



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Lucia Anna Trigiani, Board Chair
Common Interest Community Board
Department of Professional and Occupational Regulation

Trisha Henshaw, Executive Director
Common Interest Community Board
Department of Professional and Occupational Regulation

From: James M. Flaherty
Assistant Attorney General

Date: August 20, 2014

Subject: Letter of Assurance for Amendments to Condominium Regulations, 18 VAC 48-20 *et seq.*

I have reviewed the Common Interest Community Board's proposed amendments to its Condominium Regulations, particularly to 18 VAC 48-20 *et seq.*, that were posted on the Virginia Regulatory Town Hall on August 11, 2014. In my view, as counsel to the Common Interest Community Board, these regulations may be promulgated pursuant to Title 55, Chapter 4.2 of the *Code of Virginia*. The regulation does not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor does it appear to conflict with any federal or state law currently in effect. Further, these amendments are exempt from the requirements of the Virginia Administrative Process Act, pursuant to § 2.2-4006.A.4.a of the *Code of Virginia*.

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 regulation.