



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**To:** Christine Martine  
Executive Director  
Virginia Department of Professional and Occupational Regulation – Fair Housing Board

**From:** R. Thomas Payne II  
Senior Assistant Attorney General

**Date:** December 19, 2019

**Subject:** Letter of Assurance for Periodic Review of Regulations – Rules and Regulations Relating to Public Participation Guidelines found at 18 VAC 62-10

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In accordance with the Code of Virginia and Executive Order 14 (2018), a periodic review of a regulation every four years shall include an examination by the Office of the Attorney General to ensure statutory authority. In that regard, I have reviewed the proposed Public Participation Guidelines, 18 VAC 62-10-10 *et seq.* by the Fair Housing Board (the “Board”). In my view, as counsel to the Virginia Fair Housing Board, the Board may promulgate these regulations, pursuant to §§ 2.2-4007.02, 36-96.8, and 54.1-201 of the *Code of Virginia*. The proposed 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.

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.