

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

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*Transcript of Proceedings*  
*July 14, 2025*

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*ORTEGA INTERNATIONAL REPORTING*  
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Min-U-Script® with Word Index

1 VIRGINIA:

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4 BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

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PUBLIC HEARING

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Monday, July 14, 2025

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12

10:00 a.m.

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When heard at:

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Virginia Housing Center

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4224 Cox Road

20

Glen Allen, Virginia

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Reported by:

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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:

4

Lyndsi Austin, Associate Director

5

Justin Bell, Attorney General

6

Trisha Lindsey, Policy and Legislative  
7 Services Director

7

8 Andrew Malloy, Sr. Policy Analyst

8

Florin Moldovan, Code and Regulation  
9 Specialist

9

10 Sandra Powell, Senior Deputy of Community  
11 Development and Housing

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12 Sulaiman Safi, Board Coordinator

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

2       July 14, 2025

3

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.

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

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

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

16 The oceans, the atmosphere, the  
17 many features of planet Earth that  
18 support us are tragically threatened  
19 in a significant part by inadequately  
20 restrained market pressures.  
21 Virginians expect the Commonwealth to  
22 complete its recent progress by fully  
23 adopting the current International  
24 Code Council's model including the  
25 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.

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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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2 cost of housing, but also taxes,  
3 insurance, and utilities,  
4 specifically, energy. The rising cost  
5 of energy.

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

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

25 Thank you so much for your time

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

2                   today.

3                   MR. SAWYER: Thank you, Mr. Besa.

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

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

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

23                   As for the current 2024 IECC  
24 standard, the DOE determined that it  
25 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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1  
2 conservation and HV2227 from the 2021  
3 legislative session requires  
4 consideration of adopting efficiency  
5 standards at least as stringent as the  
6 latest IECC.

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

16 Thank you.

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

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

25 MS. DYKE-HARSLEY: Greetings. My

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

10  
11 So I look at Title 6 of the  
12 Virginia Administrative Code for  
13 Agency 15. Chapter 40 Section 1160c,  
14 as in Charlie, says, "Heat shall be  
15 equally distributed in all rooms so  
16 that a temperature no less than 65  
17 degrees is maintained."

18 "Air-conditioning for mechanical  
19 ventilation systems -- pardon me --  
20 such as electric fans shall be  
21 provided when the temperature exceeds  
22 85 degrees." I even think it's  
23 against the law where your pet can't  
24 be outside in such extreme heat or  
25 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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2 expected to endure. That's true.  
3 They don't have COPD, heart illness,  
4 high blood pressure, asthma, and  
5 certainly they have insurance to cover  
6 those things. So that really wasn't  
7 appropriate or in alignment with what  
8 our bill was hoping to push for sale  
9 conditions.

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

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

15 CHAIR BERBERT: You, too. Thank  
16 you.

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

19 MR. PENNIMAN: Good morning. I'm  
20 William Penniman. I'm a member of the  
21 Energy Sub-work group in which I'm a  
22 volunteer representative of the  
23 Virginia chapter. The Sierra Club.  
24 This is the third building code cycle  
25 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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2 Unfortunately, Virginia has failed to  
3 fully comply with the IECC for well  
4 over a decade. It is vital that the  
5 Board remove all past weakening  
6 amendments. The most significant ones  
7 in the case of residential has to do  
8 with residential walls and insulation  
9 and air infiltration which have been  
10 behind the IECC standards since 2012.

11 These efficiency standards are  
12 especially important because they  
13 restrict air and temperature movement  
14 through a building's envelope. And  
15 because they're structural, they will  
16 last for the life of the building  
17 benefitting everyone, not just the  
18 initial owners. The IECC has  
19 reaffirmed the value and practicality  
20 of these standards for wall insulation  
21 and infiltration in five updates from  
22 2012 to 2024. It even strengthened  
23 the wall insulation standard beyond  
24 2012 levels and 2021.

25 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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1  
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.

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

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.

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

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.

  
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JUAN ORTEGA, CCR

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