

DEPARTMENT OF
VETERANS AFFAIRS
REGIONAL LOAN CENTER
DENVER, COLORADO



**VA Fee Panel
Compliance Inspector's
Handbook
April 2011 Edition**

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INTRODUCTION

This Fee Compliance Inspector's Handbook is intended to supplement the inspection requirements and guidelines provided in Department of Veterans Affairs (VA) Manual M26-12 dated July 19, 2007. Where there is any inconsistency between the Fee Compliance Inspector's Handbook and M26-12, we consider M26-12 to be the controlling document.

STATEMENT OF VA EXPECTATIONS

In addition to quality inspection reports completed in a timely fashion, VA expects and requires the highest standards of professional conduct, courtesy, appearance, and customer service from its fee panel members. Although you are an independent contractor, you are representing VA in your dealings with veterans, remodeling contractors, and builders, and as such you must act in a manner that reflects a high level of professionalism and customer service. While we recognize and respect your right to conduct your inspection business as you see fit, be assured that VA likewise has the right—and the responsibility – to ensure that the Loan Guaranty program is administered first and foremost for the benefit of our veterans.

CHAPTER 1
CONSTRUCTION & VALUATION
CONTACT INFORMATION

VA REGIONAL LOAN CENTER
Construction & Valuation (262)
155 Van Gordon Street (Box 25126)
Denver, CO 80225

ADMINISTERING THE
VA HOME LOAN PROGRAM
IN ALASKA, COLORADO, IDAHO, MONTANA, OREGON, UTAH,
WASHINGTON, AND WYOMING

KEY C&V CONTACTS DIRECTORY
and WEBSITE ADDRESSES

TOLL-FREE DENVER REGIONAL LOAN CENTER
1-888-349-7541, OPTION 1
Fax: (303-914-5618)

CONSTRUCTION & VALUATION WEBPAGE:
www.vba.va.gov/ro/denver/index.htm

NATIONAL LOAN GUARANTY WEBSITE, WASHINGTON, DC:
<http://www.homeloans.va.gov>

VA BROADCAST TRAINING WEBPAGE:
<http://www.homeloans.va.gov/broadcast.htm>

"Our Fine Print:" Please check our website periodically for updates to this information.

Please note that VA e-mail addresses are *not* case-sensitive.

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CHAPTER 2

GENERAL INFORMATION

This inspector handbook supersedes all previous editions. You will be advised of any changes or additions to this handbook. Changes or instructions issued after the date of release of this guide would rule.

Conflict of Interest - VA Policy

Due to a policy change, VA no longer requires fee personnel to submit an annual Statement of Interests. Nonetheless, VA fee appraisers are held to those requirements and must continue to adhere to them. The following statement of VA policy provides some examples of conflict of interest as well as other guidelines for fee personnel:

It is neither the desire nor the intent of VA to interfere in the private lives of fee inspectors or to infringe upon their personal liberties. It is appropriate, however, for VA to require that persons serving as fee inspectors not engage in private pursuits that conflict with their duties on behalf of the VA. Except as may be otherwise expressly authorized by VA regulations, instructions, or directives, VA requires that, as a condition for appointment and retention as an approved fee inspectors, any particular individual serving in such capacities shall not engage in any private pursuits where there may or will be:

- Any connection established that might result in a conflict between the private interests of the VA fee inspector his/her duties and responsibilities to VA and veterans.
- Any circumstances wherein information obtained from or through a VA assignment to appraise will be used to the detriment of the government or veterans.

Specifically, the foregoing statements of policy and the standards contained therein are intended to preclude any fee inspector from:

- Selling land to a builder or sponsor and then making an inspection of a dwelling unit purchased by a veteran with guaranteed, insured, or direct loan.
- Owning an interest in, being employed by, or operating an architectural, engineering or land planning firm which renders services to builders or sponsors and later accepting an assignment from VA to appraise dwelling units built or to be built by a particular builder or sponsor for whom architectural, engineering, or land planning services have been rendered by the firm in which the fee appraiser has employment or an interest.
- Inspection dwelling units on VA assignments and later accepting exclusive selling rights for the homes.

- Inspecting properties for builders or sponsors who are purchasing hazard insurance or title services with respect to those properties from a company in which the fee inspector has an interest.
- Owning an interest in a project developed by a builder and accepting VA inspection assignment in another area which the same builder owns, is building, or is handling as real estate broker.
- Having an interest in or representing building supply firms and accepting VA assignments on dwelling units built by builders or sponsors who deal extensively with such supply firms.
- Accepting a VA assignment to appraise property if the fee is contingent upon supporting a predetermined conclusion.

The above examples are not all-inclusive, but they do illustrate some obvious conflicts.

The provisions above do allow you to act as sales agent or broker in connection with a particular property. However, if you receive an inspection request related to VA on that property, then you must immediately contact VA and request reassignment.

In summary:

- You must notify VA immediately if you are elected or appointed to public office, or if affiliated with any new lender, builder, or realty firm; or if you have a financial interest in the property to be inspected.
- You may not perform a VA inspection on any property in which you have an interest or involvement or where there is or could be a conflict between your private interests and your duties and responsibilities to VA and to the veterans we all serve.

In addition to quality inspection reports completed in timely fashion, the VA expects and requires the **highest standards of professional conduct, courtesy, appearance, and customer service from its fee panel members**. Although you are independent contractors, remember that in the eyes of the veterans, lenders, real estate professionals, and other clients with whom you come in contact everyday, **you represent the VA**. While we recognize and respect your right to conduct your appraisal business as you see fit, be assured that VA likewise has the right -- and the responsibility -- to ensure that the Loan Guaranty program is administered first and foremost for the benefit of our veterans.

CHAPTER 3 COMPLIANCE INSPECTION PROCEDURE CHANGES

Historically, VA has required fee compliance inspections for all proposed construction cases at the foundation, framing, and final stages of construction. When the VA inspection requirement was established, few local authorities had acceptable building standards and/or performed inspections during construction of residential properties. Over the years, however, many local authorities (building departments) adopted comprehensive residential building codes, developed intensive inspector training programs, and conducted comprehensive inspections at each inspection stage. Consequently, VA compliance inspections were considered a duplication of a process already being completed and determined unnecessary.

VA Circular 26-06-01, dated February 15, 2006, implemented a procedure whereby VA will accept compliance inspections completed by local authorities in lieu of these inspections being completed by VA compliance inspectors.

The only exception applies to proposed construction or remodeling being completed for Specially Adapted Housing (SAH) purposes. VA offers a grant to veterans who qualify under this SAH program assist them with costs associated with having a new house built or associated remodeling on an existing house with proposed construction costs or costs associated with to 100% service qualified serviced connected veterans to assist them in building a new house or remodeling their existing house to comply with VA SAH guidelines. In such cases, VA compliance inspections are still required. If the SAH veteran is having a new home built using his grant benefit, VA compliance inspections are required at the first, second, and final inspection stages. If the veteran is using his grant benefit to remodel an existing property, VA compliance inspections are also needed at designated stages. For either proposed construction or remodeling cases, the VA compliance inspector is to determine that the construction meets all local codes and meets all VA SAH requirements.

CHAPTER 4

FEE INSPECTOR ADMINISTRATION

Inspector Availability and Communication

All VA Fee Compliance Inspectors are expected to be available during normal business hours and are expected to respond promptly to any inquiries you receive (by phone, fax, or e-mail) from VA staff, builders, lenders, or real estate agents. Generally, your response should be made *no later than the following business day*. Failure to respond by the following workday will result in withholding of any new assignments until such time as you have responded to VA.

◆ Internet / E-Mail Access

- We strongly recommend that Compliance Inspectors have an *e-mail address* from which they can both send and receive e-mails, including attachments.

◆ Phone/Fax Availability

- A *fax machine*, or access to a fax machine, is *required*. If we are unable to contact you, your inspection assignments are subject to withholding until such time as fax communication has been restored.
- A *telephone answering machine*, or voice mail system, or someone to answer your telephone during normal business hours (typically 8:00 a.m. to 4:00 p.m.) Monday through Friday is *required*.
- If no one is available to answer your telephone or to check your e-mail during periods of unavailability, you are required to have a recorded telephone message to inform callers of the date you expect to return. These messages should further direct them to call the Denver RLC or Regional Office in the state you conduct business, if they need immediate assistance on a VA case.

◆ Vacation Notices

- You must notify the C&V Section at the Denver RLC at least **7** business days in advance when you want to have your VA assignments stopped.
- **Note:** As a general rule, **please do not call VA to request time off!** In keeping with E-commerce procedures, we request that vacation or other voluntary “time off” requests (as well as **all** of your communications to VA) be *e-mailed* to Denver C&V. Fax these requests *only* if e-mail communications are temporarily unavailable. Call only as a last resort.

- **Note:** It is *your responsibility* to ensure that all inspection requests received prior to the start of your vacation period are completed and communicated. Be sure that you notify VA of any inspection(s) still pending so we can reassign them to another inspector.

◆ **Illness or Emergency Notices**

- Immediate notification is required when you need your assignments stopped due to illness or for reasons of personal emergency. If necessary, contact VA by phone or fax. Also, please let us know if there are any assignments you have not completed, so these can be reassigned.
- **Note:** Please be aware that any cases unaccounted for during the period of your unavailability are subject to reassignment in the event we are unable to reach you to determine status.

Fees and Payment Issues

◆ **Fee Schedule**

- ◆ **SAH compliance inspection fees are billed to and paid by VA. The exception is if you find a non-compliance and have to conduct a re-inspection to clear this non-compliance. This non-compliance re-inspection is to be paid for by the builder, prior to you conducting the next regular inspection.**

The maximum allowable fees are as follows:

NEW CONSTRUCTION

Footing inspection (Prior to the placement of concrete)	\$150.00
Slab inspection (Prior to the placement of concrete)	\$150.00
Framing inspection (Prior to installation of insulation and drywall)	\$200.00
Final inspection (After all construction related work is complete)	\$200.00

OTHER THAN NEW CONSTRUCTION

All staged inspections (except final and new room addition framing inspection)	\$150.00
Framing inspection (if room addition requires the placement of footing & prior to installation of insulation and drywall)	\$200.00
Final inspection	\$200.00

In addition, no mileage fees will be allowed when the job site is 20 miles or less (40 miles round trip) from the inspector's office or residence. Standard mileage fees at the rate of 50.5 cents per mile are allowed for each additional mile.

CHAPTER 5 TIMELINESS, ACCESS, PREPARATION AND REPORT DISTRIBUTION

◆ Inspection Timeliness

Inspections should be completed as soon as possible within 2 workdays from receipt of the request. Document any encountered delays on your inspection report. Use the “RIM” format to report your timeliness information on VA Form 26-1839 in the following format:

R (Received) 1/02/03
I (Inspected) 1/04/03
M (Mailed*) 1/04/03

*Note: Same as faxed or e-mailed date.

◆ Requests for Inspections

When you are assigned as a compliance inspector for a Special Adapted Housing proposed construction or remodeling case, VA will advise you of the assignment. You will receive an assignment letter indicating the property address and the veteran’s name. This letter also contains a payment voucher that you are to complete and return to VA for payment. In addition to the assignment letter, you will receive a copy of the VA established disbursement schedule that will show the stages of construction and what items should be completed at each state (see example of a disbursement schedule below). The builder or remodeling contractor will contact you regarding when they are ready for staged inspections.

DISBURSEMENT SCHEDULE (Example)

STAGE	PERCENTAGE	GRANT FUNDS	LOAN FUNDS	VETERAN FUNDS	TOTAL FUNDS
1	38%	\$21,674.00			\$21,674.00
2	38%	\$18,246.00			\$39,920.00
3	20%	\$9,980.00			\$49,900.00
4		\$100.00			\$50,000.00

1. **Stage 1** – Permits, excavation, dump fees, tear out existing concrete in preparation of new concrete work. Demolition and reframing of master bathroom and tub pop-out , rough in plumbing, heating & electrical. Roof over pop-out tub completed, 36” exterior door off master bedroom and window to pop-out tub completed.
2. **Stage 2** - All doors, windows and insulation installed, ramps, sidewalk and all other concrete work and site clean-up completed. Reinstall vinyl fencing, sprinklers and landscape returned to his original state. Painting, stucco repairs, gutters, completed. Master bathroom complete with drywall, grab bars, finished plumbing, electrical, heating, floor covering, cabinets, countertops, mirror, shower surround, finish wood work and painting. All construction complete in accordance with state and local codes and VA approved plans & specifications.
3. **Stage 3** - Escrow Holdback.
4. **Stage 4** - Escrow fee

Acceptable compliance inspections will be completed at Stages 1& 2. Stage 4 will be released to the contractor upon completion of an acceptable VA staff inspection.

◆ **Access to property**

Builders are not required to leave properties open all day for inspection purposes. Inspectors must work with the builders regarding access to a property.

◆ **Report Preparation**

All compliance inspection reports will be prepared on VA Form 26-1839. The inspector will prepare and submit a report for each required inspection.

Proposed construction compliance inspections will be based on foundation, framing (all mechanical, plumbing, electrical in place and just prior to insulation and drywall) and final inspection stages. Remodeling inspections will be based on remodeling work to be completed as indicated on the escrow agreement disbursement schedule. This schedule will be provided to you, along with approved plans and specifications. **Each staged inspection must not only address the acceptability of the construction/remodeling in meeting local code, it must also address the acceptability of the SAH features incorporated into the approved plans and specifications.**

The final inspection must describe the condition, suitability and readiness for use of all equipment, fixtures and observable construction of the property inspected. Therefore, the following statement must appear on all FINAL inspection reports:

“ALL EQUIPMENT, FIXTURES, AND OBSERVABLE CONSTRUCTION ARE COMPLETE AND READY FOR USE” YOU MUST ALSO INDICATE THAT ALL SAH REQUIREMENTS HAVE BEEN MADE PER THE APPROVED PLANS AND SPECIFICATIONS.

Report all shortcomings such as scratches in painted surfaces, poorly fitted doors, stuck windows, cracks in walls, etc., irrespective to any agreements made by the builder on the site for corrections. The rule is that each instance of inferior workmanship, defective materials/equipment, faulty installation of materials or equipment and/or deviation from approved plans and specifications shall be reported fully on VA Form 26-1839. The final report must show these deficiencies

◆ **Report Distribution**

An approved copy of each report will be left at the job site for the builder. One copy should be retained by the inspector for their case file. If the case is SAH proposed construction and the loan is a VA guaranteed loan, a copy of each inspection report also needs to be sent to the lender. You are also to fax each completed compliance inspection, along with your completed payment voucher to the Regional Office that assigned you the case.

◆ **Review and Approval of Inspection Reports by VA**

All inspection reports (VA Form 26-1839) are subject to review and modification by the Regional Loan Center, Construction & Valuation section. When items of noncompliance are reported, the reviewer will ascertain if such items are actually items of noncompliance by reference to the related plans and specifications and the applicable VA MPR's. VA will also ascertain whether "Substitutions or Deviations" reported by the inspector are or are not acceptable to VA. Inspectors are authorized to approve and distribute compliance inspection reports of first and intermediate reports which do not report any noncompliance substitutions, or deviations, or which report only items which may be covered by a lender's certification or an escrow.

◆ **Ordering Report Forms**

You can obtain supplies of VA Form 26-1839 by calling the Denver Regional Office Publications unit at 303-914-5875.

CHAPTER 6

FEE INSPECTOR RESPONSIBILITIES

What is Expected of the Fee Compliance Inspector

◆ Inspection Reports

The inspector must view the interior and exterior of the subject property. In addition, the fee inspector is responsible for all aspects of the inspection process. Each inspection report must contain the VA case number. This number will be located on the assignment letter sent by VA.

◆ Additional Requirements

- You will be notified directly by VA of each assignment.

Please place your VA ID Number next to your name on all correspondence sent to VA.

◆ Representing VA

Remember, you do *not* have the authority to speak to anyone or any group *in an official capacity* representing VA in regard to VA regulations, procedures, or policies. This includes newspapers, magazines, or organizations of lenders, builders, or Realtors.

Desk and Field Reviews of Inspection Reports

VA will conduct random reviews of compliance inspections to ascertain compliance with standards.

- The inspection report was completed and submitted timely.
- As much as feasible, verify the report accurately describes the condition of the property or completion to approved plans and specifications.
- If any deficiencies were noted, were they properly dealt with by the inspector?
- Was the inspection report otherwise completed to VA standards?

Quality Control and Standards

Non-acceptable quality or timeliness findings for any inspection will be classified as Negative Work Quality Findings or Negative Timeliness Findings. All Negative Work Quality Findings are further categorized according to their significance into *Substantive* or *Non-Substantive* Findings.

- ◆ A *Substantive* negative work quality finding will generally be assessed where VA has determined that the fee inspector made a serious error of fact or methodology which materially impacts the condition of the property. Examples include, but are not limited to:
 - Fraudulent reporting (misrepresentation of a material fact in the inspection)
 - Inspecting the wrong property
 - Failing to require necessary MPR repairs that may result in damage to the veteran
 - Repeating or failing to correct non-substantive errors after notification by VA
 - Continued disregard for VA instructions or requirements after they have been called to the Inspector's attention

- ◆ A *Non-Substantive* finding is generally one in which VA has determined that the fee inspector made a relatively minor error of fact or methodology that did not impact the reported condition of the property. Examples include, but are not limited to:
 - Minor errors on the inspection report i.e. incorrect address or lot number
 - Failure to note minor change from plans and specifications

Documented negative timeliness or quality findings can form the basis for administrative action by VA against a Fee Inspector. Additionally, an inspector who exhibits chronically deficient Customer Service, as evidenced by documented unprofessional conduct or repeated complaint calls and letters from program participants, may also be subject to administrative action.

CHAPTER 7

CONSTRUCTION INSPECTIONS

Overview

◆ Purpose

- The purpose of VA compliance inspections is to determine if remodeling of an existing house or construction of a new house for SAH purposes complies with local code requirements and VA SAH requirements.

◆ Use of Inspections

- Inspections are used as evidence that all SAH remodeling or construction associated with each inspection stage has been acceptably completed and is clear of all non-compliances. These inspections are then used to release SAH grant funds being held in escrow.

◆ Determining the Type of Inspection

- All inspections will be conducted in conjunction with SAH grant cases. If a veteran is having a house built using his SAH grant funds, inspections will be at the typical first (foundation) second (framing, prior to drywall) and third (final) stages. If a veteran is using his SAH grant funds to remodel an existing house, inspections will be completed at designated remodeling stages.

Any questions should be referred to the VA Specially Adapted Housing Agent at the VA Regional Loan Center in Denver or out based Senior Appraiser/SAH Agent in your assignment area.

◆ Inspection Requests

- The builder contacts the inspector directly to schedule inspections as each phase of construction is completed.

Proposed Construction Inspections

◆ Completion of Foundation Alternative

For the *completion of foundation* alternative, *all* of the above items will be observed and reported. In addition, the fee inspector will inspect

- the size, location, and condition of all footings, foundation walls, piers, and other supporting members, and

- the quality of materials and workmanship of masonry, damp proofing, and foundation drainage.

◆ **Second Inspection Stage**

During the second inspection stage the fee inspector inspects

- all construction below the superstructure not installed or which was installed but not inspected or reported upon at the first inspection stage, including footings, foundations, piers, columns, waterproofing and drainage provisions
- construction of the superstructure, including quality of materials and workmanship, details of construction, and the suitability of arrangement of all items for subsequent installation of equipment and of interior and exterior finishing materials
- plan of the dwelling, including the arrangement of partitions and the sizes and placement of all openings
- roughing-in of mechanical work, including plumbing, heating, and electric installations with respect to
 - providing for the correct installation of fixtures, equipment, and accessories
 - avoiding impairment of the strength of structural members, and
 - proper operation of the completed systems.

Note: No second stage inspection of the dwelling is required for modular construction since the unit is fabricated in a factory and must be inspected to state standards.

◆ **Third Inspection Stage**

During the third inspection stage the fee inspector inspects for acceptable completion of *all* specified onsite and offsite improvements.

The table below lists the exterior and interior items to be inspected and reported upon during the third inspection stage.

Exterior Inspection:

- | | | |
|-------------------------------|---|----------------------------------|
| • compaction of fill material | • protection against the elements and penetration of moisture | • offsite improvements including |
| • finish grading | • masonry pointing | – utilities |
| • drainage | • caulking at openings | – storm sewer system |
| • utility connections | • paint coverage | – drainage channels |
| • walks | • flashing | – grading |
| • drives | • design of dwelling structure | – curbs |
| • accessory buildings | • materials and details of their installation and finish | – gutters |
| • retaining walls | | – paving |
| • planting | | – pavement edging |
| • safety provisions at | | – sub-grade, and |
| – terraces | | – base and wearing surface |
| – porches, areaways | | |

and erosion

Interior Inspection:

- design
- materials, equipment, and details of their installation
- interior surfaces and their finish treatment
- cabinets and millwork
- details and operation of systems, equipment, and fixtures related to
 - plumbing
 - heating
 - ventilating
 - electric
- quality and operation of hardware
- quality of
 - tile work
 - glass
 - linoleum
 - venting of attics and under floor spaces

◆ **Individual Water Supply and Sewage Disposal System**

The inspector will include with the inspection report evidence obtained from the builder that installation is satisfactory to the health authority having jurisdiction.

◆ **Final Inspection**

Generally, this coincides with the third inspection stage and requires the Compliance Inspection Report, [VA Form 26-1839](#) to

- include two photographs (preferably taken from the diagonally opposite front and rear corners) to record the appearance of the dwelling and indicate the grading and drainage of the site
- describe the condition, suitability, and readiness for use of all equipment, fixtures and observable construction of the property
- report shortcomings such as scratches in painted surfaces, poorly fitted doors, stuck windows, cracks in walls, irrespective of any arrangements made on the site for corrections, and
- confirm that any instance of inferior workmanship, defective materials or equipment, or faulty installation or application of materials or equipment and/or deviation from approved plans and specifications is reported on [VA Form 26-1839](#), and
- if the property is a unit on a *master* appraisal either
 - clearly identify any optional variation or item of equipment included in the construction, or
 - state that none is included.

◆ **Special Inspections**

You may also be asked to conduct a proposed construction site inspection to determine if the lot is such that it can easily accommodate a SAH property.

◆ **Re-inspection**

A re-inspection is required

- whenever a first- or second-stage, or special inspection shows noncompliance and the work involved will be concealed before the next regular inspection, or

- as a result of noncompliance or incomplete work reported at the third-stage inspection, unless the VA field station waives the re-inspection because
 - the incomplete work is of a minor nature, and
 - the lender is willing to certify that it has been satisfactorily completed.

Construction Exhibit Changes

◆ **How a Change is Requested**

Any changes made to the VA approved plans and specifications must be signed by both the builder and the veteran and **must** have prior approval from VA.

◆ **Change Request Form**

Any changes from approved plans and specifications must be prior approved by VA. . If you receive a change order directly from the builder, please give us a call for further instructions

Chapter 8

Specially Adapted Housing (SAH)

◆ Compliance Inspector's Responsibilities

When completing Specially Adapted Housing (SAH) inspections it is important to remember the adapted features on the plans and specifications are necessary to meet VA SAH Minimum Requirements. These features are determined necessary to help the veteran gain full access and enjoyment of his new or remodeled home.

◆ Specially Adapted Housing Minimum Requirements

Access:

- **Access** - There must be at least two means of access to the home, one of which shall be located so not to expose the veteran to a potential fire hazard such as a kitchen, garage or utility room containing heating equipment.
- **Ramps** - Ramps must be permanently installed and have a maximum slope of 8 percent. The minimum width is 3 feet 6 inches.
- **Railings** - Railings at a height between 2 foot 6 inches and 2 foot 8 inches must be provided if the height and length of the ramp present a possible hazard.
- **Platforms** - Each ramp must be headed at the top by a level platform which is freely accessible from the ramp. The platform must be of sufficient area to allow for turning the wheelchair and equipped with protective railings if the height of the platform presents a potential hazard. The platform at the top of the ramp must be a minimum of 5 feet by 5 feet.
- **Thresholds** - There shall be no difference in the elevation between the interior floor level and point of ramp entry or platform.
- **Doorways** - shall be a minimum of 36 inches wide. For existing construction remodeling cases 32 inches is permissible but the 36 inches is desirable when feasible.
- **Hallways** - must be a minimum of 4 feet except 42 inches is permissible in existing homes.
- **Passageways** - between the home and the garage, or carport, should be sheltered to prevent exposure of the veteran to inclement weather.
- **Garage and carports** - should be of sufficient width to allow unrestricted wheelchair maneuverability alongside the car. Absent garage or carport there should be adequate driveway width for wheelchair maneuverability.

Bathrooms:

The bathroom is perhaps the most difficult design challenge in the adapted home. It is a relatively confined space yet extensive maneuvering by the veterans is usually necessary. The bathroom arrangement must allow the veteran to transfer from the wheelchair to various fixtures such as the toilet, bathtub or shower. The transfer is generally easiest if the fixture is approximately the same height as the wheelchair (1 foot 8 inches on the average). The veteran will have his or her own personal transfer technique. He or she will usually prefer a particular direction of transfer, either from the left or from the right. When possible fixtures should be located to accommodate that preference.

- **Location** - The veteran's bathroom should be located next to or convenient to his bedroom.
- **Doors** - The bathroom door must swing out. In-swinging doors pose a potential danger should the wheelchair user fall and block the door. A pocket door is recommended.
- **Turning Area** - The bathroom design must provide a clear area for wheelchair maneuvering. The plans must show a 5 foot diameter clear turning circle.
- **Flooring** - Finished bath floor surfaces must be non-slip under both wet and dry conditions. Examples are a commercial grade poly-vinyl (non-waxed surface), or a course textured ceramic tile.
- **Grab bars** - Grab bars are required in the shower or tub unit and around the toilet. They should be 1.5 inches in diameter and installed at a height of 2 foot 9 inches. They must be anchored to adequately support the veteran's weight. The design, placement, and angle of installation are at the veteran's discretion.
- **Bathtubs** - Some veterans may prefer using a bathtub rather than a wheel-in shower. The tub location must allow easy approach and provide adequate space to position a wheelchair for transfer. The tub should be installed to reflect the veteran's preference for right or left transfer.
 - A platform or seat at the end of the tub aids in transferring to the tub. The seat should be level with the edge and the same width as the tub. Grab bars or a suspended hoist or stirrup grip attached to the ceiling should be installed to aid the transfer.
 - A bathtub and shower combination is recommended.
- **Showers** -
 - Must be wheelchair accessible with no curb, lip or barrier between the wheel-in shower and bathroom floor.
 - Adequate thermostatic controls should be installed to avoid sudden changes in the shower water temperature.
 - Minimum interior dimensions for an existing home must be 4 foot by 4 foot without a permanent seat. If a permanent seat is to be installed the 4 foot by 4 foot measurement begins beyond the seat. **OR** Minimum interior dimensions for a new home must be 5 foot by 5 foot without an permanent seat. If a permanent seat is to be installed the 5 foot by 5 foot measurement begins beyond the seat.
 - Adequate grab bars must be installed.
 - Hand-held showerhead on a slide pole is recommended.
 - Shower stall openings must be 36 inches wide.
 - Lever type faucets are recommended.
 - A fold-down seat is acceptable.
 - Whenever possible the floor drain should be located toward the rear corner of the shower.

- **Toilets** - The seat should be raised, if necessary, for the veteran's convenience. Consideration should be given for back support and alignment of grab bars to help the veteran transfer to the fixture.
- **Washbasins** - Washbasins should be installed to enable the veteran wheelchair access. Generally they should be hung instead of pedestal type. Vanities should have an open area for chair access.
- **Water pipes** - Water pipes, steam pipes, room radiators or similar items should be concealed or properly covered to prevent burns or abrasions.
- **Mirrors** - A mirror must be installed at a suitable level for the veteran's use. For a flat mirror a 3 ft maximum height is recommended. A tilted mirror can be installed at a maximum 3 foot 4 inches height.

Flooring:

- Finished flooring shall not impede wheelchair maneuverability. Carpeting should be low pile, and closely knit.
- When carpet is to be installed, the contractor must furnish the manufacturer's brand name and carpet certification number at the time final plans and specifications are submitted to VA.

Safety Concerns:

- **Smoke Detectors** - An automatic smoke detector, which may be a single-station alarm device, shall be installed in the home near the bedrooms. For proposed construction or extensive remodeling all smoke detectors shall operate from the home's electrical circuit without disconnecting a wall switch and be permanently mounted to a standard electrical outlet or junction box on or adjacent to the ceiling.
- **Windows** - Windows should be operable from the wheelchair.
- **Wall switches** - Wall switches and electrical outlets should be within reach from the wheelchair (minimum 18 inches and maximum 48 inches from the floor).
- **Controls** - Fuse boxes, thermostats, and other utility and appliance controls should be within reach from the wheelchair.

The foregoing is not an all-inclusive list of adapted features but are those determined to meet minimum requirements for the benefit of the veteran in his present and possible future physical condition. The convenience of the home for the veteran is the prime consideration. The veteran must not be isolated and must have access to the entire home, including the kitchen. On a case-by-case basis VA will consider the veteran's request to waive an adapted feature if it is medically feasible for his use. It is your responsibility to make sure the project is completed to the approved plans and specifications. Any deviations with regard to VA MPRs and SAH features and the plans and specifications must be brought to the attention of VA and the builder/contractor.

◆ Other Adapted Features

Other optional adapted features to the home are listed below. While these are desirable they are not required to meet SAH minimum requirements.

Kitchen:

Depending upon the veteran's physical condition, the following features should be taken into consideration if adaptive features are included in the kitchen.

- **Work Counter** - A work counter that is at least 3 feet wide. There should be sufficient space under the counter for wheel chair access.
- **Range** - A built-in range with open space underneath should be provided with controls situated toward the front or side for ease of access. The oven should be installed at a convenient height which is wheelchair accessible.
- **Cabinets and Storage** - Storage areas should be accessible from a wheelchair. Pullout shelves are desirable. Revolving shelves, which are normally built in a corner should be avoided unless there is sufficient access from a wheelchair.
- **Outlets and Switches** - Electrical outlets should be mounted within easy reach of a person in a wheelchair. Switches for garbage disposal, fans, range hood lights, etc., should be conveniently placed for the veteran's use.
- **Refrigerators** - Refrigerators should be placed for full wheelchair access when the door is open. Doors should open a full 180 degrees. Bottom loading freezer units are recommended.
- **Sinks** - There should be adequate space at the sink to accommodate a person in a sitting position. Preferable the sink should be open underneath and garbage disposals should be located to the rear of the under sink area. Pipes should be wrapped to prevent burns or abrasions. Sink faucets should be single lever type for ease of operation and water temperature control. There should be a hose spray unit.

Climate Control:

- Air conditioning is recommended in certain instances when the climate and the nature of the veteran's disability dictate. The entire home should be air-conditioned but if the installation and maintenance costs appear prohibitive, installation may be restricted to the veteran's bedroom.

◆ What Is Different About Specially Adapted Housing Inspections?

Unlike other inspection reporting, Specially Adapted Housing inspections require special attention to the SAH adapted features detailed on the plans and specifications. Your compliance inspections must assure conformity with the exhibits and VA MPR's. When exhibits reflect specially adapted features which may preclude compliance with MPR's, the noncompliance observed will not be reported in section 1 of VA Form 26-1839. Otherwise, instructions on the reverse side of VA Form 26-1839 will be followed. When completing a VA Form 26 -1839 for Specially Adapted Housing cases the following applies:

Acceptable Inspections Include:

- No deficiencies
- No deviations
- No unapproved substitutions or changes

Unacceptable inspections Include:

- Deficiencies (non-compliant items) - builder advised to comply with correction of items
- Unapproved deviations or substitutions - builder advised to provide change order for review by Specially Adapted Housing Agent at VA.

◆ How Do I Bill For My SAH Inspections?

Payment processing has changed from using the reverse of the assignment letter from VA as an invoice for processing each payment to you. An original invoice with your billing information including your tax identification or social security account number, name and Specially Adapted Housing assignment number, and date of inspection are necessary for payment processing. Be sure to attach a copy of the corresponding compliance inspection. You will receive your payment approximately 30 days from receipt of your invoice by VA. Payment of all inspection invoices will be made via wire transfer directly into your bank account.

◆ Where To send The SAH Inspection Reports and Invoices

Send your completed inspection and invoice to the Special Adapted Housing Agent in the Regional Office who sent you the voucher and inspection instructions. If you are e-commerce compliant scan copies of the inspection and invoice and e-mail to the appropriate individual and e-mail address.

◆ Who To Contact On SAH Issues

You should contact the Specially Adapted Housing Agent as follows:

Alaska	Richard Rodriguez
Colorado	Bert Malin, Alan Fejes, David Sileo, Judy Picon
Idaho	Kim Blackburn
Montana	Guy Main
Oregon	Marlene Putnam or Roy Reel
Utah	Bert Malin, Alan Fejes, David Sileo, Judy Picon
Washington	John Cunningham, Joe Ladan, Cheryl Maines, Gary Shaw
Wyoming	Guy Main

A complete listing SAH agents with phone numbers and e-mail addresses is listed in Chapter 1 of this handbook.

CHAPTER 9

ADMINISTRATIVE ACTIONS

VA inspection quality standards, including specific definitions and examples of *substantive* and *non-substantive* errors are discussed in Chapter 7. Additional examples of unacceptable conduct or performance in the areas of timeliness, quality, or customer service have been described throughout the preceding chapters. VA expects all Fee Inspectors to adhere to our general guidelines in all of these areas. Failure to comply will form the basis for administrative action on the part of VA. Repeated violations will result in progressively more severe action.

The following summary of deficiencies is not all-inclusive but is intended to supplement the examples given in Chapter 7:

- Substantive violation(s) of established VA policies or procedures.
- Substantive negative work quality finding(s) of a nature that would materially or significantly impact the value or condition of the property.
- A series of non-substantive negative work quality findings, which in the aggregate would establish a pattern of careless or negligent performance.
- Technical incompetence (i.e. inspection reports which demonstrate insufficient knowledge of construction principles, techniques, and practices).
- Improper conduct (i.e. conduct or behavior not befitting a professional and/or not in the best interest of VA or program participants).
- Continued disregard for VA requirements after they have been called to the Fee Inspector's attention.

In instances where an inspector chooses to disregard these guidelines, VA is mandated to take corrective action. VA has discretion to employ a wide variety of administrative (i.e., disciplinary actions) as circumstances dictate. Some of these include the following:

- **Withholding of Inspection Assignments** - approved by the Loan Guaranty Officer
- **Limited Denial of Participation (LDP)** -- imposed by the Director of the Regional Office for a period of *one year*.
- **Debarment/Suspension** -- imposed by the Department of Veterans Affairs for a *minimum period of one year*.

◆ Complaints

The VA Regional Office shall consider a lender or builder's valid report of complaint as a basis for administrative (disciplinary) action. Administrative action, if appropriate, shall be based upon a thorough VA review of:

- the facts and evidence presented in support of the allegation(s)
- full consideration of any response provided by fee inspector.
- the number of previous cumulative negative findings and/or complaints documented in the fee inspector's performance folder

◆ **Disciplinary Due Process**

Any Fee Inspector receiving notification assignments are being withheld, or that other administrative or disciplinary action is being taken, will be afforded the opportunity to appeal the action in writing, or in person, or both by requesting a meeting with the Fee Roster Committee at the Regional Loan Center in Denver.

The Fee Roster Committee typically consists of the Loan Guaranty Officer, the Assistant Loan Guaranty Officer, and the Valuation Officer. Appellate rights and procedures will be explained in detail within the disciplinary action letter.

If, after all due process and appellate procedures have been exercised, the disciplinary action is upheld, the Fee Inspector is subject to having his or her name -- and the reason for the disciplinary action -- reported to the state licensing authority.