

VIRGINIA:

BEFORE THE  
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Gregory S. Mercer  
Appeal No. 14-7

Hearing Date: November 21, 2014

DECISION OF THE REVIEW BOARD

I. PROCEDURAL BACKGROUND

The State Building Code Technical Review Board (Review Board) is a Governor-appointed board established to rule on disputes arising from application of regulations of the Department of Housing and Community Development. See §§ 36-108 and 36-114 of the Code of Virginia. The Review Board's proceedings are governed by the Virginia Administrative Process Act. See § 36-114 of the Code of Virginia.

II. CASE HISTORY

Gregory S. Mercer (Mercer), owner of a townhouse located at 3114 Borge Street, in Oakton, a community in Fairfax County, appeals a citation under Part III of the Virginia Uniform Statewide Building Code (the Virginia Maintenance Code or VMC), issued to him by the Fairfax County Department of Code

Compliance (DCC). Prior to the appeal to the Review Board, Mercer appealed the citation to the Fairfax County Board of Building Code Appeals (County appeals board), which conducted a hearing and ruled to uphold the issuance of the citation and extended the time period for correction of the cited VMC violations from the thirty days provided for in the citation to sixty days.

In his appeal to the Review Board, Mercer asks for the Review Board to (i) direct DCC to desist from using citations under the VMC as warrants for the County's child protective services agency and cause the responsible person's employment to be terminated, (ii) provide him with a state trooper's employment record and cause the state trooper's employment to be terminated, (iii) cause two Virginia constitutional changes to be balloted, (iv) require Fairfax County or the State of Virginia to pay him damages of one half to one million dollars, (v) transfer the case of a federal court outside of Virginia, (vi) have the Governor of Virginia grant him a full pardon for a fraudulent conviction in 2006, (vii) impeach a Virginia circuit court judge, (viii) grant him 30 days after he has the money to correct the violations cited by DCC, and (ix) require DCC or Fairfax County to provide a copy of the initial complaint to DCC.

### III. FINDINGS OF THE REVIEW BOARD

After conducting a hearing attended by Mercer and representatives of DCC and given the representatives of DCC's stated willingness to extend the deadline for Mercer to repair a hole in the wood trim of his townhouse and the deterioration of a fascia board on his townhouse until May 1, 2015, the Review Board finds that the only issue properly before it is the extension of the deadline for correction of the VMC violations and that an extension to May 1, 2015 is an appropriate extension of time to permit favorable weather conditions to enable repairs to be made.

### IV. FINAL ORDER

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders Mercer's appeal requesting an extension of time to correct the cited violations to be, and hereby is, granted to extend the deadline to May 1, 2015. The Review Board further orders all other aspects of Mercer's appeal to be, and hereby are, dismissed as invalid.

/S/

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Chairman, State Technical Review Board

Mar. 20, 2015  
Date Entered

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Vernon W. Hodge, Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period.