



# **COMMONWEALTH of VIRGINIA**

*Office of the Attorney General  
Richmond 23219*

**Mark R. Herring**  
Attorney General

202 N. Ninth Street  
Richmond, Virginia 23219  
804 - 786 - 2071  
804 - 225 - 4541 TDD

## **MEMORANDUM**

**To:** Trisha Henshaw  
Executive Director  
Virginia Department of Professional and Occupational Regulation – Board for Asbestos, Lead, and Home Inspectors

**From:** Joshua E. Laws  
Assistant Attorney General

**Date:** November 25, 2019

**Subject:** Letter of Assurance for Proposed Regulations – Amendments to Regulations - Temporary Reduction of Renewal and Reinstatement Fees found at 18VAC15-30-163

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I have reviewed the Department of Professional and Occupational Regulation’s (“the Department”) proposed Amendments to the Board for Asbestos, Lead, and Home Inspectors Regulations - Temporary Fee Reduction found at 18VAC15-30-163 that was posted on the Virginia Regulatory Town Hall on November 22, 2019. In my view, as counsel to the Department of Professional and Occupational Regulation and the Board for Asbestos, Lead, and Home Inspectors, these regulations may be promulgated pursuant to Title 54.1 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. Further, I certify that the proposed changes are exempt from the Administrative Process Act

under Code of Virginia § 2.2-4006(A)(6) because these are regulations of the regulatory boards served by the Department of Professional and Occupational Regulation pursuant to Title 54.1 and are limited to reducing fees charged to regulants and applicants.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.