



# **COMMONWEALTH of VIRGINIA**

*Office of the Attorney General*

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## **MEMORANDUM**

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

**From:** Justin I. Bell  
Assistant Attorney General

**Date:** October 3, 2019

**Subject:** Letter of Assurance for Cooling Temperature Amendment, 13 VAC 5 – 63.

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I have reviewed the Department of Housing and Community Development's Cooling Temperature Amendment which makes permanent the modification to the minimum cooling temperature amendments in the Emergency Cooling Regulations effective May 15, 2019. In my view, as counsel to the Board of Housing and Community Development, these regulations may be promulgated with these changes pursuant to §§ 36-98 and 2.2-4006(A)(12) 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.

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.