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## Exempt Action: Final Regulation Agency Background Document

<b>Agency name</b>	Real Estate Board
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	18 VAC135-50
<b>VAC Chapter title(s)</b>	Fair Housing Regulations
<b>Action title</b>	Amendments to incorporate new protected classes enacted by 2020 Acts of Assembly
<b>Final agency action date</b>	July 16 and August 26, 2020
<b>Date this document prepared</b>	August 27, 2020

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

During the 2020 Session of the General Assembly, the legislature enacted Chapters 477, 1137 and 1140 which amended the Virginia Fair Housing Law (§ 36-96.1 et seq. of the Code of Virginia), effective July 1, 2020. The Real Estate Board and the Fair Housing Board are updating their regulations to conform to the statutory changes.

The regulations being amended (18 VAC 135-50 et seq.) contain language adding four new protected classes, conforming the relevant regulations to the amended Code of Virginia. The boards are promulgating this regulatory action to conform the regulations to the law and there is no agency discretion pursuant to § 2.2-4006.A.4.a of the Code of Virginia.

### **Mandate and Impetus**

*Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."*

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This regulatory change is mandated by the statutory amendments enacted during the 2020 Session of the General Assembly.

### **Statement of Final Agency Action**

*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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The Real Estate Board reviewed and adopted the exempt action to the "Fair Housing Regulations" on July 16, 2020. The Fair Housing Board reviewed and adopted the exempt action on August 26, 2020.