



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: September 24, 2019

Subject: Letter of Assurance for Amendments to the Enterprise Zone Grant Program Regulation, 13 VAC 5-112.

I have reviewed the Board of Housing and Community Development's proposed amendments to the Enterprise Zone Grant Program Regulation, 13 VAC 5-112. In my view the Board of Housing and Community Development has the authority to promulgate these regulations pursuant to § 59.1-541 of the *Code of Virginia*. Additionally, these amendments are exempt from the Administrative Process Act according to § 2.2-4006(A)(4)(a). The regulations do not appear, on their face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with 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 regulations.