



COMMONWEALTH of VIRGINIA

Office of the Attorney General
Richmond 23219

Robert F. McDonnell
Attorney General

900 East Main Street
Richmond, Virginia 23219
804 - 786 - 2071
804 - 371 - 8946 TDD

MEMORANDUM

To: R. Schaefer Oglesby, Chairman
Real Estate Board
Department of Professional and Occupational Regulation

Christine Martine, Executive Director
Real Estate Board
Department of Professional and Occupational Regulation

From: Eric A. Gregory
Assistant Attorney General
Counsel to the Real Estate Board

Date: December 4, 2006

Subject: Letter of Assurance for Proposed Real Estate Board Regulation (18 VAC 135-20)

I have reviewed the Proposed Real Estate Board Regulation submitted by the Real Estate Board and posted on the Virginia Regulatory Town Hall internet site on November 4, 2006. In my view, as counsel to the Real Estate Board, the Board may promulgate these regulations, pursuant to authority granted by §§ 54.1-201(5) and 54.1-2105(A) of the *Code of Virginia*. The proposed regulation and the amendments contained therein 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 does not address conformance or non-conformance with the procedural requirements by which these regulations are being promulgated pursuant to § 2.2-4007 of the *Code of Virginia*. 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.

