



# GPR STANDING ADVOCACY and PUBLIC POLICY POSITIONS

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## CORE ADVOCACY AND PUBLIC POLICY PRINCIPLES

**Private Property Ownership.** We believe the political stability and economic prosperity of our nation are dependent upon the right of the individual to own and freely transfer real property and to exercise and enjoy the benefits of real property ownership. The value of private property should not be diminished or jeopardized by governmental action at any level without just compensation to the owner. The interpretation of existing federal laws and regulations should not be expanded in such a way as to limit private property ownership rights.

**Home Ownership.** We believe that home ownership serves as a cornerstone of our democratic system of government and deserves a preferred place in our system of values. Home ownership contributes to community responsibility, civic stability, family security and well-being. We know that home ownership is the American Dream and a primary goal of most American families, and we believe that every individual should have the opportunity to live in safe and decent housing. We encourage continued support of the housing needs of the low and moderate-income citizens who comprise the workforce in all communities, as well as the needs of the elderly and the handicapped.

**Taxation.** Any tax system enacted by local governments, the General Assembly or the Congress should encourage savings, investment, and home ownership. We support the continued deductibility of mortgage interest. We oppose any tax provisions that place an unfair burden on property owners, purchasers or sellers. We oppose any effort at the state or federal level to tax professional services.

**Land Use.** We believe in the fundamental right of all private property owners to work through local government to determine the highest and best use of their land. We believe that zoning, planning and land use decisions are best made at the local level. We maintain that planning for the classification and use of land must adequately consider the needs of housing affordability, agriculture, transportation infrastructure, commercial and industrial growth as well as quality of life and a healthy local economy.

**Political Affairs.** We believe that involvement in political activity is a privilege and the responsibility of every citizen. We encourage qualified citizens to make themselves available for public office and public service. We encourage continual participation in local, state, and national political affairs and will actively support those candidates who pledge, and by their actions, preserve and strengthen America’s free enterprise system, which is based upon the underlying principle of private property ownership. We believe any attempt to reduce the participation of voluntary political action committees in elections undermines a basic political freedom and civic right.

**Legislative Advocacy.** It is a top priority of the **GREATER PIEDMONT REALTORS®** to monitor closely the legislative and regulatory process at all levels of government, to advocate strongly for legislation/regulation that is in the best interest of our members, and to oppose vigorously legislation/regulation that serves to diminish property ownership, value or affordability or the ability of our members to make a living unfettered by onerous and unnecessary statutory, regulatory or financial constraints. It is a central responsibility of this association to keep its members informed about the issue positions that the **GREATER PIEDMONT REALTORS®** adopts in this regard and the status of any pending ordinance, legislation or regulation that impacts the real estate profession.

**Environment.** Efforts to control pollution and to protect natural resources must be balanced with efforts to increase energy efficiency and energy independence, economic vitality and productivity. We are concerned with the preservation of our wetlands, and we realize that we have a responsibility to educate and to work with local, state and federal government officials toward responsible development and planning that is equitable. We also believe that planning and development must consider the divergent needs of transportation, housing, agriculture, commerce and industry.

## **FOCUSED POLICY STATEMENTS**

### ***THE ENVIRONMENT***

**Preservation of Open Space and the Environment.** **GREATER PIEDMONT REALTORS®** supports the preservation of lands as long as such preservation respects private property rights and is not achieved through a government “taking.” **GREATER PIEDMONT REALTORS®** believes that lands designated for open space or other preservation should always be purchased from a willing seller who must be compensated at fair market value of the property. **GREATER PIEDMONT REALTORS®** believes that those who benefit from open space – the general public—should fund its purchase. **GREATER PIEDMONT REALTORS®** opposes the use of real estate fees as a dedicated funding source for open space enjoyed by the general public.

**Stormwater Management.** **GREATER PIEDMONT REALTORS®** views stormwater control programs as essential to sound environmental stewardship, clean water, and healthy rivers and streams. **GREATER PIEDMONT REALTORS®** believes that residential and commercial property owners must not be unfairly targeted to pay costs associated with

stormwater management efforts that are not directly related to the properties in question. Further, **GREATER PIEDMONT REALTORS®** opposes property-based assessments made for creation or improvement of infrastructure that does not provide a direct benefit to the property owner.

**Water Rights.** **GREATER PIEDMONT REALTORS®** believes that a property owner's use of groundwater on real property is just one "stick" in the "bundle" of their private property rights. Virginia has always followed the common law called the "American Rule," which means that a property owner has unlimited use of the groundwater beneath their real property so long as the use is "reasonable" and the water is not exported off that real property. **GREATER PIEDMONT REALTORS®** will oppose any proposal to change the law. **GREATER PIEDMONT REALTORS®** also will oppose any proposal to link water supply planning and growth management without any consideration of increasing capacity.

## ***GENERAL GOVERNMENT***

**Dillon Rule.** The Dillon Rule is one of the foundations of our positive business climate in the Commonwealth. **GREATER PIEDMONT REALTORS®** opposes any substantive departure from the Dillon Rule.

**Economic Development.** Job creation through economic development is critical to the financial stability of Virginia's economy. **GREATER PIEDMONT REALTORS®** supports strong economic development programs to include components for workforce training and workforce housing.

**Enterprise Zones.** **GREATER PIEDMONT REALTORS®** supports the Enterprise Zone Program.

**Historic Preservation Ordinances.** **GREATER PIEDMONT REALTORS®** supports historic preservation as an essential part of redevelopment and revitalization of older communities. **GREATER PIEDMONT REALTORS®** opposes the adoption of any local historic ordinance that creates unreasonable burdens and costs for property owners.

**Redevelopment and Revitalization.** **GREATER PIEDMONT REALTORS®** believes that the redevelopment and revitalization of older residential and commercial development is critical to the overall vitality of a community. State and local government officials should encourage redevelopment and revitalization using targeted financial incentives.

**Regional Cooperation.** **GREATER PIEDMONT REALTORS®** encourages local governments to work together in regional efforts to save costs and eliminate duplication of services. The General Assembly should continue to develop and implement incentives for local governments to work together in regional cooperative efforts to provide services to citizens at a lower cost, and to enhance the region's opportunities for future economic development. **GREATER PIEDMONT REALTORS®** supports the efforts of GO! Virginia and will closely

monitor recommendations from the GO! Virginia Region 9 Council that includes the Piedmont area.

**Special Exception Permits / Zoning Requirements.** **GREATER PIEDMONT REALTORS®** opposes the limitation of Special Exception permits to the landowners and opposes any provision in such permit that would require its expiration. **GREATER PIEDMONT REALTORS®** believes that Special Exceptions serve the dual purpose of permitting compatible uses by owners that do not impair surrounding properties AND providing protection to those who rely on zoning to protect the enjoyment of their properties.

## ***LAND USE and OWNERSHIP RIGHTS***

**Existing Properties – Rental Inspection Authority, Building Code Enforcement, Retrofitting.** The Uniform Statewide Building Code (USBC), in the “Property Maintenance” provisions applicable to existing commercial and residential properties, allows a local building official to address property maintenance issues that affect public health, welfare and safety. **GREATER PIEDMONT REALTORS®** opposes any expansion of the current enabling authorities for local governments to inspect rental properties, without the permission of the property owner. **GREATER PIEDMONT REALTORS®** opposes efforts on the part of local governments to use the USBC, or other programs such as Universal Design, LEED/Green Building, or Accessibility “Visit-ibility” to require property owners to retrofit properties in prior compliance with law and regulation.

**Growth Issues.** Increased population growth and demographic shifts from urban centers have prompted major discussions about poor development patterns and whether local governments have the necessary authority to effectively regulate land use and fund their public infrastructure needs.

**GREATER PIEDMONT REALTORS®** opposes the expansion of local government authority by the General Assembly in land use powers.

**GREATER PIEDMONT REALTORS® consistently and historically has supported additional broad-based revenue sources for public infrastructure funding. To that end, GREATER PIEDMONT REALTORS®:**

- Supports efforts to encourage regional cooperation.
- Supports dedicated, broad-based funding methods.
- Opposes additional “growth control” measures that only exacerbate current problems with sprawl and add to a lack of affordable housing.

Examples include:

- Adequate Public Facilities (APF) ordinances, which would require that supporting infrastructure be in place prior to, or concurrent with, governmental approval of a particular project;
- Cash proffers and impact fees
- Mandatory Transfer of Development Rights (TDR); and

- Exclusionary zoning practices such as drastic increases in minimum lots sizes or other decisions that discourage high-density development.

**Housing Opportunity.** **GREATER PIEDMONT REALTORS®** believes that there should be an adequate supply of “workforce” housing in localities throughout the Piedmont and the Commonwealth. A broad range of housing stock, at a wide variety of prices, is important for good economic development and a good quality of life for all Virginians.

**Property Owners Association Act.** The Property Owner’s Association Act (POA) and to a lesser extent, the Condominium Association Act (COA), requires ongoing legislative and regulatory adjustments to address issues impacting real estate transactions. **GREATER PIEDMONT REALTORS®** will continue to take a leadership role as they develop. **GREATER PIEDMONT REALTORS®** opposes any practice of POAs or Condo Associations that unfairly impairs sellers or their agents in the free marketability of their property interests or creates unnecessary costs and delay.

**Virginia Residential Landlord Tenant Act.** **GREATER PIEDMONT REALTORS®** supports the Virginia Residential Landlord Tenant Act (VRLTA).

## ***TAXATION and FISCAL RESPONSIBILITY***

**Fees and General Tax Policy.** **GREATER PIEDMONT REALTORS®** supports broad-based taxation, as opposed to taxation on only a portion of the population. **GREATER PIEDMONT REALTORS®** believes that absent such a tax system, pressures to increase local Real Estate taxes and other property fees will continue to fall on local governments, to the harm of property owners.

Although REALTORS® do not desire higher taxes, **GREATER PIEDMONT REALTORS®** would consider increases in actual costs in the provision of necessary governmental services or expansion of mandated scope of services to be valid reasons to consider an increase in tax rates, or to broaden bases of tax collection.

**GREATER PIEDMONT REALTORS®** opposes efforts at the state and local level to attach variously-named “add-on fees” to existing assessments, costs and taxes, for purposes unrelated to the collection of the fee. For example, the addition of an “add-on fee” for filing a warrant in debt to benefit emergency service providers, health care providers, educational infrastructure, etc., while for purposes many support, is nevertheless unrelated to its object.

**Business, Professional and Occupational License (BPOL) Tax.** **GREATER PIEDMONT REALTORS®** remains concerned over inequities in the application of the BPOL tax, limits on the real estate tax and taxes on services. **GREATER PIEDMONT REALTORS®** will continue to work towards a more equitable method of application of the BPOL tax and, at the appropriate time, will push for its repeal. However, **GREATER PIEDMONT REALTORS®** opposes efforts to repeal the BPOL tax at the cost of imposing the Retail Sales and Use Tax on services, such as real estate commissions, or on sales of real property.

**Real Estate Taxes.** **GREATER PIEDMONT REALTORS®** opposes efforts to limit or “cap” real estate taxes, unless those caps are but one aspect of a substantial reformation of the state’s tax code. **GREATER PIEDMONT REALTORS®** believes that all classifications of real property should be taxed equally. **GREATER PIEDMONT REALTORS®** supports legislation to provide voluntary authority to local governments to exempt a percentage of assessed value of residential housing for targeted populations from taxation, provided any such exemption is designed to enhance housing affordability.

**Recordation and Grantor and Transfer Taxes.** **GREATER PIEDMONT REALTORS®** recognizes the need for Virginia’s localities to raise revenue to address critical infrastructure needs. **GREATER PIEDMONT REALTORS®** opposes additional statewide increases in recordation, grantor and other transfer taxes for the following reasons:

- Increasing recordation and grantor taxes places an additional burden on homebuyers and sellers at the time of settlement and places an unreasonable burden on real property owners;
- Recordation, grantors and other transfer taxes are an unstable and unpredictable source of revenue. Because home sales are cyclical, when a downturn in the housing market occurs, revenues from recordation and transfer taxes fall, creating added pressures for a tax increase;
- Any transfer tax also is a regressive tax. In general, people tend to spend a smaller share of their income on housing as their income increases; and
- Recordation, grantors and transfer taxes are more severe than an increase in a broad-based tax designed to generate the same amount of total revenue. The base transfer tax is very narrow relative to a more general tax, such as a local option sales tax; so fewer people pay the tax in a given year. Distributing the burden among a wider group of taxpayers reduces the tax burden per taxpayer.

However, **GREATER PIEDMONT REALTORS®** acknowledges that local solutions to pressing concerns, such as transportation, may sometimes require that these taxes be considered and included as part of such locally implemented plan.

**Historic Tax Credits.** **GREATER PIEDMONT REALTORS®** supports the creation of an appropriate use of tax credits, including the Historic Rehabilitation Tax Credit Program, as incentives to private investment in real estate, to broaden available housing stock, to preserve historic infrastructure, and to create jobs and increase wages and salaries.

## ***INFRASTRUCTURE***

**Broadband Enhancement and Expansion.** **GREATER PIEDMONT REALTORS®** supports the enhancement and expansion of broadband infrastructure and services so that more Piedmont residents have access to reliable broadband. **GREATER PIEDMONT REALTORS®** believes that broadband access is a critical component to the preservation of property values; we also believe that reliable broadband is a key factor in retaining and attracting businesses that will allow our economy to grow and prosper. **GREATER PIEDMONT REALTORS®** believes that government should not compete with the private sector to deploy broadband infrastructure, and will encourage local governments to work with the private sector for the purpose of securing

necessary funding and financing that will protect governmental entities from owning and operating broadband infrastructure and reduce the risk of significant financial losses.

## ***TRANSPORTATION***

**GREATER PIEDMONT REALTORS®** recognizes the need to develop a balanced transportation system that can effectively move people and products throughout the Commonwealth while enhancing the economy and preserving a high quality of life. **GREATER PIEDMONT REALTORS®** believes that our transportation system, provided by the state and in conjunction with local governments, should be funded by broad-based and reliable revenue sources.

**GREATER PIEDMONT REALTORS®** believes that tolls will be a component of almost every funding package for transportation projects created in the foreseeable future. **GREATER PIEDMONT REALTORS®** supports such inclusion. Accordingly, **GREATER PIEDMONT REALTORS®** supports:

- A dedicated and reliable long-term funding source for transportation;
- A constitutional amendment that would dedicate funds to transportation construction and maintenance;
- The use of bonding authority to underwrite the costs associated with major transportation projects;
- Creative approaches to transportation construction and maintenance through increased use of the Public-Private Transportation Authority (PPTA);
- Creative approaches to congestion management efforts through proven practices;
- Road design improvements, as well as accommodations for car/vanpools; and
- Alternative modalities of transportation, to include light rail, higher speed and high-speed rail, and feeder bus systems.