



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Trisha Henshaw
Executive Director
Common Interest Community Board

From: Joshua E. Laws
Assistant Attorney General

Date: September 9, 2020

Subject: Letter of Assurance for Amendments to Common Interest Community Time-Share Regulations found at 18 VAC 48-45

I have reviewed the Department of Professional and Occupational Regulation's (the Department) proposed Amendments to Common Interest Community Time-Share Regulations found at 18 VAC 48-45 that were posted on the Virginia Regulatory Town Hall on September 9, 2020. In my view, as counsel to the Department of Professional and Occupational Regulation and the Common Interest Community Board, these regulations may be promulgated pursuant to Titles 54.1 and 55.1 of the Code of Virginia Senate Bill 584 — enacted at Chapter 1011, 2020 Acts of Assembly. Further, I certify that the proposed changes are exempt from the Administrative Process Act under Code of Virginia § 2.2-4006(A)(4)(a) as they are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. 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.