

Arlington County Family Day Care Home FAQs

Frequently Asked Questions for Landlords

What are the licensing requirements for Family Day Care Homes in Arlington?

Under Arlington's local ordinance, [Chapter 59 of the Arlington County Code](#), Family Day Care Homes may care for up to nine (9) children, depending on the space. The exact number of children for which a Family Day Care Home is licensed is determined after a site visit by a [Department of Human Services](#) Child Care Specialist. All Family Day Care Homes must be approved or licensed by Arlington County's [Child Care Licensing Office](#), regardless of the number of children in care. Any Family Day Care Home serving five or more children must also be licensed by the [Virginia Department of Social Services](#).

What are the insurance requirements for Family Day Care Homes in Arlington?

Under Arlington's local ordinance, [Chapter 59 of the Arlington County Code](#), Family Day Care Homes serving four (4) to nine (9) children must have "adequate liability and fire insurance to protect themselves and the children served." In the local ordinance, this is a *recommendation* (not a requirement) for Family Day Care Homes serving one (1) to three (3) children.

What kind of background checks are required for Family Day Care Homes in Arlington?

In order to operate a Family Day Care Home, background clearances for the Family Day Care Home provider and all household members 14 years of age or older are required. This includes a Criminal Background check, a search of the Child Protective Services Central Registry, and a Sworn Statement.

How often does the Child Care Licensing Office conduct inspections of Family Day Care Homes in Arlington?

Every licensed program is inspected by Arlington County's [Child Care Licensing Office](#) at least twice annually. Follow-up inspections are conducted to ensure programs correct any deficiencies identified during an inspection. The inspections conducted by Arlington County's Child Care Licensing Office are in addition to any inspections conducted by the [Virginia Department of Social Services](#) (if applicable).

How does the Arlington County Zoning Ordinance affect Family Day Care Home operations in Arlington?

Arlington's [Zoning Ordinance](#) distinguishes between uses permitted "by-right" and uses allowed by "special exception." The use permit is one form of special exception. The operation of a Family Day Care Home serving five (5) or less children is permitted "by-right" in Arlington County and does not require a special exception use permit. The operation of a Family Day Care Home with a capacity of six (6) to nine (9) children in Arlington County, however, *does* require a County Board-approved [special exception use permit](#).

Are there any state or federal restrictions on Family Day Care Home operations in tax credit properties?

According to the Internal Revenue Service (IRS) [Guide for Completing Form 8823, Low-Income Housing Credit Agencies Report of Noncompliance or Building Disposition](#), "a low-income tenant may use a portion of a low-income unit exclusively and on a regular basis as a principle place of business... If the tenant is providing daycare services, the tenant must have applied for

(and not have been rejected), be granted (and still have in effect), or be exempt from having a license, certification, registration, or approval as a daycare facility or home under state law.” This guidance has been confirmed by the Virginia Housing Development Authority (VHDA), which permits the provision of in-home child care in tax credit properties so long as the child care providers meet all applicable state and local requirements.

What are some benefits of Family Day Care Homes?

Family Day Care Homes can provide many benefits to families, child care providers, and the community as a whole. Families form close bonds with their child care providers, and the small, intimate setting allows for more individualized care. For child care providers, the ability to offer this important service can serve as a main source of livelihood for their own families. For communities, Family Day Care Homes may serve as a “selling point” for prospective tenants who have young children and would prefer to use a child care provider close to their own home.

For additional information or questions, please email CCI@arlingtonva.us.