



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**To:** Diane Quigley, Chair  
Real Estate Appraiser Board  
Department of Professional and Occupational Regulation

Christine Martine, Executive Director  
Real Estate Appraiser Board  
Department of Professional and Occupational Regulation

**From:** Steven P. Jack  
Assistant Attorney General

**Date:** April 29, 2013

**Subject:** Letter of Assurance for Amendments to Board Regulations 18 VAC 130-20

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I have reviewed the Real Estate Appraiser Board's proposed amendments to its regulations, particularly 18 VAC 130-20-10 *et seq.*, that were posted on the Virginia Regulatory Town Hall internet site on April 29, 2013. In my view, as counsel to the Real Estate Appraiser Board, these regulations may be promulgated pursuant to §§ 54.1-201(5) and 54.1-2013 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, promulgation of these amended regulations is exempt from the requirements of the Virginia Administrative Process Act in

accordance with § 2.2-4006(A)(4)(a) of the *Code of Virginia* as necessary to conform with changes in Federal law which leave no discretion to the agency.

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.