



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Anthony Clatterbuck, Chairman
Board for Housing and Community Development
Department of Housing and Community Development

Stephen Calhoun, Secretary
Board for Housing and Community Development
Department of Housing and Community Development

From: James M. Flaherty
Assistant Attorney General

Date: March 13, 2014

Subject: Letter of Assurance for Updates to Virginia Industrialized Building Safety Regulations.

I have reviewed the Board for Housing and Community Development's proposed updates to the Virginia Industrialized Building Safety Regulations, 13 VAC 5-91 *et seq.*, that were posted on the Virginia Regulatory Town Hall Internet site on March 13, 2014. In my view, as counsel to the Board for Housing and Community Development, these regulations may be promulgated pursuant to §36 – 73 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.

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.