



# **COMMONWEALTH of VIRGINIA**

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## **MEMORANDUM**

**To:** Trisha Henshaw  
Executive Director  
Common Interest Community Board

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

**Date:** March 19, 2020

**Subject:** Letter of Assurance for Amended Regulations for Developer and Reseller Trade or Fictitious Name Requirements — found at 18 VAC48-45

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I have reviewed the Department of Professional and Occupational Regulation, Common Interest Community Board's proposed Amended Regulations for Developer and Reseller Trade or Fictitious Name Requirements — found at 18 VAC48-45 that was posted on the Virginia Regulatory Town Hall on March 19, 2020. In my view, as counsel to the Department of Professional and Occupational Regulation and the Common Interest Community Board, these regulations may be promulgated pursuant to Titles 54.1 and 55.1 of the Code of Virginia. Further, I certify that the proposed changes are exempt from the Administrative Process Act under Code of Virginia § 2.2-4006(A)(4)(c) as they are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. 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.