



## **WVARR Verification of Compliance Policy** **7/22/2022**

In accordance with West Virginia Code [§16-59-2](#), pertaining to the certification of recovery residences, counties and municipalities may require verification of compliance with applicable local building, maximum occupancy, fire safety, and sanitation codes applicable to the type of housing operated by a recovery residence provider.

If a county or municipality chooses to require a verification of compliance with applicable local building, maximum occupancy, fire safety, and sanitation codes applicable to the type of housing operated by a recovery residence provider, that county or municipality must submit formal notice to WVARR's executive director in writing, to include the ordinance, effective date, and the process(es) by which recovery residence operators must comply.

In accordance with Section (d) of West Virginia Code [§16-59-2](#), any application of requirements for verification of compliance by counties and municipalities must comply with the Fair Housing Act, 42 U.S.C. § 3601 *et seq.* and the Americans with Disabilities Act of 2008, 42 U.S.C. § 12101 *et seq.*

If a recovery residence is located within a county or municipality that requires verification of compliance (VOC), the WVARR Verification of Compliance form must be completed for *each* county or municipality in which the residence or organization operates that requires a VOC and submitted as part of the WVARR certification application.

If the county or municipality does not complete the form as requested by a recovery residence operator within 30 days of request, WVARR may determine the applicant residence or organization to be compliant with this requirement and may allow the applicant residence or organization to move forward in the application process without the completed form.

If an inspection is required by county or municipality in which your residence operates in order to receive a verification of compliance, that inspection must be completed by the county or municipality within 30 days of request. If the required inspection is not performed within 30 days of request, WVARR may determine the applicant organization to be compliant with this requirement and may allow the residence or organization to move forward in the application process without approval from the county or municipality.

If at any time the applicant residence or organization formally notified WVARR of their intent to legally or administratively challenge the county or municipality's verification of compliance requirement(s) and/or the determination of the applicant organization's application for verification of compliance, WVARR may waive the applicant organization's requirement or submission of this form or documentation pertaining to for the consideration of the certification application and, if all other certification requirements are met, the applicant organization may be

eligible for certification with WVARR, pending the outcome of any legal or administrative action.

If for any other reason, WVARR believes any application of requirements for verification of compliance by counties and municipalities *does not* comply with the Fair Housing Act, 42 U.S.C. § 3601 *et seq.* and the Americans with Disabilities Act of 2008, 42 U.S.C. § 12101 *et seq.* as specified in Section (d) of West Virginia Code [§16-59-2](#), WVARR may waive the applicant organization's requirement or submission of WVARR Verification of Compliance form or documentation pertaining to for the consideration of the certification application and, if all other certification requirements are met, the applicant organization may be eligible for certification with WVARR, pending the outcome of any legal or administrative action.