



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: Kyle Flanders
Senior Policy Analyst
Department of Housing and Community Development

From: Justin I. Bell
Assistant Attorney General

Date: January 15, 2021

Subject: Letter of Assurance for Update to the Virginia Industrialized Building Safety Regulations, 13 VAC 5-91.

I have reviewed the Board of Housing and Community Development's proposed Update to the Virginia Industrialized Building Safety Regulations that were posted to the Virginia Regulatory Town Hall. In my view, as counsel to the Board of Housing and Community Development, the Board may propose these regulations pursuant to § 36-73 of the *Code of Virginia*. In addition, the Board's action is exempt from Article 2 of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of *Virginia*) pursuant to § 2.2-4006(A)(12).

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.