



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Robert F. McDonnell
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

MEMORANDUM

To: Pia Trigiani, Chairman
Common Interest Community Board
Department of Professional and Occupational Regulation

Trisha Henshaw, Executive Director
Common Interest Community Board
Department of Professional and Occupational Regulation

From: Steven P. Jack
Assistant Attorney General

Date: May 11, 2009

Subject: Letter of Assurance for Proposed Board Regulations 18 VAC 48-20

I have reviewed the Common Interest Community Board's proposed adoption of condominium regulations, particularly 18 VAC 48-20-10 *et seq.*, that were listed on the Virginia Regulatory Town Hall Internet site on May 8, 2009. In my view, as counsel to the Common Interest Community Board, these regulations may be promulgated pursuant to §§ 54.1-201(5) and 55-79.98 of the *Code of Virginia*. Further, the adoption of these regulations is exempt from the requirements of the Administrative Process Act pursuant to § 2.2 – 4006.A.4.a 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.