

**Department of Professional and Occupational Regulation
Perimeter Center – Board Room 4
9960 Mayland Drive
Richmond, Virginia 23233**

**BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION
TENTATIVE MEETING AGENDA**

January 12, 2026, 10:00 a.m.

1. Call to Order
2. Emergency Evacuation Procedure
3. Approval of Agenda
4. Approval of Minutes
 - March 17, 2025
5. Communications
6. Public Comment Period*
7. Welcome and Introductions
8. Resolution for former Board Member – Alice Kendrick
9. Legislative Update
10. Update on DPOR Operations
 - a. Executive Director Reports
11. Board Member Reporting
 - a. Board Liaison Reports – Observations and Trends from other Board Meetings
 - b. Recommendations for Staff
 - c. Issues for the Director’s or Administration’s Consideration
12. New Business
 - a. Consider Adoption of Public Participation Guidelines (Fast-Track)
 - b. Regulation on Administrative Fees
 - c. Consider Policy for Virtual Board Meetings and Participation
 - d. Election of Officers
 - e. Board Liaison Assignments
 - f. Petition for Regulation of Radon Professionals
 - i. Consideration of Work Plan for Study
 - g. 2026 Meeting Schedule
13. Other Business
14. Conflict of Interests Act Training/Financial Disclosure
15. Conflict of Interest Forms/Travel Vouchers
16. Adjourn

*Five-minute public comment per person.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, March 17, 2025, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia.

The following members were present for all or part of the meeting:

Sathish Anabathula
Grace Flores-Hughes
Jemmalyn Hewlett
Alice Kendrick
Gaby Rengifo

Board members Enid Candelaria-Vega, Fernando Espinoza, H. Scott Johnson and Charles Vaughters were not present at the meeting.

The following agency staff was present for all or part of the meeting:

Brian Wolford, Director
Steve Kirschner, Deputy Director LRPD
Tom Payne, Deputy Director CID
Joe Haughwout, Regulatory Affairs Manager
John Robertson, Communications & Digital Media Manager
Jennifer Sayegh, Policy and Legislative Affairs Manager
Amy Goobic, Executive Assistant

Elizabeth Peay, from the Office of the Attorney General, was present.

Ms. Flores-Hughes called the meeting to order at 10:09 a.m.

Call to Order

Mr. Haughwout reviewed the emergency evacuation procedures.

Emergency Evacuation Procedures

Mr. Haughwout informed the Board that Ms. Hewlett was stuck in traffic and would be arriving late. As such, there was no quorum until she arrived. The vote for approval of the agenda and minutes would be held when Ms. Hewlett arrived.

Approval of Agenda & Minutes

Mr. Haughwout provided email correspondence from Ms. Paige Pruett and her concerns with DPOR.

Communications

Board members were provided written Public Comment from Ms. Paige Pruett as she was unable to attend the meeting. Ms. Pruett wanted to inform the Board of her concerns regarding the complaint she filed with the Agency. Ms. Pruett addressed issues she had with the investigation of the complaint, the process for resolving complaints, the FOIA process, and various agency practices. She also commented the Agency lacked investigative integrity.

Public Comment

Mr. Haughwout informed the Board that since their last meeting, Jeb Wilkinson was appointed Chief Deputy Director, formerly Senior Advisor to the Director. Mr. Wilkinson was unable to attend the meeting and sends regrets. Steve Martin, former State Senator, is now in the position of Senior Advisor.

Welcome & Introductions

Jen Sayegh, Policy and Legislative Affairs Manager, provided a report on the 2025 General Assembly Session. Ms. Sayegh informed the Board that 3,107 bills were entered during the session, and that DPOR tracked 50 bills throughout the session. Ms. Sayegh provided information on the agency bills submitted; and detailed information on all bills pertaining to DPOR regulants.

2025 General Assembly Report

Board Members were given a handout regarding HB2553/SB1096 which pertains to the Board's powers and duties. Ms. Sayegh explained the bill provided the Board with additional powers and duties including: to review and comment on the Agency budget; to advise the Governor, the General Assembly, and the Director on matters of regulating or deregulating profession; and to review each currently regulated profession on a periodic basis to determine whether the profession is appropriately regulated. Ms. Sayegh informed the Board regarding Agency bills did not pass. One measure proposed to deregulate the Athlete Agent registration program. Another proposed to deregulate the Residential Building Energy Analyst licensure program. These Agency bills would have moved these professions to the Consumer Protection section of the Office of the Attorney General. Another bill would have reduced the number of years of professional experience required to serve as a Board Member for several DPOR regulatory boards.

Ms. Sayegh stated that bills that are signed by the Governor are effective July 1, 2025.

**Presentation attached.*

Ms. Flores-Hughes stepped out of the meeting at 10:55 am

Board Member Stepped Out of Meeting

Mr. Haughwout provided a presentation on DPOR operations. Mr. Haughwout provided statistics on the processing time for license applications, Universal License Recognition, and remote proctored exams; updates on the Agency's regulatory actions; and an overview of the Board Member Training Conference held in October 2024. Mr. Haughwout also provided statistics on the activity of the Agency's Compliance and Investigations Division; updates on the EPICx licensing and enforcement software project, anticipated to go live beginning in June 2025; information on the agency policy refresh initiative by the Office of Performance and Innovation; and updates on on Agency communications and outreach.

Update on DPOR Operations

Ms. Rengifo inquired about the pass rates for the proctored exams. Mr. Kirschner stated that staff will provide stats at the next meeting. Mr. Haughwout informed the Board that the Executive Director reports were provided for informational purposes (attached).

Ms. Rengifo also inquired about the pass rates for Spanish language contractor exams. Mr. Kirschner reported that the pass rates were not great, but explained it is possibly due to reference materials not being translated. He further commented that the building code and NASCLA reference material have been translated, and DPOR will continue to look at pass rates at the six month and one year marks.

**Presentation attached*

Ms. Hewlett arrived at 11:09 a.m.

Board Member Arrival

Ms. Flores-Hughes returned to the meeting at 11:26 am.

Board Member Returned

Ms. Rengifo reported that she attended several board meetings including Contractors; Asbestos, Lead, and Home Inspectors; and the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.

Board Member Reporting

Ms. Kendrick and Mr. Anabathula commented that they had not received meeting notifications for their board liaison assignments. Ms. Flores-Hughes reported that she attended a meeting of the Boxing, Martial Arts and Professional Wrestling Advisory Board. Mr. Haughwout advised the Board that he would check with board program staffs to ensure all liaisons are included on meeting notifications.

Mr. Haughwout asked Board members if they had any recommendations for staff or had any items for the Director or the Administration to consider. No additional comments were provided by Board Members.

Ms. Kendrick moved to approve the agenda. Ms. Rengifo seconded the motion which was unanimously approved by members: Anabathula, Flores-Hughes, Hewlett, Kendrick, and Rengifo.

Approval of Agenda

Ms. Kendrick moved to approve the September 16, 2024, board meeting minutes. Mr. Anabathula seconded the motion which was unanimously approved by members: Anabathula, Flores-Hughes, Hewlett, Kendrick, and Rengifo.

Approval of Minutes

There was no other business.

Other Business

Board members signed Conflict of Interest forms and travel vouchers.

Conflict of Interest Forms

& Travel Vouchers

Board members were reminded of the next 2025 meeting date:

- June 16
- September 15
- December 8

Future Meeting Dates

The meeting was adjourned at 11:50 am.

Adjourn

Grace Flores-Hughes, Chair

Brian P. Wolford, Director

DRAFT

Commonwealth of Virginia



BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

RESOLUTION TO

Alice R. Kendrick

WHEREAS, **Alice R. Kendrick**, did faithfully and diligently serve as a member of the Board for Professional and Occupational Regulation from 2023 to 2025;

WHEREAS, **Alice R. Kendrick**, did devote generously of her time, talent and leadership to the Board;

WHEREAS, **Alice R. Kendrick**, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Board for Professional and Occupational Regulation wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Board for Professional and Occupational Regulation this twelfth day of January 2026, that **Alice R. Kendrick**, be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Grace Flores-Hughes, Chair

James B. "Jeb" Wilkinson, Jr., Secretary



To: APELSCIDLA Board
From: Kate Nosbisch, Executive Director
Subject: Executive Director Update
Date: November 14, 2025

Data for the last five years of the Board’s activities has been provided.

Application Statistics

The table below provides the number of applications approved for the APELSCIDLA Board per calendar year (January 1 – December 31) since 2020.

Applications Approved						
Year	2025*	2024***	2023***	2022***	2021***	2020***
App Numbers	2,976	3,953	3,631	3,353	3,540	2,735

*As of 10/28/2025

**Includes SIT, EIT, and Exam Eligible Applicants

Applications Approved by Profession 2025*								
Profession	Arch	PE	LS	CID	LA	Businesses	EIT	SIT
App Numbers	425	1441	32	22	37	384	607	28

*As of 10/28/2025

Applications Approved by ULR*	
Profession	CID
App Numbers	12

*As of 10/28/2025

Call Center Statistics

**** The Call Center Statistics consists of APELSCIDLA, PSSWPG, Auctioneers, and Branch Pilots**

The Board’s call center has answered a total of 6,052 phone calls between January 1, 2025, to October 28, 2025.

**Reduced call center hours began April 16, 2025, with the call center opening at 8:30 am and closing at 5:00 pm, Monday, Tuesday, Thursday, and Friday. Wednesdays the call center opens from 12:00 pm to 2:00 pm. The reduction in call center hours allows our staff to process applications more effectively. On June 24, 2025, call center hours on Tuesdays and Wednesdays open from 12:00 pm to 2:00 pm. Abandoned calls reflect calls that came in outside of the reduced call center hours.

Email Statistics

The table below outlines the number of emails received through the Board’s email address per calendar year (Jan 1-Dec 31)

Email Count						
Year	2025*	2024	2023	2022	2021	2020
# of Emails	26,784	28,364	24,429	16,318	15,317	13,528

*As of 10/01/2025

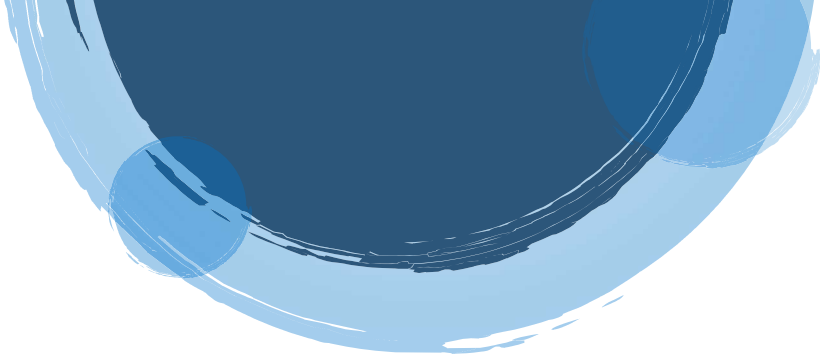
Board Case Statistics

Case Statistics						
Year	2025*	2024	2023	2022	2021	2020
# of Cases	2	9	3	3	9	7

*As of 10/28/2025 (Disciplinary Actions)

Case Statistics by Profession 2020-2025						
Profession	Arch	PE	LS	CID	LA	Businesses
App Numbers	4	21	6	0	0	2

Since 2018, The Board has adjudicated 120 cases: 46 Disciplinary and 74 Licensing.



Disciplinary	
Cases	46
Final Orders	14
Consent Orders	32
Revocations	10
Suspensions	1

*As of 10/28/2025

Stakeholder Engagement & Outreach

08/19-08/22- NCEES Annual Meeting in New Orleans, LA with Rick Townsend, PE, Doug Frost, PE, Kevin Shreiner, LS, John Claytor, LS, and Kevin Hansen, DPOR Investigations Supervisor.



TO: Board for Barbers and Cosmetology
FROM: Kelley Smith, Executive Director
SUBJECT: Executive Director Update
DATE: December 2, 2025

Application Statistics

The table below outlines the number of various application types opened per calendar year (Jan. 1 – Dec. 31) since 2019 for Barbers and Cosmetology.

2025 ¹	2024	2023	2022	2021	2020	2019
61,606	60,763	60,137	60,163	58,994	50,949	58,080

Call Center Telephone Statistics

The table below outlines the number of telephone calls received through BCHOP’s call center per fiscal year (July 1 – June 30).

2026 ²	2025	2024	2023	2022	2021	2020
10,554	31,750	19,778	33,894	43,063	36,074	41,837

Call Center Summary – 8/01/25 – 8/31/25

	Average Wait Time	Average Speed of Answer	Average Abandonment Time	Average Staff	Number of Calls	Call Duration
BCHOP	00:03:02	00:03:10	00:04:21	1.61	3406	
BCHOP – B	00:03:58	00:04:02	00:00:00	1.59	5	
SUMMARY	00:03:02	00:03:10	00:04:21	3.2	3411	00:06:17

Call Center Summary – 9/01/25 – 9/30/25

	Average Wait Time	Average Speed of Answer	Average Abandonment Time	Average Staff	Number of Calls	Call Duration
BCHOP	00:02:09	00:02:17	00:03:09	1.3	3596	
BCHOP – B	00:00:39	00:00:46	00:00:00	1.2	5	
SUMMARY	00:02:09	00:02:17	00:03:09	2.5	3601	00:05:59

¹ As of 10/21/25

² As of 9/30/25

Email Statistics

The table below outlines the number of emails received through BCHOP's email addresses per calendar year (Jan 1 – Dec 31).

2025	2024	2023	2022	2021	2020	2019
20,172 ³	21,319	22,638	28,441	18,164	14,580	11,071

Board Case Statistics

Since 2020, the Board has adjudicated 542 cases: 364 Disciplinary and 178 Licensing

Disciplinary

Cases - 364: Final Orders - 256; Consent Orders – 108

364 disciplinary cases resulted in the sanctions below:

Revocations - 28
Suspensions - 1
Probation - 6
Fines - \$1,384,450
Board cost - \$16,150

Licensing

Cases – 178
Denied – 23
Conditional approvals – 1

³ As of 9/30/25

TO: Board for Contractors
FROM: Marjorie King, Executive Director
SUBJECT: Executive Director Update
DATE: December 9, 2025

Application Statistics

The table below outlines the number of applications received per calendar year (Jan. 1 – Dec. 31) since 2002.

As of November 30, 2025, the Board has received 12,130 (7,423 contractor, 4,707 individual) applications, averaging 1,102 applications a month. *At this pace and if the trends continue, the Board is set to receive about 13,232 applications during calendar year 2025.

2025*	2024	2023	2022	2021	2020	2019	2018	2017	2016
12,130	12,944	10,939	9,499	9,273	8,112	8,833	8,661	8,216	7,585

*As of 11/30/2025

2015	2014	2013	2012	2011	2010	2009	2008	2007	2006
7,405	7,527	7,750	11,071	10,776	10,531	11,484	12,349	12,663	12,726

2005	2004	2003	2002
14,350	12,707	10,655	9,839

Below is a breakdown of the 12,130 applications received as of November 30, 2025.

Initial Class A	1,520	Initial Residential Tradesman – Exam eligibility	30
Temp. Class A	47	Initial Residential Tradesman - Reciprocity	1
Expedite Class A	888	Initial Tradesman – Exam eligibility	1,894
Initial Class B	507	Initial Tradesman – Reciprocity	744
Temp. Class B	10	Initial Tradesman – Apprentice/Exam Waiver	627
Initial Class C	1,520	Initial Tradesman - Swap	4
Temp Class C	6	Add Specialty Tradesman	151
Upgrade to Class A	364	Upgrade Tradesman	639
Upgrade to Class B	104	Initial Temporary Elevator Mechanic	13
Downgrade to Class B	1	Initial Backflow – Exam, Reciprocity, Swap	274
Downgrade to Class C	2	Initial Elevator	188
Add Specialty	941	Initial Water Well	44
Change RM	593	Upgrade Water Well	6
Change QI	578	Initial Accessibility	18
Change DE	332	Initial RBEA Individual	15
RBEA Firm	8	Initial Fire Sprinkler	59
RBEA Change RM	2		
RBEA Change QI	0		
TOTAL Contractor	7,423	TOTAL Individual	4,707

*As of December 5, 2025, there are 1,438 applications waiting to be reviewed and processed. All applications are being reviewed and processed within an *average* of 11.45 business days for all applications, with Class A applications being reviewed within 42 business days, and RM, DE & QI Change applications being reviewed in 46 days. Board staff is consistently working to decrease the backlog.

Call Center Telephone Statistics

The table below outlines the number of telephone calls received through the Board’s call center per fiscal year (July 1 – June 30). During the current 2025 fiscal year (July 1, 2025 – June 30, 2026), the Board received 28,096 calls through its call center. Note, these numbers do not include calls directly received by Board staff.

2026*	2025	2024	2023	2022	2021	2020	2019	2018	*2017
41,122	81,624	88,698	75,846	63,743	66,384	65,965	72,354	85,354	105,280

**As of 7/1/25 – 11/30/25

*Average

2016	2015	2014	2013
91,123	86,237	87,482	105,409

	Average Wait Time	Average Speed of Answer	Average Abandonment Time	Average Staff	Number of Calls
July 2024					
Contractors	4:24	4:31	4:12	3.17	6154
August 2024					
Contractors	4:12	4:19	4:19	2.23	6475
September 2024					
Contractors	3:30	3:36	3:22	1.78	5736
October 2024					
Contractors	3:08	3:15	3:18	2.3	6252
November 2024					
Contractors	3:32	3:38	3:09	1.95	5695
December 2024					
Contractors	2:56	3:03	2:42	2.24	5232
January 2025					
Contractors	3:10	3:18	2:42	2.58	6660
February 2025					
Contractors	4:40	4:48	3:29	2.87	6517

March 2025					
Contractors	3:53	4:00	3:09	2.63	8252
April 2025					
Contractors	3:49	3:56	3:00	2.71	8586
May 2025					
Contractors	3:30	3:38	3:15	2.09	8340
June 2025					
Contractors	2:44	2:52	2:39	1.78	7725
July 2025					
Contractors	4:16	4:24	5:46	1.75	9,901
August 2025					
Contractors	3:07	3:15	2:45	2.28	8,058
September 2025					
Contractors	4:40	4:47	3:14	2.57	10,137
October 2025					
Contractors	4:20	4:28	2:40	2.84	10,724
*November 2025					
Contractors	7:18	7:24	14:11	0.84	2,302
*11/19-30 only					

*New telephones were installed, interrupting the agency's call center and removing all data prior to 11/19.

Temporary Call Center Hours: Monday through Friday, 8:30 a.m. to 5:00 p.m., except Tuesday and Wednesday. On Tuesday and Wednesday, Call Center hours are limited to 12:00 p.m. to 2:00 p.m. to provide staff with additional time to review and process applications.

Email Statistics

The table below outlines the number of emails received through the Board's email address per calendar year (Jan 1 – Dec 31).

*2025	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015
28,680	32,058	28,119	19,820	18,843	15,678	13,974	14,660	11,314	10,001	8,644

*As of 10/31/2025

2014	2013
7,003	6,037

Licensing Statistics

As of November 1, 2025, the Board for Contractors has a regulant population of 88,455.

DPOR's total regulant population is 325,538.

	<u>1/1/2024</u>	<u>4/1/2024</u>	<u>7/1/2024</u>	<u>10/1/2024</u>
Class A contractors	32,562	32,968	33,340	33,545
Class B Contractors	9,358	9,319	9,236	9,121
Class C Contractors	12,292	12,339	12,121	11,993
RBEA Firms	59	59	59	56
Individual Tradesman	28,062	28,783	29,284	29,854
Backflow Prevention Device Worker	1,732	1,808	1,859	1,895
Elevator Mechanic	929	980	980	1,003
Water Well Systems Provider	388	395	395	400
Accessibility Mechanic	25	25	28	28
RBEA Individual	86	92	93	92
Automatic Fire Sprinkler Inspectors	297	332	355	363
Total Regulants	85,790	87,100	87,750	88,350

	<u>1/1/2025</u>	<u>2/1/2025</u>	<u>3/1/2025</u>	<u>4/1/2025</u>	<u>5/1/2025</u>	<u>6/1/2025</u>
Temporary Contractor	5	6	9	4	3	9
Class A contractors	33,798	33,940	34,026	34,110	34,120	34,221
Class B Contractors	9,051	9,076	9,057	9,053	8,998	8,998
Class C Contractors	11,916	11,949	11,944	11,944	11,863	11,864
RBEA Firms	56	57	60	60	60	58
Individual Tradesman	30,135	30,388	30,283	30,051	29,841	30,029
Backflow Prevention Device Worker	1,929	1,949	1,961	1,978	1,973	2,004
Elevator Mechanic	1,028	1,035	1,036	1,041	1,042	1,027
Water Well Systems Provider	406	406	406	406	408	411
Accessibility Mechanic	27	27	27	27	27	26
RBEA Individual	100	100	102	105	105	106
Automatic Fire Sprinkler Inspectors	366	365	373	367	363	361
Total Regulants	88,817	89,298	89,284	89,146	88,803	89,114

	<u>7/1/2025</u>	<u>8/1/2025</u>	<u>9/1/2025</u>	<u>10/1/2025</u>	<u>11/1/2025</u>	<u>12/1/2025</u>
Temporary Contractor	9	3	5	4	4	
Class A contractors	34,186	34,284	34,276	34,299	34,336	
Class B Contractors	8,951	8,934	8,882	8,852	8,832	
Class C Contractors	11,820	11,809	11,772	11,734	11,709	
RBEA Firms	60	58	57	57	58	
Residential Tradesman	0	1	3	5	5	
Individual Tradesman	29,672	29,834	29,509	29,761	29,610	
Backflow Prevention Device Worker	2,002	2,021	1,965	1,993	1,995	
Elevator Mechanic	1,014	1,027	1,016	1,008	1,012	
Water Well Systems Provider	409	406	406	409	415	
Accessibility Mechanic	25	27	26	30	29	
RBEA Individual	108	104	100	95	93	
Automatic Fire Sprinkler Inspectors	372	366	368	369	357	
Total Regulants	88,628	88,874	88,385	88,616	88,455	

Universal Licensing Recognition Statistics as of December 3, 2025

Tradesman – 400

Backflow Prevention Device Worker - 23

Certified Water Well Systems Provider - 12

Certified Elevator Mechanic - 5

Certified Accessibility Mechanic – 2

DPOR has issued a total of 1,520 licenses through ULR.

Remedial Education

Remedial Education continues to be held once a month and remains well received by participants. Outlined below are the number of participants in each monthly class. *Board staff continue to research the possibility of holding Remedial Education every other month, providing each individual two opportunities to attend.

2025 - Month	Number of Attendees
January 16, 2025	18
February 18, 2025	12
March 27, 2025	9
April 17, 2025	8
May 29, 2025	30
June 12, 2025	8
July 24, 2025	27
August 14, 2025	18
September 25, 2025	27
October 16, 2025	17
November 13, 2025	19
December 18, 2025	

Year	Number of Attendees
2025*	193
2024	203
2023	259
2022	250

*As of November

Stakeholder Engagement & Out of Office Events

During the 2025 calendar year, Board staff has the opportunity to engage with various stakeholders and participate in out-of-office events that include consumer outreach, conferences, and course instruction. Below is a snapshot of our engagements throughout the year.

January 2025

1. No out of office events for Board for Contractors

February 2025

1. February 5, 2025 – Dept. of Small Business & Supplier Diversity
 - a. Presented on Contractor licensure requirements and eligibility to obtain a license.
2. February 18, 2025 – Augusta Home Builders Association
3. February 19, 2025 – Virginia Waterwell Association Conference
4. February 25, 2025 – Virginia Building Code Academy Permit Technician Class

March 2025

1. March 3-7 – National Association of State Contractor Licensing Agencies (NASCLA) Board of Directors Mid-Year Meeting
2. March 20 – Virginia Apprenticeship Council Meeting – 10:00 am - 2221 Edward Holland Dr, Richmond, Virginia, 23230
 - a. Presenting on Individual eligibility requirements
3. March 28 – Interagency Collaboration with Virginia Energy

April 2025

1. April 16 – Virginia Apprenticeship Council Subcommittee on state apprenticeship reciprocity
2. April 23 - Virginia Highlands Small Business Development Unlicensed Contractor forum - Abingdon

May 2025

1. May 14 – Mold Committee Workgroup

June 2025

1. June 18 – DHCD Permit Technician Course
2. June 26 – Virginia Apprenticeship Council Meeting – 10:00 am - 2221 Edward Holland Dr, Richmond, Virginia, 23230

July 2025

1. July 16 – Mold Committee Workgroup

August 2025

1. No events scheduled

September 2025

1. September 15-19 – NASCLA annual conference
3. September 25 – Virginia Apprenticeship Council Meeting – 10:00 am - 2221 Edward Holland Dr, Richmond, Virginia, 23230

October 2025

1. October 29 – Small Business Development Center Contractor Event at Southwest Virginia Community College

November 2025

1. November 19 – Qualified Gas Contractors Association – Newport News, VA

December 2025

1. December 2-4 – NASCLA Strategic Planning



TO:	REAL ESTATE BOARD
FROM:	ANIKA COLEMAN, EXECUTIVE DIRECTOR FOR REAL ESTATE BOARD
SUBJECT:	BOARD UPDATES
DATE:	NOVEMBER 6, 2025

Regulatory Update

- The 2025 Legislative Amendments to the Virginia Real Estate Board Licensing Regulations became effective on November 5, 2025.
- A Public Hearing was conducted on September 25, 2025, at 2:00 PM. No verbal comments were received during the hearing; however, the Board received six written public comments on Virginia Regulatory Townhall. The public comment period closed on October 24, 2025. Board staff are in the process of preparing formal responses to the comments for Board review.
- Additional updates regarding Guidance Documents and other regulatory initiatives will be presented by the Regulatory Affairs Manager.

BOARD LICENSING STATISTICS

Category	May	Jun	Jul	Aug	Sep	Oct	Nov
Active Associate Brokers	5,448	5,463	5,512	5,502	5,509	5,523	5,533
Active Sole Proprietors	874	869	866	858	855	852	853
Active Principal Brokers	5,093	5,091	5,106	5,085	5,086	5,088	5,091
Active Salespersons	43,629	43,619	43,786	43,884	43,853	43,757	43,771
Inactive Associate Brokers	506	529	490	486	484	480	475
Inactive Sole Proprietors	60	59	59	56	58	56	55
Inactive Principal Brokers	407	398	391	405	393	398	410
Inactive Salespersons	8,960	8,721	8,443	8,315	8,215	8,171	8,175
Firms – Branch Offices	716	700	717	707	695	707	701
Firms – Total	5,095	5,091	5,097	5,086	5,090	5,103	5,092
Business Entities	4,224	4,296	4,307	4,318	4,361	4,375	4,388
Sole Proprietors	878	869	875	858	863	857	853
Settlement Agents	2	2	2	1	1	1	1
Course Instructors	434	433	431	409	404	406	399
Proprietary Schools	213	215	205	208	204	206	204
Total	76,539	76,355	76,287	76,178	76,071	75,980	76,001

Data Analysis

1. Overall Stability

- The total count remains steady across all periods, ranging from **76,539** to **75,980**.
- Indicates a stable industry with minor fluctuations.

2. Licensee Activity Trends

Active Licensees

Category	Start	End	Change	Trend
Associate Brokers	5,448	5,533	+85	Slight rise
Sole Proprietors	874	853	-21	Gradual drop
Principal Brokers	5,093	5,091	-2	Stable
Salespersons	43,629	43,771	+142	Slight rise

Inactive Licensees

Category	Start	End	Change	Trend
Associate Brokers	506	475	-31	Declining
Sole Proprietors	60	55	-5	Slight decline
Principal Brokers	407	410	+3	Stable
Salespersons	8,960	8,175	-785	Significant drop

Insight: Active licenses are stable or increasing, while inactive licenses, especially salespersons, are declining, suggesting reactivation or exits.

3. Business Entities and Firms

Category	Start	End	Change	Trend
Firms – Branch Offices	716	701	-15	Slight drop
Firms – Total	5,095	5,092	-3	Stable
Business Entities	4,224	4,388	+164	Growth
Sole Proprietors	878	853	-25	Decline

Insight: Business entities are expanding, while sole proprietorships are slowly declining possibly due to consolidation or incorporation.

4. Education and Training

Category	Start	End	Change	Trend
Course Instructors	434	399	-35	Declining
Proprietary Schools	213	204	-9	Slight decline

Insight: Fewer instructors and schools may reflect reduced demand or tighter regulation.

5. Summary of Notable Changes

- Inactive Salespersons saw the largest drop (-785).
- Business Entities grew by 164.
- Course Instructors declined by 35.

Project 8551 - Fast-Track

Board for Professional and Occupational Regulation

Public Participation Guidelines

Chapter XX

Public Participation Guidelines

Part I

Purpose and Definitions

18VACXX-XX-10. Purpose.

The purpose of this chapter is to promote public involvement in the development, amendment or repeal of the regulations of the Board for Professional and Occupational Regulation. This chapter does not apply to regulations, guidelines, or other documents exempted or excluded from the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

18VACXX-XX-20. Definitions.

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

"Administrative Process Act" means Chapter 40 (§ 2.2-4000 et seq.) of Title 2.2 of the Code of Virginia.

"Agency" means the Board for Professional and Occupational Regulation, which is the unit of state government empowered by the agency's basic law to make regulations or decide cases. Actions specified in this chapter may be fulfilled by state employees as delegated by the agency.

"Basic law" means provisions in the Code of Virginia that delineate the basic authority and responsibilities of an agency.

"Commonwealth Calendar" means the electronic calendar for official government meetings open to the public as required by § 2.2-3707 D of the Virginia Freedom of Information Act.

"Negotiated rulemaking panel" or "NRP" means an ad hoc advisory panel of interested parties established by an agency to consider issues that are controversial with the assistance of a facilitator or mediator, for the purpose of reaching a consensus in the development of a proposed regulatory action.

"Notification list" means a list used to notify persons pursuant to this chapter. Such a list may include an electronic list maintained through the Virginia Regulatory Town Hall or other list maintained by the agency.

"Open meeting" means any scheduled gathering of a unit of state government empowered by an agency's basic law to make regulations or decide cases, which is related to promulgating, amending or repealing a regulation.

"Person" means any individual, corporation, partnership, association, cooperative, limited liability company, trust, joint venture, government, political subdivision, or any other legal or commercial entity and any successor, representative, agent, agency, or instrumentality thereof.

"Public hearing" means a scheduled time at which members or staff of the agency will meet for the purpose of receiving public comment on a regulatory action.

"Regulation" means any statement of general application having the force of law, affecting the rights or conduct of any person, adopted by the agency in accordance with the authority conferred on it by applicable laws.

"Regulatory action" means the promulgation, amendment, or repeal of a regulation by the agency.

"Regulatory advisory panel" or "RAP" means a standing or ad hoc advisory panel of interested parties established by the agency for the purpose of assisting in regulatory actions.

"Town Hall" means the Virginia Regulatory Town Hall, the website operated by the Virginia Department of Planning and Budget at www.townhall.virginia.gov, which has online public comment forums and displays information about regulatory meetings and regulatory actions under consideration in Virginia and sends this information to registered public users.

"Virginia Register" means the Virginia Register of Regulations, the publication that provides official legal notice of new, amended and repealed regulations of state agencies, which is published under the provisions of Article 6 (§ 2.2-4031 et seq.) of the Administrative Process Act.

Part II

Notification of Interested Persons

18VACXX-XX-30. Notification list.

A. The agency shall maintain a list of persons who have requested to be notified of regulatory actions being pursued by the agency.

B. Any person may request to be placed on a notification list by registering as a public user on the Town Hall or by making a request to the agency. Any person who requests to be placed on a notification list shall elect to be notified either by electronic means or through a postal carrier.

C. The agency may maintain additional lists for persons who have requested to be informed of specific regulatory issues, proposals, or actions.

D. When electronic mail is returned as undeliverable on multiple occasions at least 24 hours apart, that person may be deleted from the list. A single undeliverable message is insufficient cause to delete the person from the list.

E. When mail delivered by a postal carrier is returned as undeliverable on multiple occasions, that person may be deleted from the list.

F. The agency may periodically request those persons on the notification list to indicate their desire to either continue to be notified electronically, receive documents through a postal carrier, or be deleted from the list.

18VACXX-XX-40. Information to be sent to persons on the notification list.

A. To persons electing to receive electronic notification or notification through a postal carrier as described in 18VAC120-11-30, the agency shall send the following information:

1. A notice of intended regulatory action (NOIRA).
2. A notice of the comment period on a proposed, a repropoed, or a fast-track regulation and hyperlinks to, or instructions on how to obtain, a copy of the regulation and any supporting documents.
3. A notice soliciting comment on a final regulation when the regulatory process has been extended pursuant to § 2.2-4007.06 or 2.2-4013 C of the Code of Virginia.

B. The failure of any person to receive any notice or copies of any documents shall not affect the validity of any regulation or regulatory action.

Part III

Public Participation Procedures

18VACXX-XX-50. Public comment.

A. In considering any nonemergency, nonexempt regulatory action, the agency shall afford interested persons an opportunity to (i) submit data, views, and arguments, either orally or in writing, to the agency and (ii) be accompanied by and represented by counsel or other representative. Such opportunity to comment shall include an online public comment forum on the Town Hall.

1. To any requesting person, the agency shall provide copies of the statement of basis, purpose, substance, and issues; the economic impact analysis of the proposed or fast-track regulatory action; and the agency's response to public comments received.
2. The agency may begin crafting a regulatory action prior to or during any opportunities it provides to the public to submit comments.

B. The agency shall accept public comments in writing after the publication of a regulatory action in the Virginia Register as follows:

1. For a minimum of 30 calendar days following the publication of the notice of intended regulatory action (NOIRA).
2. For a minimum of 60 calendar days following the publication of a proposed regulation.
3. For a minimum of 30 calendar days following the publication of a repropoed regulation.
4. For a minimum of 30 calendar days following the publication of a final adopted regulation.
5. For a minimum of 30 calendar days following the publication of a fast-track regulation.

6. For a minimum of 21 calendar days following the publication of a notice of periodic review.

7. Not later than 21 calendar days following the publication of a petition for rulemaking.

C. The agency may determine if any of the comment periods listed in subsection B of this section shall be extended.

D. If the Governor finds that one or more changes with substantial impact have been made to a proposed regulation, he may require the agency to provide an additional 30 calendar days to solicit additional public comment on the changes in accordance with § 2.2-4013 C of the Code of Virginia.

E. The agency shall send a draft of the agency's summary description of public comment to all public commenters on the proposed regulation at least five days before final adoption of the regulation pursuant to § 2.2-4012 E of the Code of Virginia.

18VACXX-XX-60. Petition for rulemaking.

A. As provided in § 2.2-4007 of the Code of Virginia, any person may petition the agency to consider a regulatory action.

B. A petition shall include but is not limited to the following information:

1. The petitioner's name and contact information;
2. The substance and purpose of the rulemaking that is requested, including reference to any applicable Virginia Administrative Code sections; and
3. Reference to the legal authority of the agency to take the action requested.

C. The agency shall receive, consider and respond to a petition pursuant to § 2.2-4007 and shall have the sole authority to dispose of the petition.

D. The petition shall be posted on the Town Hall and published in the Virginia Register.

E. Nothing in this chapter shall prohibit the agency from receiving information or from proceeding on its own motion for rulemaking.

18VACXX-XX-70. Appointment of regulatory advisory panel.

A. The agency may appoint a regulatory advisory panel (RAP) to provide professional specialization or technical assistance when the agency determines that such expertise is necessary to address a specific regulatory issue or action or when individuals indicate an interest in working with the agency on a specific regulatory issue or action.

B. Any person may request the appointment of a RAP and request to participate in its activities. The agency shall determine when a RAP shall be appointed and the composition of the RAP.

C. A RAP may be dissolved by the agency if:

1. The proposed text of the regulation is posted on the Town Hall, published in the Virginia Register, or such other time as the agency determines is appropriate; or
2. The agency determines that the regulatory action is either exempt or excluded from the requirements of the Administrative Process Act.

18VACXX-XX-80. Appointment of negotiated rulemaking panel.

A. The agency may appoint a negotiated rulemaking panel (NRP) if a regulatory action is expected to be controversial.

B. An NRP that has been appointed by the agency may be dissolved by the agency when:

1. There is no longer controversy associated with the development of the regulation;
2. The agency determines that the regulatory action is either exempt or excluded from the requirements of the Administrative Process Act; or
3. The agency determines that resolution of a controversy is unlikely.

18VACXX-XX-90. Meetings.

Notice of any open meeting, including meetings of a RAP or NRP, shall be posted on the Virginia Regulatory Town Hall and Commonwealth Calendar at least seven working days prior to the date of the meeting. The exception to this requirement is any meeting held in accordance with § 2.2-3707 E of the Code of Virginia allowing for contemporaneous notice to be provided to participants and the public.

18VACXX-XX-100. Public hearings on regulations.

A. The agency shall indicate in its notice of intended regulatory action whether it plans to hold a public hearing following the publication of the proposed stage of the regulatory action.

B. The agency may conduct one or more public hearings during the comment period following the publication of a proposed regulatory action.

C. An agency is required to hold a public hearing following the publication of the proposed regulatory action when:

1. The agency's basic law requires the agency to hold a public hearing;
2. The Governor directs the agency to hold a public hearing; or
3. The agency receives requests for a public hearing from at least 25 persons during the public comment period following the publication of the notice of intended regulatory action.

D. Notice of any public hearing shall be posted on the Town Hall and Commonwealth Calendar at least seven working days prior to the date of the hearing. The agency shall also notify those persons who requested a hearing under subdivision C 3 of this section.

18VACXX-XX-110. Periodic review of regulations.

A. The agency shall conduct a periodic review of its regulations consistent with:

1. An executive order issued by the Governor pursuant to § 2.2-4017 of the Administrative Process Act to receive comment on all existing regulations as to their effectiveness, efficiency, necessity, clarity, and cost of compliance; and

2. The requirements in § 2.2-4007.1 of the Administrative Process Act regarding regulatory flexibility for small businesses.

B. A periodic review may be conducted separately or in conjunction with other regulatory actions.

C. Notice of a periodic review shall be posted on the Town Hall and published in the Virginia Register.

Project 8427 - Fast-Track

Department of Professional And Occupational Regulation

Regulation on Administrative Fees

Chapter 60

Department of Professional and Occupational Regulation Administrative Fees Regulation

18VAC120-60-10. Definitions.

A. Section § 54.1-300 of the Code of Virginia provides definitions of the following terms used in this chapter:

"Department"

"Director"

"Regulatory board"

B. The following terms when used in this chapter have the following meanings unless a different meaning is provided or is plainly required by the context:

"Administrative fee" means a charge imposed to cover the costs associated with processing, managing, or maintaining a service or transaction provided by the department.

"Person" means any individual, firm, corporation, association, partnership, joint venture, or other legal entity recognized by the laws of the Commonwealth.

"Regulant" means any person that holds a license, certificate, or registration issued by the department or a regulatory board.

18VAC120-60-20. Purpose.

In accordance with §§ 54.1-303 and 54.1-304 of the Code of Virginia, the director is the chief administrative officer for the department and each regulatory board within the department. This regulation provides for administrative fees charged by the department to regulants and members of the public for services provided by the department, including on behalf of regulatory boards.

18VAC120-60-30. General policy on administrative fees.

The director and any person designated by the director is authorized to prescribe and collect administrative fees necessary to provide the administrative services of the department. Prescribed administrative fees must be sufficient, but not excessive, to cover the cost of the administrative service provided. Fees are non-refundable and will not be prorated. Failure to pay a fee prescribed for a service may result in the withholding of the service. The director, or designee, has the discretion to waive or reduce prescribed fees as necessary and appropriate.

18VAC120-60-40. Fees for examination.

A. The department may charge an administrative fee for any examination for licensure, certification, or registration that is administered by the department or administered by a vendor contracted by the department. The department may contract with vendors for examinations for licensing, certification, or registration in accordance with the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Fees may be adjusted and charged in accordance with any such contract.

B. The following fees for department administered examinations apply:

<u>Examination</u>	<u>Examination Fee</u>	<u>When Due</u>
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<u>Hearing aid specialist licensing practical examination</u>	<u>\$90</u>	<u>With application for licensure</u>
<u>Polygraph examiner licensing examination</u>	<u>\$200</u>	<u>With application for licensure</u>
<u>Professional wetland delineator certification examination</u>	<u>\$150</u>	<u>Upon registration for examination</u>

18VAC120-60-50. Fees for certification of regulant status and duplication of credentials.

A. The department may charge an administrative fee for certification of regulant status. The fee for this service is \$45 for each request. Additional original copies of the same certification of regulant status may be requested at the same time as the original request at a charge of \$10 for each copy. However, no additional charge is required for additional original copies of certification of regulant status for real estate individuals.

B. The department may charge an administrative fee for duplicate credentials. The fee for a duplicate credential is ~~\$X~~ for each request. The fee for a duplicate wall certificate is \$35 for each request.

18VAC120-60-60. Fees for public records requests.

A. In accordance with applicable provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia), the department may assess reasonable charges for the actual costs associated with accessing, duplicating, supplying, or searching for records. Documents requested by a federal, state, or local governmental or law-enforcement agency will be provided at no cost. The department, in accordance with subsection H of § 2.2-3704 of the Code of Virginia, may require advanced payment prior to preparing the response for requests that are likely to exceed \$200. The department, in accordance with subsection I of § 2.2-3704 of

the Code of Virginia, may require payment of any amount owed for previous record requests that remain unpaid for at least 30 days.

B. A license transcript is a court-admissible document either incorporating the license history of a person, or stating that no license was found for the person based on the information provided. The fee for a license transcript is \$40 for each person requested.

C. For photocopies of records that are less than 40 pages, there is no charge. For photocopies of 40 pages or more, the fee is \$.25 for each page.

18VAC120-60-70. Fees for recovery of department costs in cases.

The department may charge an administrative fee to recover department costs in cases resolved by consent in accordance with the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia). The fee for recovery of department costs is \$500 or such amount as agreed upon by the regulatory board and the regulant.

18VAC120-60-80. Miscellaneous administrative fees.

The following administrative fees apply for services provided by the department:

<u>Fee Type</u>	<u>Fee</u>
<u>Bad (dishonored) check</u>	<u>\$50</u>

FORMS (18VAC120-60)



TO: MEMBERS
BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION
FROM: JOSEPH C. HAUGHWOUT, JR.
REGULATORY AFFAIRS MANAGER
SUBJECT: BOARD LAISON ASSIGNMENTS (2026)
DATE: JANUARY 5, 2026

Purpose of Serving as Board Liaison

- The Board is responsible for (i) monitoring the policies and activities of the Department; (ii) advising the Governor, the General Assembly, and DPOR Director on matters relating to the regulation or deregulation of professions and occupations; and (iii) educating the public and eliciting support for DPOR activities.
- Board members can help fulfill these responsibilities by becoming familiar with the various DPOR regulatory boards, their regulations, and policies.

Responsibilities of Board Liaison

- Board members will be assigned a “portfolio” of select DPOR regulatory boards to which they will be a liaison.
- Liaisons should become familiar with the boards in their portfolio, including reviewing the applicable statutes and regulations.
- Liaisons will receive copies of meeting agendas for board meetings.
- Liaisons will be expected to attend, to the extent feasible, meetings of each assigned board in the portfolio.
- Liaisons are not able to vote on business being transacted at meetings attended (e.g. regulatory actions, licensing or disciplinary cases); however, liaisons are encouraged to ask questions about policies, processes, and procedures.
- Liaisons should be prepared to provide a brief report, verbal or written, at the next Board meeting following any regulatory board meetings attended. The report should include observations and other information that would be beneficial for other Board members and staff to receive.

Board Member Liaison Assignments

Board Member Name	Board Assignments (# Regular Meetings/year)
Sathish Anabathula	<ul style="list-style-type: none"> • Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects (APELSCIDLA) (4) • Polygraph Examiners Advisory Board (4)
Timothy Taylor	<ul style="list-style-type: none"> • Boxing, Martial Arts, and Professional Wrestling Advisory Board (4) • Board for Waste Management Facility Operators (4)
Carrie Sheffield	<ul style="list-style-type: none"> • Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals (4) • Fair Housing Board (4)
Grace Flores-Hughes	<ul style="list-style-type: none"> • Board for Barbers and Cosmetology (4) • Common Interest Community Board (4)
Jemmalyn Hewlett	<ul style="list-style-type: none"> • Virginia Board for Asbestos, Lead, and Home Inspectors (4) • Board for Hearing Aid Specialists and Opticians (3)
Ronald Bledsoe	<ul style="list-style-type: none"> • Real Estate Board (6) • Auctioneers Board (4)
Jackson Dyer	<ul style="list-style-type: none"> • Board for Professional Soil Scientists, Wetland Professionals, and Geologists (4) • Real Estate Appraiser Board (3)
Gaby Rengifo	<ul style="list-style-type: none"> • Board for Branch Pilots (4) • Cemetery Board (2)
Charles Vaughters	<ul style="list-style-type: none"> • Board for Contractors (7)



Radon Services Licensure Proposal

Proposed group to be regulated

The primary job roles are:

1. Radon Measurement Professionals perform radon testing utilizing either an analytical device such as a continuous radon monitor or electret system, or a standard / passive device such as a charcoal test kit or liquid scintillation device. They are responsible for the implementation, execution, and documentation of all required QA/QC procedures and may provide general supervision and QA/QC oversight for Radon Measurement Field Technicians
2. Radon Mitigation Specialists design and install radon remediation systems. They are responsible for the implementation, execution, and documentation of all required Quality Management and Worker Safety procedures and may provide general supervision to Radon Mitigation Installers.

The [EPA-recognized providers](#) of certifications are the National Radon Proficiency Program (NRPP) and the National Radon Safety Board (NRSB). Presently, 340 Virginians are certified across the two EPA-recognized certification programs:

	NRPP	NRSB
Measurement	177	108
Mitigation	12	14
Both Measurement and Mitigation	19	18
	208	140

Historically, the primary focus of radon certification in the US was for work in single family homes. With the development of standards for larger buildings and demand for radon work in them, NRPP will soon be offering commercial measurement and mitigation certifications; nationally 25-30% of industry members surveyed have indicated interest. NRPP also certifies Soil Gas Mitigation Compliance Inspectors, who inspect mitigation systems to verify if the installation complies with the ANSI-AARST Soil-Gas Mitigation Standard.

The industry is also represented by [IEA's Virginia Chapter](#), which has organized the petition.

Definition of the problems to be solved by regulation and the reasons why regulation is necessary

Radon exposure in buildings is the second leading cause of lung cancer and results in more than 21,000 US deaths each year including 700 in Virginia. Radon is one of the most comprehensively investigated human carcinogens: [laboratory studies have documented](#)



that an alpha particle (e.g., from radon decay products polonium-218 and polonium-214) can cause both single- and double-strand DNA breaks and can produce indirect genotoxic and nongenotoxic effects on both traversed and neighboring non-traversed cells.ⁱ High radon levels have been found in nearly every county in Virginia.

Title 32 of the Virginia code at Section 32.1-229.01 currently requires that radon measurement and mitigation providers possess private certification and follow standards. VDH's [bulletin](#) describes the requirements.

This petition requests the transfer of these certification and standards requirements to DPOR's Asbestos, Lead and Home Inspector (ALHI) Board, which will expand the consequences for violation of the requirements to include reprimands, fines, license suspension or revocation, as well as legal consequences and civil penalties for willful violations.

There are three significant problems to be solved by DPOR regulation of radon service providers.

First, based on the limitations of the statute and VDH Office of Radiologic Health's capacity, VDH has no enforcement authority to accompany its certification and standards requirements. Its website states "...VDH will investigate complaints received and if it is clear that the work did not follow accepted standards, then VDH will ask the radon professional to perform corrective measures." Indeed, ORH is set up to regulate facilities, equipment and businesses, not personnel.

Second, the EPA-recognized national certification programs can respond to complaints and conduct investigations remotely, and suspend or revoke a certification, but have no capacity to conduct inspections in response to complaints, impose fines or similar sanctions, or conduct proactive investigations to supplement complaints from the public.

Third, there is a widespread pattern of noncompliance with standards, documented by mitigation compliance inspections and complaints about faulty measurement collection.

Reasons why licensure is being proposed

This petition proposes licensure. The existing private certification requirement should continue as the initial and renewal qualification for a license but is not alone sufficient. Again, the EPA-recognized national certification programs can respond to complaints and conduct investigations remotely, and suspend or revoke a certification, but have no capacity to conduct

inspections in response to complaints, impose fines or similar sanctions, or conduct proactive investigations to supplement complaints from the public.

Public benefit resulting from the proposed regulation

A functional and accountable radon licensing program will prevent inaccurate radon testing results, which can prompt needless mitigations if high or a false sense of security if low, and unsafe and improper mitigation systems, which can increase radon concentrations.

Cost of the proposed regulation

The proposed program would be self-funded through fees from the 300 +regulated personnel.

Description of any anticipated disqualifications on an applicant for certification, licensure, or renewal and how such disqualifications serve public safety or commercial or consumer protection interests.

Since the regulated population will be testing for and mitigating radon, which is a radioactive substance for which exposure can cause lung cancer, it is of the utmost importance that professionals adhere to EPA-recommended industry consensus standards and ethical practices. Screening should be used to consider disqualifying on a case-by-case basis persons who have unresolved issues with compliance with licensure or other credentials and especially for environmental assessment and remediation services.

Moreover, since industry members can provide services only by entering people's homes or other occupied facilities, past unresolved criminal activities involving felonies against persons and property should be factored into eligibility decisions on a case-by-case basis, and post-licensure felony convictions may affect continued eligibility.

Therefore, in order to protect consumers and the public, applicants should be required to disclose relevant information about criminal background and licensure standing upon application.

To the best of our knowledge, the above would affect less than 1% of the otherwise eligible candidate pool.

These are just a few of the findings when called to investigate why a system installation was not working correctly, homeowner did not feel comfortable with the installation or hired to convert a builder installed passive vent to an active vent.

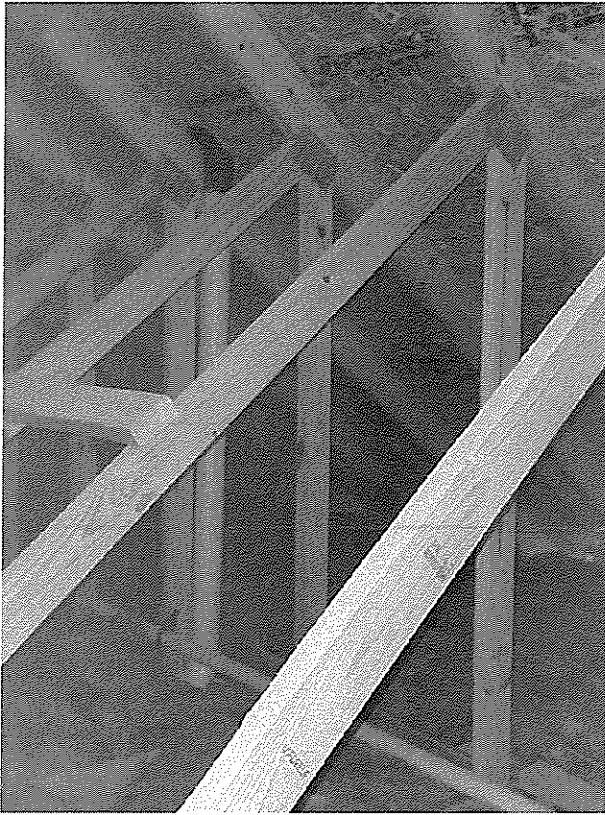
Bruce Jones – NRPP certified Soil Gas Compliance Inspector 112586-SGM-CI.



24219 Land End Rd, Orange, VA - New home and the new homeowners self-tested for radon and it was high. This builder has built a half dozen or so homes in the Lands' End neighborhood. Was called to convert the 'passive' to an 'active' system. The fan had hardly any airflow. Using a borescope investigated the builder's installed passive system under the slab. The builder/plumber installed a tee and instead of the 10' perf pipe they installed solid PVC pipe with end caps that had five 3/8" holes drilled in the caps. Being sub-slab and in a finished basement had to create a new sub-slab suction port. Radon levels are now below 2 pCi/l.



1251 Turner Mountain Road, Charlottesville, VA - Installed from a well-known Charlottesville mitigator that has installed 1000's of systems over the past 30 years and retired this year. I got involved when the homeowner called asking if I have a micromanometer and if I could perform PFE testing on his home because the hired mitigator does not own a micromanometer. What I found... mitigator added two additional suction ports to the existing builders passive vent (because he could not get the level down and had no test equipment for PFE testing), fan mounted horizontally AND in a conditioned attic, flex duct running up and down in relationship to fan, duct tape securing the flex duct to the fan, outdoor vent pointing down, and 16 ft light-duty extension cord for power. Mitigator wanted to add another suction pit/system and possibly an ERV. That evening we deployed six radon monitors throughout the home (basement, 1st floor, and second floor). The next day returned and found multiple issues... thin flexible duct in the attic pumping 50 pCi/l into the conditioned attic and throughout the home. This client had already paid \$2600 to the mitigator and was told it would be more with a second system and an ERV that he was about to install. Homeowner let mitigator go and asked us to fix it. Removed the two extra slab suction ports, installed a 'typical' fan, removing the noisy high flow fan; moved the fan and exhausted through the roof in an unconditioned attic area. Home is now at 0.4 pCi/l average. However, what's worse is that this client paid the builder to install a passive radon system. The builder installed a vent pipe into the attic and capped it. The homeowner has raised their three children for the past 7 years thinking their home was safe, but they were living in 50 pCi/l of radon.



We run across this in about 50% of the builders installed passive system. The 2018 VA Residential code book, appendix F, states to leave room for a fan and provide power within 6 feet of the passive pipe. If there is enough vertical pipe, we modify the passive vent pipe with four 45's to bump out the pipe to provide room for the fan.

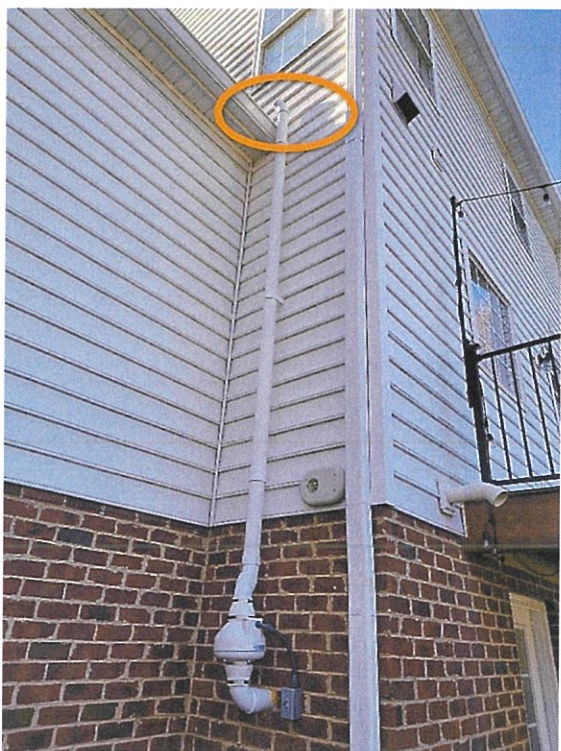


29 Mill Run, Bumpass, VA - Builder: John Robb Custom Homes. Brand new home near Lake Anna. Homeowners were told they have a passive system as the County requires it. Homeowner stated that when it rains water comes out around the pipe at the concrete slab. Homeowner complained to builder who then came out and put a 90 on the exhaust pipe above the roof to prevent rain entry.

Homeowners then had home tested by a company out of Fredericksburg and results were in the low 10's. Ultimately cut and pulled the pipe at the slab to find the builder/plumber chiseled down about 2 inches and then sealed the pipe to the concrete. Looking at the construction, we quickly determined this is a monolithic pour with a deep footer down the center of the home and confirmed with a 3/8 test hole. Thus, we had to encroach into the living space for a new slab hole. Converted from passive to active in the attic and now all is good. If the County requires a passive system, it needs to be installed per the 2018 Appendix F which has been adopted in Louisa Co.



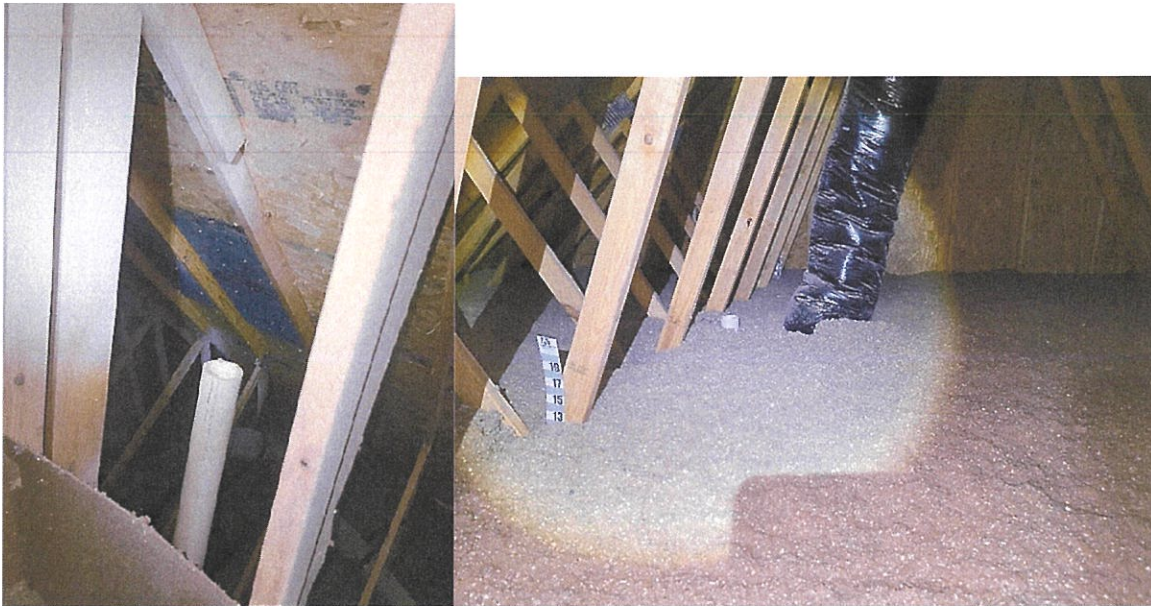
101 Ashlawn Ct, Locust Grove, VA – Was asked to do a post-mitigation test and inspection of a mitigation system installed by a company out of Fredericksburg, that a lot of realtors use because he is 'cheap'. Beyond a few minor issues this hazard stood out as the power switch and fan, both are ignition sources, operating within 5 feet of the LP gas tank and regulator vent. I drove by months later and noticed this hazard had not been corrected. This was also reported to Ryan Parris.



1521 Still Meadow Cove, Charlottesville, VA – Was asked by new owners to this home to figure out why post installation of a system they were still seeing high levels of radon with the tester they purchased. That exhaust just below the window is your infant twin's bedroom. Inspected the system, wrote and submitted the AARST inspection report. Suggested the homeowner to contact the installer to correct the issues found. They decided they did not want the installer back in their home. Ultimately the corrections were implemented a couple months later by replacing the exhaust pipe to above the roofline. With PFE testing, only one third of the slab had communications due to two separate footers running the length of the home. Thus, two additional sub-slab suction ports were added. Post test results are now under 1 pCi/l.



Ashburn, VA – Was called to investigate why the home still has high radon. Clients recently purchased the home, waved the inspection because the home already had a mitigation system. Whoever installed this system must not have been proud of their work as there was no documentation, label anywhere on the system, or electrical panel. Found this pipe connection and two others not even glued.



2025 – Brand new development being built over the last couple years by Craig Builders and Southern Development Homes. Buyers are being told these homes have passive radon vents installed. We've converted five so far and not one was installed correctly. In some cases, the exhaust did not go through the roof. Other cases the sub-slab pipe was sitting on the vapor barrier. Others had the slab cored out but not dugout creating a suction pit. When they cored the slab the concrete dust sat on the bottom of the hole, mixed with some moisture created a plug. Also, in some cases the builder is enclosing the vent pipe within the walls not leaving an area for the manometer and vacuum loss alarm. Not one of these installations was done correctly and leaving a false sense of safety to the homeowners.



Charlottesville, VA - These we noticed on neighboring homes where we installed radon mitigation. You can drive around Glenmore, a gated community just outside Charlottesville and find many systems just exhausting within eight feet from ground level or just under or next to upper story bedroom windows.



Rockville, VA – 2025 new home, builder of this development is telling buyers that all the homes have passive radon system. A couple of months ago the homeowner who is working from the home decided to purchase a home radon monitor. Levels were over the action limit. We were contacted to convert the ‘passive’ system to an ‘active’ system. Found the builders passive vent, installed the fan to find there is no

air flow. I found the passive vent pipe sitting on top the vapor barrier blocking any air flow. Corrected by adding vapor mat under the vapor barrier. Home now under 1 pCi/L.

VA Chapter IEA Petition for Review of Radon Regulation for Virginia

	Name	Occupation/Certification	Address	Email	Cell #	Signatures
1	AUSTIN GIANNASI	SOI MITIGATION/ TESTING (NRPP)	PO Box 1555 MECHANICSVILLE 23116	office@geo environmental.net	(804) 317-7094	Austin Giannasi
2	WALLY DORSEY	NRSB TESTING NRPP	1913 MUSSELY RD 23120	WALLY@RADONVA2.COM	804-909-0387	Wally Dorsey
3	Kim Dingleline	Testing NRPP	620 Farnham Circle 23236	Kdingleline@ jd3.com	804-339-1187	Kim Dingleline
4	CHRIS CHAPMAN	Testing NRSB	2102 N. Hamilton St, Richmond, VA 23230	ccchapman@ecs limited.com	804-255-2103	Chris Chapman
5	Anan Sauter	NRSB measurement Radon specialist	2101 N. Hamilton St Richmond, VA 23230	asauter@ ecslimited.com	804-659-8415	Anan Sauter
6	John Davis	NRSD NRPA Test & mitigation	2851 Barrons Place Midlothian, VA 23113	jsdavis@ zmail.com	804-658-6021	John Davis
7	ANDREW BRAD	NRSB NRPP	FORSYTH BLDG COMMERCIAL 5	ASBRAD@FRANKLIN COM	804-388-4422	Andrew Brad
8	Michael Allshouse	NRSB	7834 Forest Hill Aved Richmond, VA 23225	Mallshouse@Franklin com	804-548-4425	Michael Allshouse
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VA Chapter IEA Petition for Review of Radon Regulation for Virginia

Name	Date	Occupation/Certification	Address	Email	Phone Number	Signature
1 April Leslie	11/24/25	Radon Assessment Specialist	Middleman, VA	April@RVH Radon.com	804.385.2233	April Leslie
2 Douglas Scooter Burgess	NRPD	Radon Assessment Specialist	Middleman Va	scooter@burgerinspections.com	804-794-1425	Douglas Scooter Burgess
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VA Chapter IEA Petition for Review of Radon Regulation for Virginia

Name	Date	Occupation/Certification	Address	Email	Phone Number	Signature
1						
2 Samuel Hull	11/25/25	RMS + RTS NRPP 40082	Curson, VA	Shull@Common HealthEnvironments .com	804-337 1064	
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TO: MEMBERS
BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION
FROM: JOSEPH C. HAUGHWOUT, JR.
REGULATORY AFFAIRS MANAGER
SUBJECT: WORK PLAN FOR 2026 STUDY ON REGULATION OF RADON
PROFESSIONALS
DATE: JANUARY 9, 2026

Background

Section 54.1-310.1 of the Code of Virginia provides that “[a]ny professional or occupational group or organization, any person, or any other interested party that proposes the regulation of any unregulated professional or occupational group shall submit a request to the Board no later than December 1 of any year for analysis and evaluation during the following year.” This section of the Code also provides that “[t]he Board shall submit a report with its findings on whether the public interest requires the requested professional or occupational group be regulated to the House Committee on General Laws, the Senate Committee on General Laws and Technology, and the Joint Commission on Administrative Rules no later than November 1 of the year following the request submission.” This section of the Code further provides for the minimum requirements for a request for regulation.

On December 1, 2025, DPOR staff received a petition from the Virginia Chapter of the Indoor Environments Association (“IEA”) proposing regulation of those who provide radon services. The petition specifies the following occupations:

1. Radon measurement professionals. Those who perform radon testing using specified types of equipment, and are responsible for the implementation, execution, and documentation of all required quality assurance or quality control procedures, and who may provide general supervision and quality assurance or quality control oversight for radon measurement field technicians.
2. Radon mitigation specialists. Those who design and install radon remediation systems, and are responsible for the implementation, execution, and documentation of all required quality management and worker safety procedures, and may provide general supervision to radon mitigation installers.

IEA proposes licensure of these occupations. According to information provided by IEA, radon exposure is a known carcinogen and the second leading cause of lung cancer, resulting in more than 21,000 deaths in the United States annually, including 700 deaths in Virginia annually. Under current Virginia law, persons who conduct or offer to conduct radon screening, testing, or

mitigation in Virginia must (i) be listed as a professional by either the National Radon Proficiency Program (“NRPP”) or the National Radon Safety Board (“NRSB”); or (ii) meet any other proficiency measures deemed acceptable by the U.S. Environmental Protection Agency (“EPA”) or the Board of Health for the purpose of offering screening, testing, or mitigation. Current law also establishes standards for radon screening, testing, or mitigation to which these persons must adhere.

IEA contends that regulation of radon service providers by DPOR will address problems it has identified in the existing regulatory scheme. These are (i) lack of Virginia Department of Health authority to enforce certification and standards requirements; (ii) lack of capacity by EPA-recognized national certification programs to conduct inspections in response to complaints, conduct proactive investigations to supplement public complaints, or impose sanctions; and (iii) a widespread pattern of non-compliance with standards.

Scope

Section 54.1-310.1 of the Code of Virginia provides that “[t]he Board shall conduct an analysis and evaluation of any proposed regulation based on the criteria enumerated in § 54.1-311 [of the Code of Virginia]...” upon receipt of a request submitted in accordance with statute.

Section 54.1-100 of the Code of Virginia provides for the Commonwealth’s general policy on the regulation of professions and occupations, and provides, in part:

The right of every person to engage in any lawful profession, trade, or occupation of his choice is clearly protected by both the Constitution of the United States and the Constitution of the Commonwealth of Virginia. The Commonwealth cannot abridge such rights except as a reasonable exercise of its police powers when (i) it is clearly found that such abridgment is necessary for the protection or preservation of the health, safety, and welfare of the public and (ii) any such abridgment is no greater than necessary to protect or preserve the public health, safety, and welfare.

No regulation shall be imposed upon any profession or occupation except for the exclusive purpose of protecting the public interest when:

1. The unregulated practice of the profession or occupation can harm or endanger the health, safety or welfare of the public, and the potential for harm is recognizable and not remote or dependent upon tenuous argument;
2. The practice of the profession or occupation has inherent qualities peculiar to it that distinguish it from ordinary work and labor;
3. The practice of the profession or occupation requires specialized skill or training and the public needs, and will benefit by, assurances of initial and continuing professional and occupational ability; and

4. The public is not effectively protected by other means.

Section 54.1-311 of the Code of Virginia outlines the degrees of regulation, which are:

1. Private civil actions and criminal prosecutions. -- Whenever existing common law and statutory causes of civil action or criminal prohibitions are not sufficient to eradicate existing harm or prevent potential harm, the Board may first consider the recommendation of statutory change to provide more strict causes for civil action and criminal prosecution.
2. Inspection and injunction. -- Whenever current inspection and injunction procedures are not sufficient to eradicate existing harm, the Board may promulgate regulations consistent with the intent of this chapter to provide more adequate inspection procedures and to specify procedures whereby the appropriate regulatory board may enjoin an activity which is detrimental to the public well-being. The Board may recommend to the appropriate agency of the Commonwealth that such procedures be strengthened or it may recommend statutory changes in order to grant to the appropriate state agency the power to provide sufficient inspection and injunction procedures.
3. Registration. -- Whenever it is necessary to determine the impact of the operation of a profession or occupation on the public, the Board may implement a system of registration.
4. Certification. -- When the public requires a substantial basis for relying on the professional services of a practitioner, the Board may implement a system of certification.
5. Licensing. -- Whenever adequate regulation cannot be achieved by means other than licensing, the Board may establish licensing procedures for any particular profession or occupation.

To determine the proper degree of regulation, the Board must determine:

1. Whether the practitioner, if unregulated, performs a service for individuals involving a hazard to the public health, safety or welfare.
2. The opinion of a substantial portion of the people who do not practice the particular profession, trade or occupation on the need for regulation.
3. The number of states which have regulatory provisions similar to those proposed.
4. Whether there is sufficient demand for the service for which there is no regulated substitute and this service is required by a substantial portion of the population.

5. Whether the profession or occupation requires high standards of public responsibility, character and performance of each individual engaged in the profession or occupation, as evidenced by established and published codes of ethics.
6. Whether the profession or occupation requires such skill that the public generally is not qualified to select a competent practitioner without some assurance that he has met minimum qualifications.
7. Whether the professional or occupational associations do not adequately protect the public from incompetent, unscrupulous or irresponsible members of the profession or occupation.
8. Whether current laws which pertain to public health, safety and welfare generally are ineffective or inadequate.
9. Whether the characteristics of the profession or occupation make it impractical or impossible to prohibit those practices of the profession or occupation which are detrimental to the public health, safety and welfare.
10. Whether the practitioner performs a service for others which may have a detrimental effect on third parties relying on the expert knowledge of the practitioner.

The Board will conduct an analysis and evaluation of the occupations for which IEA has requested regulation. The study will be conducted in accordance with the *Board for Professional & Occupational Regulation Guidelines for Evaluation of Petitions for Regulation* (“BPOR Guidelines”). Evaluation will be guided by the following criteria:

1. Risk for Harm to the Consumer. The unregulated practice of the profession or occupation will harm or endanger the public’s health, safety, or welfare. The harm is recognizable and not remote or dependent on tenuous argument.
2. Specialized Skills and Training. The practice of the profession or occupation requires specialized education, training, and the public needs assurance of competence.
3. Autonomous Practice. The function and responsibilities of the practitioner, require independent judgment, and the members of the occupational group practice autonomously.
4. Scope of Practice. The scope of practice is indistinguishable from other licensed, certified, and registered professions and occupations.
5. Economic Impact. The economic costs to the public of regulating the occupational group are justified.
6. Alternatives to Regulation. No alternatives to state regulation of the profession or occupation exist that adequately protect the public.

7. Least Restrictive Regulation. If it is determined that state regulation of the occupation or profession is necessary, only the least restrictive level of occupational regulation consistent with public protection will be recommended.

Methodology

The study will be conducted using methods approved in the BPOR Guidelines. This will entail a comprehensive review of the relevant literature to include research of:

- Job analyses of the specified occupations.
- Current regulation in Virginia.
- Related laws and regulations in other jurisdictions.
- Existing private credentialing systems.
- Environmental and health impacts of radon and potential for public harm.

Additional information may be obtained through interviews of practitioners, regulators, and other parties knowledgeable about the issues germane to these occupations.

The study will provide for opportunities for public input. This will include (i) general notices soliciting public comment through the Virginia Regulatory Town Hall; and (ii) one or more public hearings.

Staff will prepare a draft report based on the research and data gathered from sources, to include proposed findings and recommendations. The Board will review the draft report, edit as necessary, and adopt and issue a final report. The Board must issue a report no later than November 1, 2026.

The study is planned to proceed according to the following general timeline:

- January 2026: Preliminary research and adoption of work plan.
- January 2026 through April 2026: Principal research to include literature review and interviews.
- May 2026 through August 2026: Solicitation of public input. Preliminary report drafting.
- July 2026 through September 2026: Principal report drafting.
- September 2026: Board review of draft report.
- October 2026: Board consideration and adoption of final report.



TO: BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION
FROM: JOSEPH C. HAUGHWOUT, JR., REGULATORY AFFAIRS MANAGER
SUBJECT: BPOR MEETING DATES FOR 2026
DATE: DECEMBER 1, 2025

Submitted for the Board's consideration and approval is the following meeting schedule for 2026:

- Monday, April 13, 2026
- Monday, August 10, 2026
- Monday, December 7, 2026

The following are potential dates to address a petition for regulation:

- Monday, October 5, 2025
- Monday, October 19, 2025
- Monday, October 26, 2025