



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Common Interest Community Board
<b>Virginia Administrative Code (VAC) citation</b>	18 VAC 48-50
<b>Regulation title</b>	Common Interest Community Manager Regulations
<b>Action title</b>	Amendment to Code Citation in CIC Manager Regulations (Exempt Action)
<b>Final agency action date</b>	April 2, 2010
<b>Document preparation date</b>	April 9, 2010

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

Chapter 557 of the Acts of the 2009 General Assembly, which was the result of SB 1143, amended, among other sections, §54.1-2351.H. This amendment changed the Board's authority to assess a monetary penalty of "not more than \$1,000 per violation against any *person* that violates any provision of this section [emphasis added]" to "not more than \$1,000 per violation against any *governing board* that violates any provision of this section [emphasis added]." This amendment caused this section to no longer be applicable to common interest community managers, thus the reference to § 54.1-2351.H in the Board's Common Interest Community Manager regulations that provides the grounds for disciplinary action imposed by the Board must be amended to reference § 54.1-202 of the Code of Virginia as it is applicable to "any person licensed or certified by a regulatory board who violates any statute or regulations pertaining to that regulatory board who is not criminally prosecuted."

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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On March 2, 2010, The Common Interest Community Board authorized the filing of an exempt action to amend the Common Interest Community Manager Regulations as a result of the approval of SB 1143.

### Family impact

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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The contemplated changes are not anticipated to have any significant impact on Virginia's families.