



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Stephen W. Calhoun
Regulatory Coordinator
Department of Housing and Community Development

From: Eric A. Gregory
Assistant Attorney General

Date: May 11, 2007

Subject: Letter of Assurance for Virginia Certification Standards (13 VAC 5-21)

I have reviewed the Virginia Certification Standards (13 VAC 5-21) that were posted on the Virginia Regulatory Town Hall internet site on April 3, 2007. In my view, as counsel to the Department of Housing and Community Development, the Department may promulgate these regulations pursuant to authority granted by § 36-137 the *Code of Virginia*. This memorandum does not address compliance or non-compliance with the procedural requirements governing the promulgation process pursuant to § 2.2-4007 of the *Code of Virginia*. The proposed 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.

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.

