

Arlington County Family Day Care Home FAQs

Frequently Asked Questions for Landlords (updated July 1, 2019)

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 twelve (12) 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](#), all Family Day Care Homes, regardless of size, must have liability and fire insurance of at least \$100,000 per occurrence and \$300,000 aggregate in force on the Family Day Care Home operation.

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 as well as all caregivers employed by the Family Day Care Home are required. This includes a national criminal background check, a search of the Child Protective Services central registry, and a satisfactory sworn statement or affirmation. In addition, all household members 14 years of age and older are required to meet the requirements of a satisfactory search of the Child Protective Services central registry, and all household members 18 years of age and older are also required to meet the requirements of a satisfactory sworn statement or affirmation and a satisfactory national criminal background check.

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

Family Day Care Homes are inspected by Arlington County's [Child Care Licensing Office](#) for initial licensing, annual renewal purposes, routine monitoring, and when complaints/allegations are made against the Home. Follow-up inspections are conducted any time a Family Day Care Home is cited for a violation to ensure any deficiencies that were identified during an inspection have been corrected. Inspections are conducted in an unannounced manner, and a report of inspection findings is provided to the Family Day Care Home following the completion of any 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 nine (9) or fewer children is permitted "by-right" in Arlington County, meaning it can be approved administratively and does not require the County Board's approval of a special exception use permit. The operation of a Family Day Care Home with a capacity of 10 to 12 children in Arlington County, however, *does* require a County Board-

approved [special exception use permit](#). In addition, all Family Day Care Homes, regardless of size, must meet two use standards: 1. Parents and/or providers must escort children to and from the Home; and 2. Providers must install and maintain a wall, fence, or combination of landscaping and fencing around on-site outdoor play areas if one is provided. The play area requirement does not apply to Family Day Care Homes that use communal outdoor play areas, such as playgrounds in multi-family apartment complexes. Further still, Family Day Care Homes serving 6-12 children must meet three additional use standards: 1. Provide Family Day Care Home contact information to nearby Civic Associations; 2. Provide one off-street parking space for pick-up and drop-off; and 3. Demonstrate that the pick-up and drop-off of children will not cause queuing on public streets or impede access to any neighboring property or driveway.

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.