

2018



Virginia Certification Standards

Effective September 16, 2021

2018 EDITION

Virginia Certification Standards

13-VAC5-21

Adopted by the
Virginia Board of Housing and Community Development

Effective September 16, 2021

Issued by the

Department of Housing and Community Development
Division of Building and Fire Regulation
State Building Codes Office
600 East Main Street, Suite 300
Richmond, VA 23219

PREFACE

The Code of Virginia directs the Board of Housing and Community Development to promulgate necessary regulations to establish standards for applicants for a certificate and standards to be used by the Department in the evaluation and determination of a person's eligibility for the issuance of certificates. The regulations include qualification and examination requirements, certification categories and training requirements, alternatives to training requirements, issuance and maintenance of certificates, board sanctions, and appellate provisions for board decisions.

FUTURE EDITIONS

The Board of Housing and Community Development is responsible by State law for promulgating and keeping the Certification Standards up to date. The Board updates the regulations when there are changes in State or Federal laws and at other times determined necessary by the Board. Changes to the regulations can be identified by a vertical line in the margin. Interested persons may participate in future revisions by submitting code change proposals during the appropriate phase of a code change cycle. For assistance in submitting code change proposals, please contact:

Department of Housing and Community Development
Division of Building and Fire Regulations
State Building Codes Office
600 East Main Street, Suite 300
Richmond, VA 23219

Telephone Number: 804-371-7150
Email address: sbco@dhcd.virginia.gov

USER ASSISTANCE

Any questions about the provisions in the regulations or the application and administration of the regulations may be directed to the State Building Codes Office.

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13VAC5-21-10. Definitions.

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

“**Applicant**” means a person seeking a certificate.

“**Active certificate**” means a certificate that is not revoked, suspended, or inactive.

“**BCAAC**” means the Building Code Academy Advisory Committee appointed pursuant to subdivision 7 of § 36-137 of the Code of Virginia.

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

“**Certificate**” means a certificate of competence issued pursuant to subdivision 6 of § 36-137 of the Code of Virginia concerning the content, application, and intent of specified subject areas of the building and fire prevention regulations promulgated by the BHCD and issued to present or prospective personnel of local governments and to any other persons seeking to become qualified to perform inspections pursuant to Chapter 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia, Chapter 9 (§ 27-94 et seq.) of Title 27 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 a person to whom a certificate has been issued.

“**Code academy**” means the Virginia Building Code Academy established under subdivision 14 of § 36-139 of the Code of Virginia or individual or regional training academies accredited by the department pursuant to subdivision 7 of § 36-137 of the Code of Virginia.

“**Department**” means the Virginia Department of Housing and Community Development.

“**Inactive certificate**” means a certificate where the certificate holder has not attended the periodic training designated by the department or has not met the continuing education requirements.

“**Provisional certificate**” means a temporary certificate issued in accordance with Section 13VAC5-21-51 (C).

“**SFPC**” means the Virginia Statewide Fire Prevention Code (13VAC5-51).

“**State Review Board**” 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 (13VAC5-63).

“**VADR**” means the Virginia Amusement Device Regulations (13VAC5-31).

B. Words and terms used in this chapter that are defined in the USBC, VADR, or SFPC and that are not defined in this chapter shall have the meaning ascribed to them in those regulations unless the context clearly indicates otherwise.

13VAC5-21-20. Purpose.

The purpose of this chapter is to establish standards for applicants for a certificate and standards to be used by the department in the evaluation and determination of a person’s eligibility for the issuance of certificates.

13VAC5-21-31. Qualification and examination requirements.

Applicants for all certificates shall provide proof of successful completion of approved examinations for each certificate sought based on current certification examination requirements. Applications submitted with passing grades on approved examinations older than six years from the date of passing will be denied except where the applicant can demonstrate the maintenance of a current certification issued by the approved testing agency. The department may consider related certifications maintained by the certifying entity. The department shall maintain a list of approved testing agencies and examinations that meet nationally accepted standards for each certificate offered. For information on approved testing agencies and examinations contact the department’s Virginia Building Code Academy Office, 600 East Main Street, Suite 300, Richmond, VA 23219, telephone (804) 371-7180.

13VAC5-21-41. Certification categories and training requirements.

A. The department maintains a list of all certificates offered and the list sets out the training required to be completed to obtain each certificate. Alternatives to the training requirements set out in 13VAC5-21-45 shall be considered for all certificates offered except that no alternative shall be accepted for the code academy core module.

B. Applicants for certificates shall attend and complete the code academy core module. After the completion of the core module, applicants are required to attend and complete the code academy training as set out in a list maintained by the department, except as provided for in 13VAC5-21-45. All required training must have been completed within no more than four years prior to the date the application is submitted.

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The requirements for training are based on those in effect at the time of application.

13VAC5-21-45. Alternatives to training requirements.

Upon written request, alternative training or a combination of training, education or experience to satisfy the training requirements of 13VAC5-21-41 may be approved, provided that such alternatives or combinations are determined to be equivalent to that required. However, as provided in 13VAC5-21-41, no substitutions shall be approved for the code academy core module. The types of 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 approved as the sole substitute to satisfy the training requirements. BCAAC may be consulted in any such consideration.

13VAC5-21-51. Issuance and maintenance of certificates.

A. Certificates will be issued when an applicant has complied with the current applicable requirements of this chapter. Certificates will be classified as active or inactive. An inactive certificate will be considered out of compliance and a noncompliance notice will be issued to the certificate holder. In such cases, notification shall also be provided to the locality or company employing the certificate holder. Exceptions to the issuance of a noncompliance notice may be considered where there is a separation from employment by medical or military leave for 12 consecutive months or more during the continuing education period. An inactive certificate may be reinstated as an active certificate after completing makeup training courses designated by the department.

B. All certificates issued since June 1978 are valid unless revoked or suspended, except that provisional certificates shall remain valid as set out under subsection C of this section.

C. A provisional certificate may be issued to (i) a person who has been directed by the department to obtain a certificate; (ii) an applicant requesting a certificate under the alternative training provisions of 13VAC5-21-45; (iii) an applicant when the required training has not been provided or offered; (iv) an inactive certificate holder when the issuance of a provisional certificate is determined to be warranted by the department; or (v) a person who, due to extenuating and warranting circumstances either on behalf of the code academy or beyond the person's control, has not fully complied with the eligibility requirements of training and competency established herein.

Such a provisional certificate may be issued when the applicant or person has satisfactorily completed the code

academy core module and completed any training through the code academy or through other providers determined to warrant the issuance of the provisional certificate.

The provisional certificate is valid for a period of one year after the date of issuance and shall only be issued once to any individual, except that a provisional certificate shall remain valid when the required training has not been provided or offered.

D. All certificate holders shall attend periodic maintenance training as designated by the department and shall attend 16 hours of continuing education every two years as approved by the department. If a certificate holder possesses more than one certificate, the 16 hours shall satisfy the continuing education requirement for all certificates.

13VAC5-21-61. Board Sanctions.

When the BHCD determines a certificate holder has failed to (i) comply with an order issued by the State Review Board, (ii) meet the required training or testing requirements, or (iii) attend periodic maintenance training or continuing education, or both, a warning letter may be issued to the certificate holder or a certificate may be revoked or suspended by the BHCD. A record of any action taken pursuant to this section shall be permanently retained in the training record of the certificate holder.

13VAC5-21-70. Appeal.

Decisions of the BHCD regarding an applicant for a certificate or a certificate holder shall be final unless appealed.

Actions under this regulation are governed by 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.