

COMMONWEALTH of VIRGINIA

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To: Ms. Christine Martine, Executive Director
Real Estate Appraiser Board
Virginia Department of Professional and Occupational Regulation

From: Elizabeth B. Peay
Assistant Attorney General

Date: September 15, 2014

Subject: Letter of Assurance for 18 VAC 130-20
Exempt action to comply with 01-01-2015 AQB Changes

I have reviewed the Real Estate Appraiser Board's amendments to its regulations. In my view, as counsel to the Real Estate Appraiser Board, the Board may promulgate these regulations in order to comply with AQB changes and the Board has the authority to promulgate regulations under §54.1-2021.1 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, these amendments are exempt from the requirements of the Virginia Administrative Process Act, pursuant to § 2.2-4006.A.4.c 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 regulations.