



# **COMMONWEALTH of VIRGINIA**

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## **MEMORANDUM**

**To:** Trisha Henshaw  
Executive Director  
Virginia Department of Professional and Occupational Regulation – Board for Asbestos, Lead, and Home Inspectors

**From:** Joshua E. Laws  
Assistant Attorney General

**Date:** January 3, 2022

**Subject:** Letter of Assurance for Proposed Regulations – Amendments to Regulations - 2021 Home Inspector Temporary Fee Reduction found at 18VAC15-40

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I have reviewed the Department of Professional and Occupational Regulation’s (“the Department”) proposed Amendments to the Board for Asbestos, Lead, and Home Inspectors Regulations - 2021 Home Inspector Temporary Fee Reduction found at 18VAC15-40 that was posted on the Virginia Regulatory Town Hall on December 29, 2021. In my view, as counsel to the Department of Professional and Occupational Regulation and the Board for Asbestos, Lead, and Home Inspectors, these regulations may be promulgated pursuant to Title 54.1 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. Further, I certify that the proposed changes are exempt from the

Administrative Process Act under Code of Virginia §§ 2.2-4006(A)(3) and (6) because the regulations consist only of changes in style or form or corrections of technical errors and because these are regulations of a regulatory board served by the Department of Professional and Occupational Regulation pursuant to Title 54.1 and are limited to reducing fees charged to regulants and applicants.

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.