gotten too difficult to build
7 and too difficult to implement and too
8 difficult to inspect. The additional
9 energy efficiency options have been an
10 extreme challenge for builders and
11 inspectors to keep up with. They
12 require additional planning at the
13 front end of the construction cycle
14 that they're not necessarily able to
15 fully make decisions on right away.

16 People may be in gear about
17 whether they want to do a traditional
18 crawl space, for example. That's
19 something that people go back and
20 forth making that kind of change. If
21 they are planning on having the fully
22 enclosed building envelope option,
23 they would have to make a change that
24 they may not be able to fully
25 implement.

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2 And it looks like that's going to
3 get more complicated in the 2024 IECC.
4 They have gone to a table R408.2.
5 They have given a full checklist of
6 points that we've been trying to get a
7 head start on and it's getting to be
8 extremely difficult. I think that's
9 pushing people away from able to just
10 follow a checklist and meet something
11 that's energy efficient and it is
12 going to require more expensive
13 options as far as additional programs
14 that they have to buy, additional
15 contracting services they have to go
16 to.

17 And that's my issue with it. I
18 think that the energy efficiency
19 options are something that should go.
20 That's it.

21 CHAIR BERBERT: Thank you.

22 MR. SAWYER: I believe that
23 concludes for the comment on the
24 Uniform Building Code.

25 Does anybody online wish to

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2 provide comment on the Virginia
3 Amusement Device Regulations?

4 Anybody wish to provide comment
5 on the Industrialized Building Safety
6 Regulations?

7 Anybody online wish to provide
8 comment on the Virginia Certification
9 Standards?

10 Anybody wish to provide comment
11 on the Virginia Manufactured Home
12 Safety Regulations?

13 Before I give it back to
14 Mr. Chair, does anybody else online or
15 in the room wish to provide comment on
16 any of the six regulations we're
17 discussing today?

18 Mr. Chair, I don't believe we
19 have anybody else that wishes to
20 provide comment.

21 CHAIR BERBERT: All right.

22 Since we have no further comment,
23 we will go ahead and conclude the
24 public hearing. All comments will be
25 taken under advisement by the Board.

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2 I would like to reemphasize that any
3 written statements received will be
4 considered by the Board as well.

5 Thank you, everyone, for the
6 information and participating today.

7 MR. SAWYER: And we are
8 adjourned?

9 CHAIR BERBERT: Oh, yes. Sorry.
10 We are adjourned from the hearing.

11
12 NOTE: This concludes the July
13 14, 2025, meeting of the Virginia
14 Board of Housing and Community
15 Development Public Hearing.

16
17 (Hearing concluded at 10:25 a.m.)

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C E R T I F I C A T E

STATE OF VIRGINIA)

: ss.

COUNTY OF RICHMOND)

I, JUAN ORTEGA, a Notary Public
within and for the State of Virginia,
do hereby certify:

THAT SAID PROCEEDINGS is a
transcript of the Board of Housing and
Community Development Public Hearing,
when held on July 14, 2025, at 10:00
a.m. in Glen Allen, Virginia.

I further certify this is a true
and accurate transcript to the best of
my ability to hear and understand the
proceedings and other incidents of the
hearing herein as set down to the best
of my ability.

IN WITNESS WHEREOF, I have hereunto
set my hand this 28th day of July,
2025.



JUAN ORTEGA, CCR

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