



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Anthony Clatterbuck, Chairman
Board for Housing and Community Development
Department of Housing and Community Development

Stephen Calhoun, Secretary
Board for Housing and Community Development
Department of Housing and Community Development

From: Steven P. Jack
Assistant Attorney General

Date: December 3, 2012

Subject: Letter of Assurance for Amendments to Procedures for the Allocation of Low-Income Housing Tax Credits Regulations.

I have reviewed the Board for Housing and Community Development's proposed repeal of the Procedures for the Allocation of Low-Income Housing Tax Credits Regulations, 13 VAC 5-170-10 *et seq.*, that were posted on the Virginia Regulatory Town Hall Internet site on December 3, 2012. In my view, as counsel to the Board for Housing and Community Development, these regulations may be repealed pursuant to the authority in § 36– 137 of the *Code of Virginia*.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.