

# 2024 Legislative Session Report



## 2024 CAI Virginia Legislative Session Report

Community Associations Institute (CAI) spent the 2024 legislative session advocating on behalf of the approximately [2.01 million Virginians in 786,000 homes in more than 8,890 community associations](#). Virginia's legislative session began on January 10 and adjourned March 9, 2024.

**Advocacy Fly-In:** On February 21st, VALAC organized an Advocacy Day in Richmond, VA. During this inaugural event, ten VA-LAC members held meetings with over 20 legislative offices, engaging with several legislators to promote our 2024 legislative priorities.

3,500 bills were introduced, and CAI's Virginia Legislative Action Committee (VALAC) bills that would have directly affected community associations. Below is a brief overview:

### **VA SB 672 – Property Owners' Association Act or Virginia Condominium Act; assessments for legal obligations.**

This bill was the primary focus for the 2024 Legislative Session for VALAC. This legislation was introduced in response to a recent misinterpretation in a court ruling that held that homeowners associations may not impose any assessment or charge unless the charge relates to use of the common area. That ruling created an environment of confusion and ambiguity regarding what services associations can provide residents and this legislation codifies the ability of community associations to use assessments for services provided. VALAC, with the help of nearly 250 CAI advocates who wrote 335 emails to their representatives in Richmond over the course of a few weeks, was successful in their efforts to make this bill into law. Signed by Governor Glenn Youngkin on April 8<sup>th</sup>, this law is in effect.

**Status:** **Successfully Passed**

### **VA HB 105 – Resale Disclosure Act; resale certificate, fees.**

VALAC supported this bill which addresses a legislative gap in resale disclosure for condominiums and real estate cooperatives. By including missing code references for the Condominium Act and Real Estate Cooperative Act in the Resale Disclosure Act, the bill ensures clarity and consistency in the law. These changes enhance transparency and fairness in real estate transactions involving condominiums and real estate cooperatives. Signed by Governor Glenn Youngkin on March 28<sup>th</sup>, this law is in effect.

**Status:** **Successfully Passed**

### **VA HB 876/SB 526 – Resale Disclosure Act; fees charged for delivery of resale certificate.**

VALAC supported this legislation for its clarifying changes to the Resale Disclosure Act. These changes streamline the process by deeming a resale certificate unavailable if not delivered within 14 days and allowing for contract cancellation within three days of receiving the certificate or notice of its unavailability, with exceptions for initial dispositions to non-resident purchasers. The bill also permits resale certificates to be delivered to a purchaser's authorized agent, enhancing flexibility, and establishes provisions for financial update fees paid upon request, promoting transparency and accountability in real estate transactions. Governor Youngkin signed HB 876 into law on March 8<sup>th</sup>, and SB 526 on April 4<sup>th</sup>, this law is in effect.

**Status: Successfully Passed**

**VA HB 214 – Common interest communities; residents providing certain services exemption.**

VALAC monitored this bill which deals with associations that employ residents for certain administrative work. The bill establishes a presumption of independent contractor status for residents providing specific services like bookkeeping, billing, or recordkeeping, while exempting associations from employer classification in such cases. This approach aims to streamline administrative processes and provide flexibility for residents and associations in Virginia's common interest communities. Governor Youngkin vetoed this bill and recommended the legislature revisit the issue in 2025.

**Status: Vetoed by Governor, the legislature may consider it in the Special Veto session beginning April 17<sup>th</sup>**

**VA HB 880/SB 341 – Common interest communities; foreclosure remedy.**

VALAC opposed this legislation that establishes a minimum threshold of \$5,000, excluding attorney fees, for pursuing foreclosure to enforce judgment or assessment liens within common interest communities. Additionally, it mandates associations to maintain individual assessment account records and records of recorded liens for an extended period of 10 years. These requirements are burdensome and potentially impractical for associations to fulfill. Despite these objections, the bill passed and will bring significant changes to foreclosure remedies within common interest communities in Virginia.

**Status: Passed**

**VA HB 925 - Towing; vehicles with expired registration, civil penalty.**

VALAC monitored this bill and supported its exclusion of common interest communities from the requirements of towing practices. The bill requires that in non-CIC multifamily homes, cars with expired registration must be given a 48-hour notice before being towed. This bill was signed by Governor Youngkin on April 2<sup>nd</sup> and the law is in effect.

**Status: Successfully Passed**

**VA HB 1209 - Common interest communities; reserve studies, special assessment rescission or reduction.**

VALAC supported this legislation, as it aligns with CAI's Reserves Funding and Studies Public Policy. The bill removes owner authority to rescind or reduce special assessments, empowering associations to make necessary financial decisions for maintenance, repair, and replacement of capital components. Additionally, it authorizes associations to borrow money for these purposes, ensuring timely and adequate funding. By defining reserve studies as a capital budget planning tool, the bill promotes proactive financial planning and responsible management of common interest communities. This

legislation strengthens the financial stability and sustainability of such communities. This bill was signed by Governor Youngkin on April 2<sup>nd</sup> and the law is in effect.

**Status: [Successfully Passed](#)**

**VA HB 528 - Property Owners' Assoc. Act; managed conservation landscaping, unreasonable restrictions prohibited.**

VALAC opposed this bill, as it would have prohibited associations from restricting owners from installing managed conservation landscaping, unless explicitly stated in the declaration. VALAC determined that the language of the bill was too broad and would strip associations of their ability to reasonably regulate landscaping practices and preserve the community aesthetics and property values.

**Status: [Continued to 2025](#)**

**VA HB 922 - Common interest communities; associations may ban use of pesticides in or upon any common area.**

VALAC monitored this bill, which aimed to clarify that associations could ban the use of pesticides in or upon any common area or element. The bill also permitted associations to establish reasonable restrictions on pesticide use if it might affect any lot, common area, unit, or element.

**Status: [Continued to 2025](#)**

## GET INVOLVED IN CAI VIRGINIA ADVOCACY EFFORTS!

### Track VA Legislation

CAI keeps track of legislation throughout the year, so you can stay informed. You can check the legislation that CAI is monitoring around the clock [here](#).

### Support and Donate Today

CAI depends on professional lobbyists funded by community associations, businesses, and individuals to create the best public policy for the community association industry in Virginia. To support their efforts, visit [caionline.org/lacdonate](http://caionline.org/lacdonate) and select "Virginia."

### Help Shape Future Legislation

Join our CAI Advocacy Ambassador program and become a part of the movement to create positive change. Your voice matters, so [sign up now](#) to make your mark!

### CAI VA LAC and Chapter Contact Information:

[CAI Virginia Legislative Action Committee](#) - (888) 224-4321

[CAI Central Virginia Chapter](#) - (804) 739-7655

[CAI Southeastern Virginia Chapter](#) - (757) 558-8128

[CAI Southwestern Virginia Chapter](#) - (540) 339-1224

[CAI Washington Metropolitan Chapter](#) - (703) 750-3644