

COMMONWEALTH OF VIRGINIA



Virginia Certification Standards "VCS"

(2000 Edition)

Effective October 1, 2003

Virginia Department of Housing and Community Development
Division of Building and Fire Regulation
501 North 2nd Street
Richmond, Virginia 23219-1321

PREFACE

Introduction

The Virginia Certification Standards (VCS) are state regulations promulgated by the Virginia Board of Housing and Community Development for the purpose of establishing standards for the issuance of certificates of competence concerning the content, application and intent of specified subject areas of Virginia's building and fire regulations. The certificates are issued by the Board after certain testing and training requirements are met.

Arrangement

The VCS are part of the Virginia Administrative Code (VAC), the official compilation of state regulations published under the authority and guidance of the Virginia Code Commission. In addition to being available in this pamphlet form from the Department of Housing and Community Development, the regulation may be accessed through the website of the Virginia Code Commission or by subscription to the VAC.

In keeping with the designations of the building and fire regulations of the Department based on the edition of the nationally recognized model codes which are incorporated for use as part of the building and fire regulations, this version of the VCS is known as the 2000 edition.

Technical Assistance

Staff of the Department's Training and Certification Office may be contacted at (804) 371-7180 for further information and assistance.

13 VAC 5-21-10. Definitions.

A. 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.

"BCAAC" means the Building Code Academy Advisory Committee appointed by the BHCD under § 36-137 et seq. of the Code of Virginia to advise the BHCD and the DHCD Director on policies, procedures, operations, and other matters pertinent to enhancing the delivery of training services provided by the Building Code Academy.

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

"Certificate" means a document issued by BHCD as a certificate of competence concerning the content, application, and intent of specified subject areas of the building and fire prevention regulations promulgated by the Board to present or prospective personnel of local governments and to any other persons seeking to become qualified to perform inspections pursuant to the Virginia Uniform Statewide Building Code (§ 36-97 et seq. of the Code of Virginia) and the Statewide Fire Prevention Code (§ 27-94 et seq. of the Code of Virginia), and any regulations adopted thereunder, who have completed training programs or in other ways demonstrated adequate knowledge.

"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 to conduct classes to prepare individuals pursuing occupations in the building, amusement device or fire inspection professions or to upgrade individuals in technical phases of building, amusement device or 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).

"Training" means the facilitation of an individual's learning that is focused on the performance of the job duties and tasks related to the content, application, and intent of specified subject areas of the building and fire prevention regulations promulgated by BHCD.

"Training - code academy" means training conducted by a code academy and which is divided into the following types of modules: (i) core module means the general foundation training module for persons seeking to become qualified to perform inspections and other duties under the BHCD regulations, which includes emphasis on the legal authority and the regulatory foundation of enforcement and administration of Virginia's building and fire regulations; (ii) management module means the advanced training modules for persons seeking to become qualified to manage and supervise enforcement and inspections and other functions under the BHCD regulations; and (iii) technical module means the foundation and advanced training modules for the various specialty areas related to performing plans review, inspections and other job duties under the BHCD regulations, including but not limited to areas such as building, fire protection, plumbing, electrical, mechanical, amusement device and elevators.

"Training - DFP" means training conducted under the DFP, Regulations Establishing Certification Standards for Fire Inspectors (19 VAC 15-20).

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

"**USBC**" means the Virginia Uniform Statewide Building Code (13 VAC 5-61).

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

B. Words and terms used in this chapter which are defined in the USBC, VADR, or SFPC shall have the meaning ascribed to them in those regulations unless the context clearly indicates otherwise.

13 VAC 5-21-20. Purpose.

The purpose of this chapter is to establish standards to be used by persons desiring to be issued a BHCD certificate and by DHCD in the evaluation and determination of a person's eligibility for the issuance of BHCD certificates.

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

A. Applicants for a BHCD certificate prior to certification shall provide to DHCD for verification, a written endorsement from the code official, code official's supervisor or in the case of non-government employees, other such documentation as proof of compliance with the qualification sections as listed in the USBC, SFPC or VADR as applicable for each type of certificate sought.

B. Applicants shall provide proof of successful completion of approved examinations for each type of certificate sought. DHCD shall maintain a list of approved testing agencies and examinations that meet nationally accepted standards for each type of certificate. For information on approved testing agencies and examinations contact: DHCD, Division of Building and Fire Regulation, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7180.

C. Upon written request by the applicant with the endorsement as required under subsection A of this section, the DHCD 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. Under § 36-139 of the Code of Virginia, the DHCD may also approve other training, experience and educational offerings as equivalent to and in place of code academy technical module training. The types of such combinations of education and experience may include military training, college classes, technical schools, or long-term work experiences, except that long-

term work experiences shall not be the sole substitute. DHCD may convene meetings of the BCAAC to review and advise the DHCD concerning the appropriateness of applications for certification under this section.

13 VAC 5-21-41. Certification categories and training requirements.

A. DHCD shall maintain a list of BHCD certification categories and required training.

For information on BHCD certification categories and required training contact: DHCD, Division of Building and Fire Regulation, 501 N. 2nd St., Richmond, VA 23219, (804) 371-7180.

B. Prior to receiving certification, all applicants for BHCD certification shall attend and complete the code academy core module. In addition to the completion of the core module, applicants for the following categories of BHCD certification are required to attend and complete additional code academy training prior to receiving certification in accordance with the following table:

CATEGORY OF BHCD CERTIFICATION	CODE ACADEMY TRAINING
Building official	Advanced official module
Fire official	Advanced official module and the 1031 school as administered by the Department of Fire Programs
Building maintenance official	Advanced official module and the property maintenance module
Fire prevention inspector	The 1031 school as administered by the Department of Fire Programs
Amusement device inspector	Amusement device inspection module

Exception: Applicants for BHCD provisional certification shall comply with 13 VAC 5-21-51 C.

13 VAC 5-21-51. Certification.

A. A BHCD certificate under this chapter shall be issued when the DHCD determines a candidate has complied with 13 VAC 5-21-31 and 13 VAC 5-21-41.

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

complete DHCD-designated training and apply to become an active certificate holder.

C. Any person falling under any one or more of the following circumstances:

1. A noncertificate holder directed by the BHCD to obtain certification;
2. A candidate seeking certification based on demonstration of adequate knowledge and experience for the certificate being sought; or
3. The DHCD or DFP has not provided or offered the required training under 13 VAC 5-21-41 B or approved appropriate alternate training.

May be issued a provisional certificate under the following conditions:

- a. The candidate has satisfactorily completed the Code Academy core module.
- b. The candidate has complied with 13 VAC 5-21-31 A for proof of qualifications.
- c. The candidate has complied with 13 VAC 5-21-41.
- d. Such certification is nonrenewable and shall expire one year from the date of issuance.

Exception: Such provisional certification is renewable and shall not expire one year from the date of issuance when the DHCD or DFP has not provided or offered the required training. However, the DHCD may approve appropriate alternate training.

When a provisional certificate holder has complied with the provisions of 13 VAC 5-21-31 B for a regular BHCD certificate, DHCD shall issue such certificate.

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.

E. All certificate holders certified by the BHCD shall attend continuing education training as specified by DHCD in order to maintain status as an active certificate holder.

13 VAC 5-21-61. Sanctions.

When the BHCD determines a certificate holder, code official, technical assistant or an inspector of a code inspection agency or code review agency has failed to (i) maintain a minimally acceptable level of competence under § 36-137(6) of the Code of Virginia, (ii) comply with an order issued by the BHCD or TRB, or (iii) obtain the applicable BHCD certification as may be required under the applicable USBC, VADR, or SFPC, the BHCD may impose any of the following sanctions on such enforcement personnel covered by this chapter:

1. A warning letter under this chapter may be issued when the BHCD determines a certificate holder, code official, technical assistant or an inspector of a code inspection agency or code review agency 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, technical assistant or inspector.
2. Attendance at special training under this chapter may be ordered when the BHCD determines a certificate holder lacks an adequate level of knowledge, skill or training 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.

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. Decisions of the BHCD under this regulation are case decisions under the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) and are subject to judicial review in accordance with that law.