



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

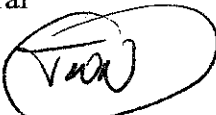
Robert F. McDonnell  
Attorney General

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

**MEMORANDUM**  
*VIA ELECTRONIC MAIL*

**TO:** Lorenzo Dyer  
Secretary  
Virginia Manufactured Housing Board

**FROM:** Thomas W. Nesbitt  
Assistant Attorney General

**DATE:** September 15, 2008 

**RE:** Statement of Authority and Exemption from Administrative Process Act Requirements for New Public Participation Guidelines Adopted by the Virginia Manufactured Housing Board

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I have reviewed the Final version of the public participation guidelines adopted by the Virginia Manufactured Housing Board ("the Board") on September 11, 2008. In my view, as legal counsel to the Board, the Board has the authority to adopt these public participation guidelines, pursuant to Chapter 321 of the 2008 Acts of Assembly. Additionally, it is my opinion that the Board's adoption of these public participation guidelines is an exempt action for purposes of the Article 2 of the Administrative Process Act because the newly adopted guidelines conform to the model public participation guidelines developed by the Department of Planning and Budget, in consultation with the Office of the Attorney General, on or before July 1, 2008, pursuant to Chapter 321 or the 2008 Acts of Assembly.