



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: Kyle Flanders
Senior Policy Analyst
Department of Housing and Community Development

From: Justin I. Bell
Assistant Attorney General

Date: November 6, 2020

Subject: Letter of Assurance for Update Application Procedures for the Enterprise Zone Grant Program Regulations, 13 VAC 5-112.

I have reviewed the Board of Housing and Community Development's proposed Update Application Procedures for the Enterprise Zone Grant Program Regulations, 13 VAC 5-112 that was posted to the Virginia Regulatory Town Hall. In my view, as counsel to the Board of Housing and Community Development, the Board may amend these regulations pursuant to § 59.1-541 of the *Code of Virginia*. In addition, these updates do not appear to be controversial and thus are eligible for the fast-track rulemaking process as by § 2.2-4012.1 of the *Code of Virginia*. The regulations and amendments do not appear, on their face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with 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.