



# *COMMONWEALTH of VIRGINIA*

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**To:** Ms. Anika Coleman, Executive Director  
Real Estate Board  
Virginia Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233

**From:** James M. Flaherty  
Senior Assistant Attorney General

**Date:** July 31, 2024

**Subject:** Letter of Assurance for 18 VAC 135-20 et al  
Exempt Action

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I have reviewed the Real Estate Board's amendments to their Regulations. In my view, as counsel to the Real Estate Board, the Board may promulgate these regulations as an exempt action pursuant to §2.2-4006(A)(4)(a) of the Code of Virginia. The Board has the authority to promulgate these regulations pursuant to §54.1-2105 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.

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