

**COMMONWEALTH of VIRGINIA**



**Board of Housing and Community Development**

# Virginia Certification Standards (VCS)

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# Table of Contents

## Virginia Certification Standards

13 VAC 5-21-10. Definitions.	1
13 VAC 5-21-20. Purpose.	1
13 VAC 5-21-31. Proof of qualifications for certificate and examination.	2
13 VAC 5-21-41. Categories and requirements.	2
13 VAC 5-21-51. Certification.	4
13 VAC 5-21-61. Sanctions; peer review; petition.	4
13 VAC 5-21-70. Appeal.	5



# Virginia Certification Standards

## 13 VAC 5-21-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

**"Active certificate holder"** means any certificate holder who has attended the required DHCD-designated periodic training courses and is classified by DHCD as active.

**"Applicant" or "candidate"** means any person seeking to become qualified to provide enforcement or perform inspections or reviews under the applicable BHCD regulation by obtaining a certificate from the BHCD.

**"BHCD"** means the Virginia Board of Housing and Community Development.

**"Certificate holder"** means any person certified by the BHCD under this chapter and classified by DHCD as active or inactive.

**"Code Academy"** means the Virginia Building Code Academy established under § 36-139 of the Code of Virginia and educational institutions established in accordance with §36-137 of the Code of Virginia which are accredited by DHCD under 13 VAC 5-80-10 et seq. to conduct classes to prepare individuals pursuing occupations in the building or fire inspection professions, or to upgrade individuals in technical phases of building and fire regulations and codes.

**"Code enforcement agency"** means the agency or agencies to which responsibility for enforcement of the USBC, VADR, or SFPC has been assigned.

**"Code inspection agency" or "code review agency"** means any department, division, company, individual or agency to which inspection or construction document review

responsibility under the applicable USBC, VADR, or SFPC has been assigned or delegated and, in addition, shall include such entities whose reports of inspection or review will be the basis of approvals under the applicable USBC, VADR, or SFPC.

**"DFP"** means the Virginia Department of Fire Programs.

**"DHCD"** means the Virginia Department of Housing and Community Development.

**"Inactive certificate holder"** means any certificate holder who has not attended the required DHCD-designated periodic training courses and is classified by DHCD as inactive.

**"SFPC"** means the Virginia Statewide Fire Prevention Code (13 VAC 5-51-10 et seq.).

**"USBC"** means the Virginia Uniform Statewide Building Code (13 VAC 5-6110 et seq.).

**"TRB"** means the Virginia State Building Code Technical Review Board established under § 36-108 of the Code of Virginia.

**"VADR"** means the Virginia Amusement Device Regulations (13 VAC 5-31-10 et seq.).

## 13 VAC 5-21-20. Purpose.

The purpose of this chapter is to establish categories of and requirements for obtaining certificates of competence to be issued by the BHCD concerning the content, application and intent of specified subject areas of the USBC, VADR and SFPC to present or prospective personnel of local governments and to any other persons seeking to be qualified to perform inspections under Chapter 6 (§ 36-97 et seq.) of

Title 36 of the Code of Virginia and any regulations adopted thereunder.

**13 VAC 5-21-31. Proof of qualifications for certificate and examination.**

**A.** Applicants for a BHCD certificate shall provide proof of qualifications for certification as required in the USBC, SFPC or VADR as applicable for each type of certificate sought. Such proof of qualifications shall be provided to and verified by DHCD prior to BHCD certification.

**B.** In addition to the training requirements established by this chapter, applicants shall provide proof of successful completion of approved examinations for each type of certificate sought. The following is the list of approved testing agencies and examinations for each type of certificate:

**1.** All categories of BHCD certificates except amusement device inspector, fire prevention code official and fire prevention inspector: The BOCA Certification Program/2000, First Edition, published by Building Officials and Code Administrators International, Inc., 4051 W. Flossmoor Rd., Country Club Hills, IL 60478-5795, toll free number 1-800-323-1103.

**Exception:** Elevator inspectors certified in accordance with the ASME QEI-1 Standard by organizations accredited by ASME International, Elevator Inspector Certification Organization Accreditation Program shall be deemed

acceptable as an alternate. ASME International, Three Park Avenue, New York, NY 10016-5990, toll free number 1-800-843-2763

**2.** Amusement device inspector: Experior, 3813 Gaskins Road, Richmond, VA 23233, toll free number 1-800-356-3381.

**3.** Fire prevention code official and fire prevention inspector: Virginia Department of Fire Programs (DFP). James Monroe Building, 101 N. 14th St., 18th Floor, Richmond, VA 23219-3684, Phone (804) 371-0220.

**C.** Upon written request by the applicant, the BHCD may approve alternate testing agencies and examinations or may approve any combination of education and experience which would in other ways demonstrate adequate knowledge for the type of certificate sought.

**Note:** Future amendments to the list of approved testing agencies and examinations do not automatically become part of this chapter; however, the BHCD shall consider such amendments in deciding whether a requested alternate should be granted.

**13 VAC 5-21-41. Categories and requirements.**

**A.** Categories of BHCD certificates, Code Academy training and subject area requirements are as provided for in the following table:

Categories of BHCD certificates	Code Academy training requirements	Subject area requirements
	Core and " _____ "	Content, application and intent of all subject areas of the " _____ "
Building code official	Advanced	USBC
Fire prevention code official	Advanced and the 1031 school administered by the DFP	SFPC
Building maintenance code official	Advanced and property maintenance	USBC - existing structure maintenance

Building plans examiner	Building plan review	USBC - structure plans and specifications review, except plumbing, electrical and mechanical
Fire protection plans examiner	Building plan review	USBC - fire-resistant materials and construction, fire protection system and means of egress plans and specifications review
Building inspector	Building code	USBC - structure inspections, except plumbing, electrical and mechanical
Fire prevention inspector	The 1031 school administered by the DFP	SFPC - structure and property inspections
Fire protection inspector	"only core module"	USBC - fire-resistant materials and construction, fire protection system and means of egress
Building maintenance inspector	Property maintenance	USBC relating to existing structure maintenance inspections
Plumbing plans examiner	Plumbing	USBC - plumbing system plans and specifications review
Plumbing inspector	Plumbing	USBC - plumbing system inspections
Electrical plans examiner	Electrical	USBC - electrical system plans and specifications review
Electrical inspector	Electrical	USBC - electrical system inspections
Mechanical plans examiner	Mechanical	USBC - mechanical system plans and specifications review
Mechanical inspector	Mechanical	USBC - mechanical system inspections
Combination inspector	BHCD certification as a building, plumbing, electrical, and mechanical inspector	USBC - structure inspections, except Use Group R-3 or R-4
Building inspector 1- & 2-family dwellings	1- & 2-family dwelling building	USBC - Use Group R-3 or R-4 structure inspections, except plumbing, electrical and mechanical
Plumbing inspector 1- & 2-family dwellings	1- & 2-family dwelling plumbing	USBC - Use Group R-3 or R-4 plumbing inspections
Electrical inspector 1- & 2-family dwellings	1- & 2-family dwelling electrical	USBC - Use Group R-3 or R-4 electrical inspections
Mechanical inspector 1- & 2-family dwellings	1- & 2-family dwelling mechanical	USBC - Use Group R-3 or R-4 mechanical inspections
Combination inspector 1- & 2-family dwellings	BHCD certification as a 1- & 2-family dwelling building, plumbing, electrical, and mechanical inspector	USBC - Use Group R-3 or R-4 structure inspections
Elevator inspector	"only core module"	USBC - elevator inspections
Amusement device inspector	Basic amusement device	VADR

B. Under § 36-139 et seq. of the Code of Virginia, the DHCD may approve other Code

Academy equivalent educational training modules.

**13 VAC 5-21-51. Certification.**

**A.** A certification under this chapter shall be issued when the BHCD determines a candidate has complied with the applicable provisions of this chapter.

**B.** All certificate holders certified by the BHCD since June 1978 are still certified unless revoked and shall be classified as active or inactive. Any certificate holder classified as inactive shall be deemed not to meet the certification requirements of the applicable USBC, VADR, or SFPC. Such inactive certificate holder may attend DHCD designated training and become an active certificate holder.

**C.** Candidates seeking a BHCD certificate in accordance with this chapter may be issued a provisional certificate under the following conditions:

1. The candidate has satisfactorily completed the Code Academy core module.
2. The candidate has complied with the proof of examination completion and application for certification requirements.
3. An appropriate code official, county, city or town manager or other code inspection agency official certifies the candidate is trained and competent to perform the candidate's assigned code enforcement duties.
4. Such certification is nonrenewable and shall expire one year from the date of issuance.

**Exception:** Such certification is renewable and shall not expire one year from the date of issuance when the DHCD has not provided or offered the required Code Academy training technical module. However, under 13 VAC 5-21-41(B) the DHCD may approve appropriate alternate training.

**D.** A certification under this chapter may be denied when the BHCD determines a candidate

has not complied with the applicable provisions of this chapter.

**13 VAC 5-21-61. Sanctions; peer review; petition.**

**A.** When the BHCD determines a certificate holder has failed (i) to maintain a minimally acceptable level of competence under §36-137(6) of the Code of Virginia or (ii) to comply with an order issued by the BHCD or TRB, the BHCD may impose any of the following sanctions on a certificate holder:

**1.** A warning letter under this chapter may be issued when the BHCD determines a certificate holder committed any act prohibited by this chapter. The documentation that serves as the basis for such letter shall be made a part of the certification file on the certificate holder.

**2.** Attendance at special training under this chapter may be ordered when the BHCD determines a certificate holder is inadequately knowledgeable or trained to practice in the specific area of certification. A probation period may also be imposed by the BHCD upon completion of all such training.

**3.** A certificate issued under this chapter may be revoked or suspended by the BHCD.

**B.** An advisory review committee may be appointed by the BHCD to advise the department concerning the appropriateness of sanctions proposed against a certificate holder who has allegedly committed any act prohibited by this chapter. The advisory review committee shall serve and meet only when requested by the BHCD and comply with the following:

**1.** The advisory review committee shall consist of five certificate holders.

**2.** The advisory review committee shall select one of its members to serve as chairman.



3. A member shall not take part in a review in which that member has any personal, professional or financial interest.

4. The Director of DHCD shall designate a qualified staff person to serve as secretary to the advisory review committee and shall provide necessary staff support. The secretary shall file a detailed record of all meetings and recommendations with the BHCD.

5. There shall be no compensation of members, except for reimbursement of travel expenses as provided for by law.

6. The advisory review committee shall meet within 10 days upon notice from the chairman.

C. Following a certification denial, warning letter, special training order, or revocation or suspension of a certificate, the candidate or certificate holder may petition the BHCD for issuance of certification, dismissal of such warning or order, or for reinstatement upon good cause shown or as a result of substantial new evidence having been obtained that would alter the determination reached by the BHCD.

D. The BHCD shall cause an examination, investigation or review of the evidence and shall respond within 60 days of receipt of the petition] to the candidate or certificate holder regarding such petition.

**13 VAC 5-21-70. Appeal.**

Decisions of the BHCD regarding a candidate or certificate holder shall be final if the candidate or certificate holder makes no appeal. Such candidate or certificate holder may present an appeal from the BHCD's decision directly to the TRB under § 36-114 of the Code of Virginia. All BHCD negative responses shall contain the following statement:

"Upon receipt of the BHCD's decision, the candidate or certificate holder may appeal to the State Building Code Technical Review Board (TRB) by submitting an application to the TRB within 30 calendar days. Application forms are available from the Office of the TRB, 501 N. 2nd St., Richmond, VA 23219, (804) 371-7150."

