

**PROPOSED REGULATION OF THE
REAL ESTATE COMMISSION**

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: NRS 645.050 and NRS 645.190

EDUCATION FOR ORIGINAL LICENSE

NAC 645.400 “School” defined. (NRS 645.190, 645.343, 645.575) For the purposes of NAC 645.400 to 645.XXX, *NAC 645.804, NAC 645.913 and 645.919*, inclusive, “school” includes:

1. Any university, school or community college which is a part of the Nevada System of Higher Education, or any other university or college bearing the same or an equivalent accreditation.
2. Any professional school, ~~for~~ college, *or educational institution* licensed by the Nevada Commission on Postsecondary Education.

~~[3. Any out-of-state professional school or college licensed or accredited by a real estate commission, a department of education or an equivalent agency of any other state.]~~

Approval of School

NAC 645.403 Approval of school: Application. (NRS 645.190, 645.343) A school that wishes to offer courses to meet the educational requirements for licensure under chapter 645 of NRS must apply to the Commission annually for approval on a form prescribed by the Division and pay the appropriate fees. The application must include, without limitation:

1. The name and address of the school;
2. The type of school and a description of its facilities;
3. Information concerning the ownership of the school, including the business organization and the names and addresses of all directors, principals, officers and others having interests as owners;
4. A list of the instructors *applying to teach the course*;
5. ~~[A list of the courses to be offered and a topical syllabus for each]~~ *The title, course objective, justification and topical syllabus of the course*;
6. The allotment of time for ~~each subject~~ *the course*;
7. A proposed schedule of *the* course~~s~~ for 1 year;
8. The titles, authors and publishers of all required *and recommended* textbooks;
9. *A copy of all course materials, including coursebook, student handouts, instructor manual and all audio and visual aids and presentations. For a course of distance education, a written copy of all course materials is required in addition to the video, DVD, CD for a computer-based course or access code if the medium of delivery is the internet;*
10. A copy of each examination to be used and the correct answer for each question;

11. A statement of:

- (a) The purpose of the school;
- (b) The fees to be charged;
- (c) The days, times and locations of classes;
- (d) The number of quizzes and examinations;
- (e) The grading systems, including the methods of testing and standards of grading;
- (f) The requirements for attendance; and
- (g) The location of the students' records;

12. A statement as to whether the school or any instructor employed by the school has been disciplined by any governmental agency in this or any other state; and

13. A statement that to pass a course, a student must earn at least 75 percent of the points possible for the entire course.

NAC 645.404 Approval of school: Conditions of approval; evidence of licensure required from certain schools. (NRS 645.190, 645.343)

1. If a school has applied for and received the Commission's approval to offer courses to meet requirements for licensure under chapter 645 of NRS, the school shall, as a condition of the approval:

(a) Maintain a record of each student's attendance and certification in any of those courses for 7 years after his enrollment and shall have such records open to inspection by the Division, upon its request, during the school's business hours.

(b) Upon a transferring student's request, furnish the school to which he is transferring a copy of his attendance record and certification for each of those courses which he has completed.

(c) Upon a student's request, furnish the Division a transcript of the record of his grades and attendance.

2. A school that does not meet the definition of a "school" set forth in ~~either~~ subsection 1 ~~for 3~~ of NAC 645.400 must provide evidence to the Division that the school is licensed to operate by the Commission on Postsecondary Education.

NAC 645.440 Courses required for original licensing: Approval of school; acceptance without prior approval of school. (NRS 645.190, 645.343)

1. Except as otherwise provided in subsection 2, before any school offers or conducts a course of instruction designed to fulfill the educational requirements for issuance of an original license under chapter 645 of NRS, the school must be approved by the Commission.

2. Unless the course is a course in broker management, the Commission may accept such a course from any of the following schools without prior approval of the school:

(a) Any university, school or community college of the Nevada System of Higher Education, or other university or college bearing the same or equivalent accreditation.

(b) Any other school offering a course in real estate, business or economics if the course is:

(1) Approved by any real estate commission or division in any state of the United States or province of Canada; or

(2) In the judgment of the Commission, equivalent in quality to the courses of colleges or universities accredited by any regional accrediting agency recognized by the United States Department of Education.

(c) The American Institute of Real Estate Appraisers, the American Society of Appraisers, the Appraisal Institute, the International Association of Assessing Officers or the Society of Real Estate Appraisers for courses in real estate appraisal consisting of not less than 45 hours of

instruction. Forty-five hours of instruction shall be deemed to be the equivalent of 3 semester credits in appraisal.

NAC 645.407 Approval of school: Notice of material change in information provided in application; annual renewal of approval; denial of renewal. (NRS 645.190, 645.343)

1. Within 15 days after the occurrence of any material change in the information provided by the school in its application pursuant to NAC 645.403 which would affect its approval by the Commission, the school shall give the Division written notice of that change.
2. To qualify for annual renewal of approval by the Commission, a school must submit to the Commission before July 1:
 - (a) A written certification, in a form prescribed by the Division, declaring that the school has met all applicable requirements of this chapter;
 - (b) A sworn statement, in a form prescribed by the Division, declaring that the information contained in the original application is current or, if it is not current, a list of all material changes; and
 - (c) Payment of the appropriate fee for each course for which renewal is being sought.
3. The Commission may deny renewal of approval to any school that does not meet the standards required by this chapter.
4. Within 60 days after a decision is made to deny renewal of approval, the Commission must give written notice of the decision and the basis for that decision by certified mail to the last known address of the school.

Approved Schools

NAC 645.410 Approved schools: General requirements for certification of students. (NRS 645.190, 645.343)

1. Except as otherwise provided in NAC 645.412, a school which the Commission has approved to give a course fulfilling the educational requirements for original licensing shall require each student to attend the required number of hours of instruction, *or, for a course of distance education, expend the required number of hours of study* and take at least two examinations in the course as a condition of receiving certification for the course.
2. The school may certify only the number of hours for which the course has been approved by the Commission.
3. The entire course must be completed by the applicant or licensee to satisfy the licensing requirements.
4. For the purposes of this section:
 - (a) An “hour of instruction” means 50 minutes or more; and
 - (b) One semester credit is equal to 15 hours of instruction.

~~[NAC 645.412 Approved schools: Certification of students taking courses by correspondence. (NRS 645.190, 645.343) If the Commission approves a school to give a course of study which fulfills the educational requirements for an original license and the school offers the course by correspondence, the school shall:~~

- ~~—1. Require each student to:~~
- ~~—(a) Take a closed book final examination with a proctor present at a location designated by the school in its application for approval filed with the Commission;~~

~~—(b) Take two progress examinations or quizzes in addition to the final examination;~~
~~—(c) Prove his identity before he is allowed to take any examination; and~~
~~—(d) Complete each course within an established minimum and maximum time.~~
~~—2. Certify the completion of only the number of hours for which the course has been approved by the Commission. A portion of a course does not satisfy the requirements for a license.]~~ **MOVED TO DISTANCE EDUCATION**

~~[NAC 645.420 Approved schools: Misrepresentation in advertising prohibited. (NRS 645.190, 645.343) A school approved by the Commission shall not make any misrepresentation in its advertising about any course of instruction which is offers to fulfill requirements for licensing under this chapter.]~~ **SEE EDUCATION - GENERAL**

NAC 645.442 Real estate examination: Restrictions on persons associated with school.
(NRS 645.190, 645.343)

1. An owner, instructor, or affiliate of a school approved by the Commission or other person associated with the school shall not take a real estate examination conducted by the Division or its agent unless he first submits to the Division:

(a) A written statement that his purpose in taking the examination is to fulfill one of the requirements for obtaining a license; and

(b) A written agreement to apply for a license upon passing the examination.

2. Such a school or anyone associated with its operation shall not:

(a) Solicit information from any person for the purpose of discovering past questions asked on any such examination; or

(b) Distribute to any person a copy of the questions or otherwise communicate to him the questions without the prior written approval of the owner of the copyright to the questions.

Pre-licensing Education Standards

NAC 645.430 Satisfaction of requirement for course in principles of real estate to obtain original license as broker or broker-salesman. (NRS 645.190, 645.343) The course in principles, practices, ethics, law and procedures which is required for a salesman's license under subsection 1 of NRS 645.343 and was approved by the Commission before November 1, 1977, fulfills the requirement under subsection 2 of NRS 645.343 for a course of 3 semester units in the principles of real estate for an original broker's or broker-salesman's license.

NAC 645.435 Course required to obtain original license as salesman. (NRS 645.190, 645.343)

1. A course of instruction in real estate principles, practices, procedures, law and ethics which is designed to meet the educational requirements of an applicant for an original license as a salesman must consist of:

(a) At least 90 hours of classroom lectures; or

(b) The equivalent ~~[in a correspondence or extension course]~~ *course by any approved method of distance education delivery.*

2. The content of the course must be divided among subjects listed in NAC 645.210, including:

(a) At least 45 hours on the principles and practices of real estate, which must include:

- (1) Brokerage and laws of agency, 21 hours.
- (2) Valuation and economics, 12 hours.
- (3) Finance, 12 hours.
- (b) At least 45 hours on the law of property and the regulation of brokers and salesmen and the ethics of selling real estate, which must include:
 - (1) Ownership, transfer and use of property, 25 hours.
 - (2) Chapters 113, 116, 119, 119A, 645, 645C and 645D of NRS and the regulations adopted pursuant thereto, 18 hours.
 - (3) Applied practice and statutory disclosures, 2 hours.

NAC 645.437 Approval of course in broker management required to obtain original license as broker or broker-salesman. (NRS 645.190, 645.343)

1. A course of instruction in broker management that is designed to fulfill the educational requirements for issuance of an original license which are described in paragraph (d) of subsection 2 of NRS 645.343 must be approved by the Commission.

2. To be approved by the Commission, a course in broker management must include, without limitation:

- (a) Six hours of instruction relating to office policy and procedure, risk management, errors and omissions, controlled business arrangements, compensation, employee-employer relationships and the status of independent contractors;
 - (b) Three hours of instruction relating to creating business plans;
 - (c) Three hours of instruction on forms used by real estate brokerages for real estate transactions;
 - (d) Six hours of instruction that provides an overview of programs for financing real estate transactions, including, without limitation, terminology relating to such programs, the cost of transactions, customary transaction closing costs, and transaction cost and net sheets;
 - (e) Six hours of instruction in state and local laws;
 - (f) Six hours of instruction on federal laws governing real estate transactions;
 - (g) Six hours of instruction on professional relationships between agents and their clients;
 - (h) Three hours of instruction on valuation of real estate and general principles of economics;
- and
- (i) Six hours of instruction on emerging trends and practices.

3. The Division shall not accept a course in broker management required pursuant to paragraph (d) of subsection 2 of NRS 645.343 unless the course and the school that offers the course have been approved by the Commission.

NAC 645.441 Courses required for original licensing: Unacceptable courses. (NRS 645.190, 645.343)

1. The Division shall not accept an applicant's completion of any course which is designed to prepare students for examination, commonly known as a "cram course," as fulfillment of the educational requirements for his original licensing.

2. None of the following kinds of courses will be accepted from an applicant as fulfillment of the education which is required by subsections 1 to 4, inclusive, of NRS 645.343 for original licensing:

- (a) Courses designed to develop or improve clerical, office or business skills that are not related to the activities described in NRS 645.030, 645.035 and 645.040, such as typing,

shorthand, operation of business machines, the use of computers, the use of computer software, improvement of memory, or writing of letters and reports;

(b) *Courses that promote or sell products or services;* or

(c) Business courses in advertising or psychology.

~~{3. The Division shall not accept a course in broker management required pursuant to paragraph (d) of subsection 2 of NRS 645.343 unless the course and the school that offers the course have been approved by the Commission.}~~ **MOVED TO 645.437 above.**

NAC 645.442 MOVED TO “Approved Schools”

~~{NAC 645.4432 Duties of sponsor of approved course; period and renewal of approval of course; review and audit by Division; grounds for withdrawal of or refusal to renew approval of course; disciplinary action against licensee who sponsors approved course. (NRS 645.190, 645.575)}~~

~~—1. The sponsor of an approved course:~~

~~—(a) Shall not allow a licensee to pass the course by taking an examination without having the required attendance;~~

~~—(b) Shall admit authorized personnel of the Division to audit and evaluate the presentation of the course;~~

~~—(c) Shall notify the Division within 15 days after making any material change in the course; and~~

~~—(d) Shall not present a course for the main purpose of selling products and shall limit the announcement of products during the course to not more than 1 minute for each credit hour.~~

~~—4.2. Each approved course and instructor is subject to review and audit by the Division. If the Division conducts such a review or audit, the sponsor shall make available to the Division all records requested which are necessary to the review.}~~ **SEE Education – General below.**

DISTANCE EDUCATION

NAC 645.443 Approval of distance education course. (NRS 645.190, 645.575)

1. A person who requests approval of a distance education course must demonstrate to the satisfaction of the Commission that the proposed distance education course satisfies the following requirements:

(a) The course must be designed to ensure that students actively participate in the instructional process by utilizing techniques that require substantial interaction with the instructor, other students or a computer program. If the subject matter of the course is such that the learning objectives for the course cannot be reasonably accomplished without direct interaction between the instructor and the students, the course design must provide for such interaction.

(b) If the course does not provide students with the opportunity for continuous audio and visual communication with the instructor during the presentation of the course, the course must utilize testing and remedial processes appropriate to ensure mastery of the subject matter of the course by the students.

(c) If the course involves self-paced study, the course must be designed so that the time required for a student of average ability to complete the course is within the number of hours for which the course is approved, and the sponsor of the course shall utilize a system which ensures

that students have actually performed all tasks designed to ensure participation and mastery of the subject matter of the course by the students.

(d) The proposed methods of instruction used in the course must be appropriate to the proposed learning objectives of the course, and the scope and depth of the instructional materials must be consistent with the proposed learning objectives.

(e) The sponsor of the course shall provide appropriate technical support to enable students to complete the course satisfactorily.

(f) An approved instructor must be reasonably available to respond timely to questions asked by students concerning the subject matter of the course and to direct students to additional sources of information. For the purposes of this paragraph, a response by an approved instructor shall be deemed timely if the response is made within 2 business days after the question is submitted.

(g) The sponsor of the course shall provide students with an orientation or information package which contains all information that the Division requires to be provided to students and all necessary information about the course, including, without limitation, information concerning fees and refund policies, subject matter and learning objectives, procedures and requirements for satisfactory completion, any special requirements with regard to computer hardware and software or other equipment, and instructor and technical support. The sponsor shall make available to students technical support relating to the use of any computer hardware or software, or other equipment or technology needed to complete the course.

(h) The sponsor of the course shall utilize procedures which reasonably ensure that a student who receives continuing education credit for completing the course actually performed all the work required to complete the course. If the course involves independent study by students, such procedures must include, without limitation, the opportunity for direct contact by the sponsor with the student at the student's home or business via the telephone or electronic mail and a signed statement by the student certifying that he personally completed all course work. The sponsor shall retain such signed statements and records of student contact together with all other course records the sponsor must maintain.

2. A sponsor seeking approval of a computer-based distance education course must submit a complete copy of the course to the Division in the medium to be used and, if requested, must make available, at a date and time satisfactory to the Division and at the sponsor's expense, all equipment and software necessary to enable the Division to review the course. In the case of an Internet-based course, the sponsor shall provide the Division with access to the course via the Internet at no charge at a date and time satisfactory to the Division.

3. In determining whether to approve a distance education course pursuant to this section, the Commission will consider whether:

(a) The course consists of at least 3 hours of instruction;

(b) Students are required to complete a written examination proctored by a person acceptable to the Division or using a secure electronic method ~~acceptable to the Division~~ *approved by the Commission*; and

(c) The course is presented by an accredited college or university that offers distance education in other disciplines, or whether the course design and method of delivery has been accredited by an accrediting agency which accredits distance education and which is approved by the Commission. For an accrediting agency to be approved by the Commission for the purposes of this paragraph, the accrediting agency must use the following considerations when making its determination on whether to accredit a distance education course:

- (1) The mission statement of the sponsor of the course;
- (2) The minimum design of the course and the procedures for updating the course;
- (3) The interactivity of the instruction with the students;
- (4) Whether the instruction provided in the course teaches mastery of the course material;
- (5) The support services that are available to students;
- (6) The medium through which the course is delivered to students;
- (7) A time study of the range of instructional hours for which a course should be approved or accredited;
- (8) For each module of instruction, whether there is:
 - (I) At least one learning objective for the module of instruction;
 - (II) A structured learning method to enable the student to achieve each such learning objective;
 - (III) A method of assessment of the student's performance during the module of instruction; and
 - (IV) A method of remediation pursuant to which a student who, based on the assessment of his performance, is determined to be deficient in his mastery of the course material may repeat the module until the student understands the course material; and
- (9) Whether a complete syllabus or student manual, or both, for all courses or programs is provided in written form and includes accurate and clearly stated information about admissions, progression, completion, criteria, dismissal and any applicable licensing requirements.

NAC 645.412 Approved schools: Certification of students taking courses by ~~correspondence~~ distance education. (NRS 645.190, 645.343) If the Commission approves a school to give a course of study which fulfills the educational requirements for an original license and the school offers the course by ~~correspondence~~ *any method of distance education delivery*, the school shall:

1. Require each student to:
 - (a) Take a closed-book final examination with a proctor present at a location designated by the school in its application for approval filed with the Commission; *or*
 - (b) *Take a closed-book final examination with or without a proctor present by a method of secure online testing approved by the Commission; and*
 - (c) Take two progress examinations or quizzes in addition to the final examination;
 - (d) Prove his identity before he is allowed to take any examination; and
 - (e) Complete each course within an established minimum and maximum time.
2. Certify the completion of only the number of hours for which the course has been approved by the Commission. A portion of a course does not satisfy the requirements for a license.

POSTLICENSING EDUCATION

NAC 645.4442 Courses required for first-year licensees; ~~exempt licensees;~~ standards for courses. (NRS 645.190, 645.575)

1. Except as otherwise provided in subsection 2, each first-year licensee shall take a prescribed postlicensing course of education that focuses on practical applications of real estate transactions. The postlicensing course:

- (a) Must not repeat the content of the course work required to meet the educational requirements for an original license;
- (b) Must constitute the ~~[30]~~ 45 hours of education required pursuant to NRS 645.575;
- (c) Must be offered in modules *pursuant to subsection 4*; and
- (d) Must be provided through live instruction in which the licensee and the instructor are in the same room, except that first-year licensees who live in a rural area may, with the prior written approval of the Division, take the postlicensing course as an interactive or televideo course that involves interaction with the instructor and other students.

~~[2. The requirement for postlicensing education set forth in subsection 1 does not apply to a first-year licensee who:~~

- ~~— (a) Holds a real estate license issued by another state or territory of the United States, or the District of Columbia, on the date on which the first-year licensee obtains a real estate license issued by the State of Nevada;~~
- ~~— (b) Held a license as a real estate broker, real estate broker-salesman or real estate salesman issued by the State of Nevada within the 5 years immediately preceding the date on which the first-year licensee obtained a license as a real estate salesman; or~~
- ~~— (c) Is licensed as a real estate broker-salesman and obtained the qualifications for licensure as a real estate broker-salesman pursuant to the provisions of subsection 4 of NRS 645.343.]~~

MOVED BELOW

3. The postlicensing course may include material that has not previously been approved or allowed for continuing education credit. Courses approved for postlicensing education will not be accepted or approved as a course for continuing education.

4. The curriculum for postlicensing education must contain at least 15 modules that include, without limitation:

- (a) Real estate contracts, including the writing and presenting of a purchase agreement and qualifying prospects;
- (b) The listing process, market analysis and inspections;
- (c) Communication, technology and records management, including time management, goal setting and devising a plan of action;
- (d) Buyer representation, including the buyer's brokerage contract, fiduciary duties, disclosures, cooperation between agents and new-home tracts;
- (e) Professional conduct, etiquette and ethics;
- (f) Advertising, including Regulation Z of the Truth in Lending Act of the Federal Trade Commission issued by the Board of Governors of the Federal Reserve System, 12 C.F.R. Part 226, fair housing, the multiple-listing service, Internet websites and electronic mail;
- (g) Proceeds of sale, costs of sale and cost sheets;
- (h) Agency relationships;
- (i) Land;
- (j) Regulatory disclosures, including disclosures required by federal, state and local governments;
- (k) Property management and the management of common-interest communities;
- (l) Escrow, title and closing processes;
- (m) Financing;
- (n) Negotiation; and
- (o) Tax opportunities and liabilities related to the client.

NAC 645.XXXX Exempt licensees

1. The requirement for postlicensing education set forth in ~~subsection 1~~ NAC 645.4442 does not apply to a first-year licensee who:

(a) Holds a real estate license issued by another state or territory of the United States, or the District of Columbia, on the date on which the first-year licensee obtains a real estate license issued by the State of Nevada;

(b) Held a license as a real estate broker, real estate broker-salesman or real estate salesman issued by the State of Nevada within the 5 years immediately preceding the date on which the first-year licensee obtained a license as a real estate salesman; or

(c) Is licensed as a real estate broker-salesman and obtained the qualifications for licensure as a real estate broker-salesman pursuant to the provisions of subsection 4 of NRS 645.343.

2. A licensee who is exempt from the requirement to take postlicensing education pursuant to subsection 1. must obtain 45 credit hours of education for the first-year renewal of his license, which may comprise, without limitation:

(a) 45 hours of postlicensing education;

(b) 24 hours of the prescribed continuing education courses as described in NAC 645.448, including 3 hours of broker management continuing education for broker and broker-salesman, and an additional 6 hours of any other continuing education courses;

(c) 24 hours of the prescribed continuing education courses as described in NAC 645.448, including 3 hours of broker management continuing education for broker and broker-salesman, and an additional 6 hours of any postlicensing modules; or

(d) any combination of postlicensing modules and continuing education courses, as described in NAC 645.448, including 3 hours of broker management continuing education for broker and broker-salesman, totaling 45 credit hours.

NAC 645.4444 ~~Approval~~ Application and accreditation of courses~~; certificate of completion~~. (NRS 645.190, 645.575)

1. An application for the approval of a course for postlicensing education must be submitted to the Division on a form provided by the Division for review and presentation to the Commission.

2. The Commission will not grant retroactive approval for a course in postlicensing education.

3. The Commission will grant credit for a course for postlicensing education *that meets the standards set forth in NAC 645.4442* only if the sponsor of the course:

~~—(a) Certifies the attendance of the licensees who take the course for credit;~~
~~—(b) Maintains for at least 4 years a record of attendance which contains the following information with respect to each licensee who has taken the course for credit:~~

~~—(1) The name of the licensee in attendance and the number of his license;~~

~~—(2) The title and number of the course;~~

~~—(3) The hours of instruction attended and the dates of attendance by the licensee; and~~

~~—(4) A statement that the licensee has successfully completed the course.]~~

(c) Assures the Commission that an approved instructor will preside throughout the course.

(d) Requires each licensee who takes the course to:

(1) Take a closed-book final examination with a proctor present at a location designated by the sponsor in its application for approval filed with the Division and to receive a score of at least 75 percent to pass the course;

- (2) Prove his identity before he is allowed to take any examination; and
- (3) Complete the entire course to receive credit for taking the course.
- (e) Gives credit for only the number of hours for which the course has been approved by the Division to a licensee who completes the course.
- (f) Publishes a policy for retaking an examination which a licensee has failed.

NAC 645.XXXX Duties of sponsor of approved course; information required on course materials; restriction on attendance.

1. The sponsor of an approved postlicensing course shall:

- (a) Certify ~~lies~~ *to the Division pursuant to NRS/NAC 645* the attendance of the licensees who take the course for credit.
- (b) Maintain for at least 4 years a record of attendance which contains the following information with respect to each licensee who has taken the course for credit:
 - (1) The name of the licensee in attendance and the number of his license;
 - (2) The title and number of the course;
 - (3) The hours of instruction attended and the dates of attendance by the licensee; and
 - (4) ~~[A statement that the licensee has successfully completed the course.]~~ *A statement indicating that the licensee has successfully completed the course.*
- (c) ~~[If a course has been approved and is being offered for postlicensing education, the sponsor must s]~~ State on all the course materials:
 - ~~(a)1~~ (1) That the course is approved for postlicensing education in Nevada;
 - ~~(b)2~~ (2) The number of hours of credit for postlicensing education for which the course is approved; and
 - ~~(c)3~~ (3) The number of the sponsor assigned by the Division.
- 2. If a course offered by a sponsor that is a professional organization has been approved for postlicensing education, the sponsor shall not restrict attendance at the course to members of that organization.

NAC 645.XXXX Certificate of completion.

- ~~[4.]~~ ***1. If a course for postlicensing education has been approved, t*** The sponsor of ~~[the]~~ *an approved* course *for postlicensing education* shall provide a certified copy of the record of completion to the licensee upon his completion of the course. The Division shall accept the certificate, *pursuant to NRS/NAC 645* as proof of completion of the course by the licensee. The certificate of a sponsor must contain:
- (a) The name of the sponsor *and address*;
 - (b) The name of the licensee and his license number;
 - (c) The title of the course and the number of hours for which the course has been approved;
 - (d) The dates of instruction;
 - (e) The number of the sponsor assigned by the Division and a statement that the course was approved by the Commission;
 - (f) The signature of the person who is authorized to sign for the sponsor; and
 - (g) A statement ~~[indicating]~~ that the licensee *has successfully completed* ~~[fulfilled the requirements to pass]~~ the course.

~~[NAC 645.4446 Information required on course materials; restriction on attendance. (NRS 645.190, 645.575)~~

~~—1. If a course has been approved and is being offered for postlicensing education, the sponsor must state on all the course materials:~~

~~—(a) That the course is approved for postlicensing education in Nevada;~~

~~—(b) The number of hours of credit for postlicensing education for which the course is approved; and~~

~~—(c) The number of the sponsor assigned by the Division.~~

~~—2. If a course offered by a sponsor that is a professional organization has been approved for postlicensing education, the sponsor shall not restrict attendance at the course to members of that organization.]~~

SEE “DUTIES OF SPONSOR” ABOVE

~~[NAC 645.4448 Notice of policy of sponsor concerning cancellations and refunds. (NRS 645.190, 645.575) Any advertising, promotional brochure or form for registration for a course for postlicensing education must contain, in writing, the policy of the sponsor concerning cancellations and refunds.]~~

SEE EDUCATION – GENERAL BELOW

CONTINUING EDUCATION

NAC 645.450 Standards for courses. (NRS 645.190, 645.575)

1. A course for continuing education must contain:

(a) Current information on real estate which will improve the professional knowledge of the licensee and enable him to give better service to the public.

(b) Information that relates to pertinent Nevada laws and regulations.

2. The Commission considers courses in the following areas to be acceptable for continuing education:

(a) Ethics of selling real estate, *including ethical agency representation and anti-trust laws; case studies, including disciplinary cases; violations of law, consumer protection;*

(b) *Current legislation and regulations, to include all recent changes, which concern the practice of real estate or licensees;* ~~[Legislative issues which concern the practice of real estate or licensees, including pending and recent legislation;]~~

(c) The administration *and enforcement* of real estate law and regulations, including licensing ~~[and enforcement];~~

(d) Real estate financing, including mortgages and other *financing and related* techniques;

(e) The measurement and evaluation of the market for real estate, including evaluations of sites, market data and studies of feasibility;

(f) The administration of real estate brokerage, including the management of the office, trust accounts and employees' contracts;

(g) Real estate mathematics;

(h) The management of real property, including *residential and commercial* leasing agreements, procedures for accounting and contracts for management;

(i) The exchange of real property;

(j) Planning and zoning for land use;

(k) Real estate securities and syndications;

- (l) Accounting and taxation as applied to real property;
- (m) The development of land;
- (n) Agency and subjects related to agency;
- (o) The use of calculators and other technologies as applied to the practice of real estate;
- (p) The preparation of real estate contracts; ~~and~~
- (q) *Disclosures, including common-interest communities, and condominium hotel resale certificates;*
- (r) *Energy and water conservation, environmental responsibility and the green market;*
- (s) *Commercial real estate;*
- (t) *Farm and Ranch perspectives;*
- (u) *Personal Development courses, including but not limited to:*
 - i) *Cross-cultural communications;*
 - ii) *International real estate transactions*

3. If the sponsor agrees to comply with the provisions of subsections 3 and 4 of NAC 645.455, NAC 645.457 and 645.463 and subsection 1 of NAC 645.4432, the Administrator may accept the following courses as meeting standards for continuing education without application or specific approval:

(a) Any course in real estate or a directly related subject if the course has been previously approved by the Commission.

(b) Any course in real estate or a directly related subject if the course is offered by an accredited university or community college for college credit.

4. The Commission may, upon application, approve a course conducted by any other school, professional society or organization if the Commission finds that the course meets the standards for continuing education.

5. The following kinds of courses and activities do not meet the standards for continuing education:

(a) A course designed to prepare students for examination.

(b) A course designed to develop or improve clerical, office or business skills that are not related to the activities described in NRS 645.030, 645.035 and 645.040, such as typing, shorthand, the operation of business machines, the use of computers, the use of computer software, speed-reading, the improvement of memory, and writing letters and reports.

(c) A meeting for the promotion of sales, a program of office training, or other activity which is held as part of the general business of the licensee.

(d) A course for the orientation of licensees, such as a course offered for that purpose through local real estate boards.

(e) A course for the development of instructors.

6. The Commission will not approve more than:

(a) Seven full hours of credit per day of instruction in a course for continuing education if a final examination is not given; or

(b) Eight full hours of credit per day of instruction in a course for continuing education if a final examination is given.

NAC 645.455 Approval and accreditation of courses; certificate of attendance or completion. (NRS 645.190, 645.575)

1. An application for the approval of a course for continuing education must be submitted to the Division on a form provided by the Division for review and presentation to the Commission.

2. The Commission may grant retroactive approval for a course for continuing education.

3. The Commission will grant credit for a course for continuing education only if:
 - (a) The course consists of at least 3 hours of distance education or instruction in a classroom.
 - (b) For a course of instruction in a classroom, the sponsor of the course:
 - (1) Certifies the attendance of licensees who take the course for credit.
 - (2) Maintains for at least 4 years a record of attendance which contains the following information with respect to each licensee who has taken the course for credit:
 - (I) The name of the licensee in attendance and the number of his license.
 - (II) The title and number of the course.
 - (III) The hours of instruction attended and dates of attendance by the licensee.
 - (IV) A statement that the licensee has successfully completed the course, if applicable.
 - (3) Assures the Commission that an approved instructor will preside throughout the course.
 - (c) For a course of distance education, the sponsor of the course:
 - (1) Requires each student to:
 - (I) Take a closed-book final examination with a proctor present at a location designated by the sponsor in its application for approval filed with the Division and receive a score of at least 75 percent to pass the course;
 - (II) Prove his identity before he is allowed to take any examination;
 - (III) Complete an entire course to receive credit for taking the course; and
 - (IV) Complete each course within an established minimum and maximum time.
 - (2) Gives credit for only the number of hours for which the course has been approved by the Division to a licensee who has completed the course.
 - (3) Publishes a policy for retaking an examination which a licensee failed.
 - (4) Maintains for at least 4 years a record of completion of the course which contains the following information with respect to each licensee who has taken the course for credit:
 - (I) The name of the licensee who completes the course and the number of his license.
 - (II) The title and number of the course.
 - (III) A statement that the licensee has successfully completed the course which includes, without limitation, the date that the course was completed and the number of hours completed.
4. If a course is approved, the sponsor shall provide a certified copy of the record of attendance or record of completion to the licensee upon his completion of the course. The Division shall accept the certificate as proof of the attendance of the licensee or completion of the course by the licensee for the purpose of renewal or reinstatement of his license. If the course is taken at a university or community college, the proof of attendance must be a certified transcript. The certificate of a sponsor must contain the:
 - (a) Name of the sponsor;
 - (b) Name of the licensee and his license number;
 - (c) Number of hours of credit for continuing education for which the course is approved;
 - (d) Dates of instruction for a course of instruction in a classroom;
 - (e) Date of completion of the course for a course of distance education;
 - (f) Title of the course or seminar;
 - (g) Number of the sponsor assigned by the Division and a statement that the course was approved by the Commission;
 - (h) Signature of the person authorized to sign for the sponsor;

- (i) Grade received by the licensee or a statement of whether the licensee passed the class if an examination was given; and
- (j) Manner in which instruction for the course was delivered.

NAC 645.457 Information required on course materials; restriction of attendance. (NRS 645.190, 645.575)

1. If a course has been approved and is being offered for continuing education, the sponsor must state on all the course materials:
 - (a) That the course is approved for continuing education in Nevada;
 - (b) The number of hours of credit for continuing education for which the course is approved;
 - (c) The number of the sponsor assigned by the Division; and
 - (d) The manner in which instruction for the course will be delivered.
2. If a course offered by a sponsor that is a professional organization has been approved for continuing education, the sponsor shall not restrict attendance at the course to members of that organization.

~~[NAC 645.458 Notice of policy of sponsor concerning cancellations and refunds. (NRS 645.190, 645.575) Any advertising, promotional brochure or form for registration for a course for continuing education must contain, in writing, the policy of the sponsor concerning cancellations and refunds.]~~ **SEE EDUCATION – GENERAL BELOW.**

NAC 645.463 Restrictions on receipt of credit for course. (NRS 645.190, 645.575)

1. A course may not be taken for credit to meet the requirements for continuing education more than once during any two consecutive periods for renewal of a license.
2. Courses taken to satisfy requirements for renewal or reinstatement of a license must be completed within 2 years immediately before the latest date for renewing or reinstating the license.
3. A licensee may receive credit for continuing education only upon certification by the sponsor that the licensee has attended and completed at least 90 percent of the course.
4. The sponsor shall determine whether a final examination is required for the completion of a course.

NAC 645.467 Credit for attendance at meeting of Commission. (NRS 645.190, 645.575)

1. The Commission will grant credit for continuing education, not to exceed 6 hours during a licensing period, to a licensee for attending a meeting of the Commission if:
 - (a) The meeting of the Commission for which credit for continuing education is being sought is not a hearing in which the licensee is participating as the result of a disciplinary action;
 - (b) The meeting of the Commission for which credit for continuing education is being sought lasts at least 3 hours; and
 - (c) The Commission certifies, for the purposes of providing credit for continuing education, the attendance of the licensee at the meeting.
2. If a licensee attends only part of a meeting of the Commission, the Division may determine the number of hours of credit, if any, that the licensee may receive for credit for continuing education pursuant to this section.

EDUCATION – GENERAL (ie. applicable to all 3 programs)

Duties of Sponsor

NAC 645.4432 Duties of sponsor of approved course; ~~[period and renewal of approval of course;]~~ review and audit by Division; ~~[grounds for withdrawal of or refusal to renew approval of course; disciplinary action against licensee who sponsors approved course.]~~ (NRS 645.190, 645.575)

1. The sponsor of an approved course:
 - (a) Shall not ~~[allow]~~ *administer an examination for the purpose of issuing the prescribed credit hours to* a candidate *for an original license or postlicensing or continuing education credit hours to a* licensee *who has not completed the required course of education; ~~[to pass the course by taking an examination without having the required attendance;]~~*
 - (b) Shall admit authorized personnel of the Division to audit and evaluate the presentation of the course;
 - (c) Shall notify the Division within 15 days after making any material change in the course;
 - (d) *Shall not present a course of education that promotes or sells products or services and shall limit the introduction of guest speakers during the course to not more than 1 minute per guest speaker; and*
- ~~[4.]~~**2.** Each approved course and instructor is subject to review and audit by the Division. If the Division conducts such a review or audit, the sponsor shall make available to the Division all records requested which are necessary to the review.

Instructors

NAC 645.425 ~~[Approved schools:]~~ Instructors; guest lecturers~~[- statement required in advertisements]~~. (NRS 645.190, 645.343) A school which conducts courses approved by the Commission:

1. May employ as instructors of those courses only persons who meet the qualifications set forth in NAC 645.426.
2. *Shall notify the Division on a form prescribed by the Division that a guest lecturer who is an expert in the related field is scheduled to present a part of the course and describe on that form the topic and instructional hours he will teach;*
3. *Said* guest lecturer~~[s who are experts in the related fields to a total of 9]~~ *shall not provide more than 10 percent of the* instructional hours per approved course.
- ~~[3. Shall include a statement that the school is approved by the Commission on all advertisements of the school.]~~

NAC 645.426 Instructors: Requirements for and restrictions on approval; appeal of denial of approval; periodic review and evaluation. (NRS 645.190, 645.343, 645.575)

1. An instructor must have written approval from the Division before teaching an approved course.
2. An applicant for approval as an instructor must apply on a form prescribed by the Division.
3. The Division shall not, without the approval of the Commission, approve a person as an instructor if the person:

(a) Has been disciplined by the Commission or the Division acting on behalf of the Commission:

(1) Within the immediately preceding 5 years; or

(2) More than one time; or

(b) Has been determined in an administrative or judicial proceeding to have violated any statute, rule, regulation or order pertaining to real estate in this or any other state.

4. A person may be approved as an instructor to teach an approved course relating to his principal occupation if:

(a) He has:

(1) A bachelor's degree or a more advanced degree, plus at least 2 years of full-time experience, in the field in which he will be providing instruction;

(2) Teaching experience of at least 75 hours in the field in which he will be providing instruction within the 3 years immediately preceding the date of his application for approval plus at least 3 years of full-time experience in that field;

(3) At least 6 years of full-time experience in the field in which he will be providing instruction; or

(4) Any combination of at least 6 years of college-level course work *relating to their principal occupation* and full-time experience in the field in which he will be providing instruction;

(b) He has a good reputation for honesty, integrity and trustworthiness; and

(c) He submits to the Division satisfactory documentation of his qualifications and a resume outlining his experience, education and teaching experience in the field in which he will be providing instruction.

5. If the Division denies an application for approval as an instructor, the applicant may appeal the decision of the Division by filing an appeal with the Commission not later than 30 days after the date on which the applicant received notification of the denial of his application for approval as an instructor.

6. If the applicant files a timely appeal, the Commission will, as soon as practicable, hold a hearing concerning the denial of the application for approval as an instructor at a regularly scheduled meeting of the Commission and will:

(a) Affirm the decision of the Division to deny the application for approval as an instructor;

(b) Approve the instructor for a limited period and under such conditions as the Commission deems appropriate; or

(c) Reverse the decision of the Division to deny the application for approval as an instructor.

7. The Division shall periodically review and evaluate each approved instructor.

NAC 645.427 Instructors: Withdrawal of approval. (NRS 645.190, 645.343, 645.575)

1. The Administrator may withdraw the approval of an instructor who:

(a) Does an inadequate job of teaching the subject matter of a course *or engages in inappropriate behavior* as evidenced by student evaluations, or an audit *or investigation* conducted by the Division.

(b) Has been determined in any administrative or judicial proceeding to have violated any statute, rule, regulation or order pertaining to real estate.

(c) Has been convicted of, or entered a plea of guilty or nolo contendere to, any crime involving fraud, deceit, misrepresentation or moral turpitude;

(d) *Engages in the unauthorized issuance of certificates of course completion;*

(e) Advertises or offers a course for certification that is materially different from the course approved by the Commission;

(f) Advertises or offers an approved course that promotes or sells products or services; or
~~*[(e) Engages in inappropriate behavior in the classroom as evidenced by an audit conducted by the Division.]*~~

2. Before withdrawing approval of the instructor of a course, the Administrator must notify the sponsor of the course of his intent to withdraw approval of the instructor. The notice must include the specific reasons upon which the Administrator is basing his decision to withdraw the approval of the instructor. Not later than 30 days after the date on which he receives the notice, a sponsor may provide a written response to the Administrator that clearly sets forth the reasons why the approval of the instructor should not be withdrawn and outlining any corrective measures that the sponsor will undertake. After the 30-day period has elapsed, the Administrator shall review the notice and any response submitted by the sponsor and shall:

(a) Withdraw approval of the instructor;

(b) Allow the instructor to remain approved if certain specific enumerated conditions are met; or

(c) Allow the continued approval of the instructor.

↪ If the Administrator decides to withdraw approval of the instructor, the withdrawal of approval of the instructor becomes effective upon the mailing of the Administrator's decision to the sponsor of the course taught by the instructor by certified mail, return receipt requested, to the sponsor's last known business address.

3. If the Administrator withdraws approval of an instructor, the Division shall give credit to a student for completing the course if the student began the course before the sponsor received written notice of the withdrawal of approval of the instructor.

4. The sponsor may appeal the decision of the Administrator to withdraw approval of an instructor by filing an appeal with the Commission not later than 30 days after the date on which the withdrawal of the approval of the instructor becomes effective.

5. If the sponsor files a timely appeal, the Commission will, as soon as practicable, hold a hearing concerning the withdrawal of approval of the instructor at a regularly scheduled meeting and will:

(a) Affirm the decision of the Administrator to withdraw approval of the instructor;

(b) Suspend approval of the instructor for a limited period and under such conditions as the Commission deems appropriate; or

(c) Reverse the decision of the Administrator to withdraw approval of the instructor.

6. If the Administrator determines that an approved instructor employed by a school or sponsor has violated any provision of this chapter, and an immediate cessation of all activity by the instructor, or school or sponsor is necessary in order to prevent further violation, the Administrator may issue an order demanding that the instructor, or school or sponsor cease and desist from all further activity relating to real estate education.

NAC 645.428 Instructors: Duties. (NRS 645.190, 645.343, 645.575)

1. An instructor shall ensure that:

(a) Class sessions are commenced in a timely manner and are conducted for the full amount of time that is approved; and

(b) Each course is taught according to the course plan and instructor guide that was approved by the Commission, including the furnishing to students of appropriate student materials.

2. An instructor shall conduct himself in a professional and courteous manner when performing his instructional duties and shall conduct classes in a manner that demonstrates the following basic teaching skills:

- (a) The ability to present instruction in a thorough, accurate, logical, orderly and understandable manner, to utilize illustrative examples as appropriate and to respond appropriately to questions from students;
- (b) The ability effectively to utilize varied instructional techniques in addition to lectures, including, without limitation, class discussion, role-playing and other techniques;
- (c) The ability to utilize varied instructional aids effectively to enhance learning;
- (d) The ability to maintain an appropriate learning environment and effective control of a class; and
- (e) The ability to interact with adult students in a positive manner that:
 - (1) Encourages students to learn;
 - (2) Demonstrates an understanding of varied student backgrounds;
 - (3) Avoids offending the sensibilities of students; and
 - (4) Avoids personal criticism of any ~~other~~ person, agency or organization.

Courses: Approval Period, Renewal and Withdrawal of Approval

NAC 645.XXX Period of approval and renewal of approval of course

~~[2.]~~1. The Commission's approval of ~~[:]~~

- (a) A course to meet the educational requirements for an original license;
- (b) A course for postlicensing education; and
- (c) A course for continuing education,
 - ➔ is effective for 1 year after the original approval or a ***reapproval or*** renewal.

~~[3.]~~2. The school or sponsor of a prelicensing course must apply for ~~[renewal]~~ ***reapproval*** on a form provided by the Division and describe on that form any changes in the course. An application for ~~[renewal]~~ ***reapproval*** must be filed at least 2 weeks before the previous approval expires. ~~[If the school or sponsor does not timely file the application for renewal, the school or sponsor must apply for an original approval.]~~ The ~~[Division]~~ ***Commission may reapprove*** ~~[shall renew the approval of]~~ a course if the information concerning the course has been updated and there is no material change in the content of the course.

3. The school or sponsor of a postlicensing or continuing education course must apply for renewal on a form provided by the Division and describe on that form any changes in the course. An application for renewal must be filed at least 2 weeks before the previous approval expires. The Division ~~[shall]~~ ***may***, on behalf of the Commission, ~~[reapprove]~~ ***renew*** an approved course if the information concerning the course has been updated and there is no material change in the content of the course. ~~[no changes in the course have occurred since the course was last approved or reapproved.]~~ ***(FROM NAC 645.4436)***

4. If the school or sponsor does not timely file the application for reapproval or renewal the school or sponsor must apply for an original approval.

~~[4. Each approved course and instructor is subject to review and audit by the Division. If the Division conducts such a review or audit, the sponsor shall make available to the Division all records requested which are necessary to the review.]~~ ***MOVED TO "Duties of Sponsor" above.***

~~[5. The Division shall renew the approval of a course if the information concerning the course has been updated and there is no material change in the content of the course.]~~ **MOVED TO 2.**

NAC 645.XXX Grounds for withdrawal of or refusal to renew approval of course; disciplinary action against licensee who sponsors approved course.

~~[6.]~~ **1. Except as otherwise provided in NAC 645.427 subsection 6, and NAC 645.4432 subsection 5, and pursuant to NAC 645.427 subsections 1 through 5, and NAC 645.4432 subsections 1 through 4, each of the following acts and conditions constitutes an additional ground for the Administrator to withdraw, or refuse to renew, approval of a course:**

~~[Each of the following acts and conditions is a ground for the Commission to withdraw, or refuse to renew, its approval of a course:]~~

(a) The curriculum or instruction, as shown by *student* evaluations, ~~[or]~~ an audit~~[s]~~ *or an investigation conducted by the Division*, is of poor quality.

(b) The violation of any provision of this chapter relating to ~~[continuing]~~ education.

(c) The course is not taught within the last period for which the course is approved.

(d) The sponsor of the course has made a false statement, *has withheld information* or has presented ~~[any]~~ false information in connection with an application for the approval of the course, the renewal of such approval or the approval of the sponsor.

(e) The sponsor of the course or any official or instructor employed by the sponsor has refused or failed to comply with any provision of this chapter or chapter 645 of NRS.

(f) The sponsor of the course or any official or instructor employed by the sponsor has provided false or incorrect information in connection with any report the sponsor is required to submit to the ~~[Commission]~~ *Division*.

(g) The sponsor of the course has engaged in a pattern of consistently cancelling scheduled courses.

(h) The sponsor of the course has remitted to the ~~[Commission]~~ *Division* in payment for required fees a check which was dishonored by a bank.

(i) An instructor employed by the sponsor of an approved course fails to conduct approved courses in a manner that demonstrates possession of the teaching skills described in this chapter.

(j) A court of competent jurisdiction has found the sponsor of the approved course or any official or instructor employed by the sponsor to have violated, in connection with the offering of education courses, any applicable federal or state law or regulation:

(1) Prohibiting discrimination on the basis of disability;

(2) Requiring places of public accommodation to be in compliance with prescribed standards relating to accessibility; or

(3) Requiring that courses related to licensing or certification for professional or trade purposes be offered in a place and manner accessible to persons with disabilities.

(k) The sponsor of the course or any official or instructor employed by the sponsor has been disciplined by the Commission or any other occupational licensing agency in this State or any other jurisdiction.

(l) The sponsor of the course or any official or instructor employed by the sponsor has collected money for an educational course but has refused or failed to provide the promised instruction.

~~[7.]~~ **2.** A licensee who is the sponsor of an approved course is subject to disciplinary action pursuant to this chapter for any dishonest, fraudulent or improper conduct by the licensee, or an

instructor of the approved course employed by the licensee, in connection with activities related to the approved course.

NAC 645.4434 Approved courses: Withdrawal of approval *of course*. (NRS 645.190, 645.575)

1. If the Administrator determines, whether pursuant to *student evaluations*, an audit *or an investigation conducted by the Division, NAC 645.427, NAC 645.XXX*, or otherwise, that an approved course does not meet the standards for such a course set forth in this chapter, the Administrator shall notify the sponsor of the course of his intent to withdraw approval of the course. The notice must include the specific reasons upon which the Administrator is basing his decision to withdraw approval of the course. Not later than 30 days after the date on which he receives the notice, the sponsor may provide a written response to the Administrator that clearly sets forth the reasons why approval of the course should not be withdrawn and outlining any corrective measures that the sponsor will undertake. After the 30-day period has elapsed, the Administrator shall review the notice and any response submitted by the sponsor and:

- (a) Withdraw approval of the course;
- (b) Allow the course to remain approved if certain specific enumerated conditions are met; or
- (c) Allow the continued approval of the course.

➔ If the Administrator decides to withdraw approval of the course, the withdrawal of approval of the course becomes effective upon the mailing of the Administrator's decision to withdraw approval to the sponsor by certified mail, return receipt requested to the sponsor's last known business address.

2. If the Administrator withdraws approval of a course, the Division shall give credit to a student for completing the course if the student began the course before the sponsor received written notice of the withdrawal of approval of the course.

3. The sponsor may appeal the decision of the Administrator to withdraw approval of a course by filing an appeal with the Commission not later than 30 days after the date on which the withdrawal of the approval of the course becomes effective.

4. If the sponsor files a timely appeal, the Commission will, as soon as practicable, hold a hearing concerning the withdrawal of approval of the course at a regularly scheduled meeting and will:

- (a) Affirm the decision of the Administrator to withdraw approval of the course;
- (b) Suspend approval of the course for a limited period and under such conditions as the Commission deems appropriate; or
- (d) Reverse the decision of the Administrator to withdraw approval of the course.

5. If the Administrator determines that a school or sponsor or any official or instructor employed by the school or sponsor has violated any provision of this chapter, and an immediate cessation of all activity by the school or sponsor is necessary in order to prevent further violation, the Administrator may issue an order demanding that the school or sponsor cease and desist from all further activity relating to real estate education.

~~[NAC 645.4436 Approved courses: Reapproval. (NRS 645.190, 645.575) The Division shall, on behalf of the Commission, reapprove an approved course if the information concerning the course has been updated and there is no material change in the content of the course. no changes in the course have occurred since the course was last approved or reapproved.]~~

MOVED TO RENEWAL ABOVE

Certificates and Evaluations

NAC 645.4438 Approved courses: Award of certificate of completion. (NRS 645.190, 645.575)

1. To receive a certificate of completion for an approved course a student must:
 - (a) Direct his attention to the instruction being provided and refrain from engaging in activities unrelated to the instruction; and
 - (b) Refrain from engaging in activities which are distracting to other students or the instructor, or which otherwise disrupt the orderly conduct of a class, including, without limitation, the use of voice pagers, beepers and telephones.
2. An instructor shall deny the award of a certificate of completion to a student who fails to satisfy the conditions set forth in subsection 1.
3. If an instructor denies the award of a certificate of completion to a student, the student may, within 30 days after that denial, file a written request with the Administrator to review the matter. If the written request contains allegations which, if true, would qualify the applicant to receive a certificate of completion, the Administrator shall set the matter for an informal hearing before him to be conducted as soon as practicable.

NAC 645.444 Approved courses: Evaluation by students. (NRS 645.190, 645.575)

1. Each approved course, *including a course of distance education*, and each instructor of an approved course must be evaluated by students on a form prescribed by the Division and provided by the sponsor during every course offering.
2. The sponsor shall:
 - (a) Arrange for the collection of the completed evaluations by a person other than the instructor of the approved course; and
 - (b) Mail or deliver copies of the completed evaluations *and the record of attendance, or student roster for a course of distance education*, to the Division within 10 working days after the last day of class *or completion* of the course.

Advertising and Refund Policy

NAC 645.420 ~~[Approved schools: Misrepresentation in advertising prohibited.] Advertising: Required statement; misrepresentation prohibited.~~ (NRS 645.190, 645.343) ~~[A school approved by the Commission shall not make any misrepresentation in its advertising about any course of instruction which is offers to fulfill requirements for licensing under this chapter.] A school which offers courses approved by the Commission to fulfill requirements for licensing under this chapter shall:~~

- 1. Include a statement that the school is approved by the Commission in all advertisements about any course.*
- 2. Not make any misrepresentation in its advertising about any course.*

NAC 645.458 Notice of policy of sponsor concerning cancellations and refunds. (NRS 645.190, 645.575) Any advertising, promotional brochure or form for registration for an *approved* course ~~[for continuing education]~~ must contain, in writing, the policy of the sponsor concerning cancellations and refunds.

REQUIREMENTS FOR SECOND AND SUBSEQUENT RENEWAL AND REINSTATEMENT OF LICENSE

NAC 645.445 General requirements for renewal or reinstatement of license; extension of time for compliance. (NRS 645.190, 645.575)

1. To renew an active license, the licensee must provide the Division with proof that he has met the requirements set forth in paragraph (a) of subsection 1 of NRS 645.575.
2. To reinstate a license which has been placed on inactive status, a person must provide the Division with proof that he has met the requirements set forth in paragraph (b) of subsection 1 of NRS 645.575.
3. For the purpose of compliance with this section, 50 or more minutes of actual instruction constitutes a clock hour and initial licensing refers to the first issuance of a real estate license of any kind in Nevada.
4. A licensee may petition the Administrator for an extension of time in which to comply with the requirements for continuing education. The Administrator may grant such an extension if he finds the licensee has a severe hardship resulting from circumstances beyond his control which has prevented him from meeting the requirements.

NAC 645.448 Specific requirements for renewal of license other than initial license and for reinstatement of license. (NRS 645.190, 645.575)

1. Except as otherwise provided in subsection 3, a real estate salesman who wishes to renew his license must complete at least 24 hours of continuing education at approved educational courses, seminars or conferences during the license period for the license. Not less than 12 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:
 - (a) Three hours in the area of agency relationships;
 - (b) Three hours in the area of Nevada law with an emphasis on recent statutory and regulatory changes;
 - (c) Three hours in the area of contracts; and
 - (d) Three hours in the area of ethics.
2. Except as otherwise provided in subsection 3, a real estate broker or real estate broker-salesman who wishes to renew his license must complete at least 24 hours of continuing education at approved educational courses, seminars or conferences during the license period for the license. Not less than 15 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:
 - (a) Three hours in the area of agency relationships;
 - (b) Three hours in the area of Nevada law with an emphasis on recent statutory and regulatory changes;
 - (c) Three hours in the area of contracts;
 - (d) Three hours in the area of ethics; and
 - (e) Three hours in the area of broker management.
3. The requirements for continuing education set forth in subsections 1 and 2 do not apply to the renewal of a license upon the expiration of the initial license.
4. If a license has been placed on inactive status and the licensee wishes to have the license reinstated, the licensee must comply with the following requirements:

(a) If the license was on inactive status for 1 year or less, all of which was during the period of the initial license, the licensee must complete the ~~[30-hour]~~ **45-hour** postlicensing course described in NAC 645.4442 **or NAC 645.XXX**

~~[(b) If the license was on inactive status for more than 1 year but less than 2 years, any part of which was during the period of the initial license, the licensee must complete at approved educational courses, seminars or conferences:~~

~~—— (1) The 30-hour postlicensing course described in NAC 645.4442; and~~

~~—— (2) At least 18 hours of continuing education. Not less than 12 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:~~

~~—— (I) Three hours in the area of agency relationships;~~

~~—— (II) Three hours in the area of Nevada law with an emphasis on recent statutory and regulatory changes;~~

~~—— (III) Three hours in the area of contracts; and~~

~~—— (IV) Three hours in the area of ethics.~~

~~—(c)]~~ **(b)** If the license was on inactive status for 2 years or less, no part of which was during the period of the initial license, the licensee must complete at least 24 hours of continuing education at approved educational courses, seminars or conferences. Not less than 12 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(1) Three hours in the area of agency relationships;

(2) Three hours in the area of current Nevada law with an emphasis on recent statutory and regulatory changes;

(3) Three hours in the area of contracts; and

(4) Three hours in the area of ethics.

~~[(d)]~~ **(c)** If the license was on inactive status for more than 2 years, any part of which was during the period of the initial license, the licensee must complete at approved educational courses, seminars or conferences:

(1) The ~~[30-hour]~~ **45-hour** postlicensing course described in NAC 645.4442 or **NAC 645.XXX (Exempt Licensees)**; and

(2) At least 24 hours of continuing education. Not less than 12 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(I) Three hours in the area of agency relationships;

(II) Three hours in the area of current Nevada law with an emphasis on recent statutory and regulatory changes;

(III) Three hours in the area of contracts; and

(IV) Three hours in the area of ethics.

~~[(e)]~~ **(d)** If the license was on inactive status for more than 2 years, no part of which was during the period of the initial license, the licensee must complete at least 48 hours of continuing education at approved educational courses, seminars or conferences. Not less than ~~12~~ **24** of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(1) ~~[Three]~~ **Six** hours in the area of agency relationships;

(2) ~~[Three]~~ **six** hours in the area of current Nevada law with an emphasis on recent statutory and regulatory changes;

(3) ~~[Three]~~ **Six** hours in the area of contracts; and

(4) ~~[Three]~~ **Six** hours in the area of ethics.

5. Not more than 3 hours of any of the required hours set forth in this section for continuing education may be taken in courses for personal development.

6. As used in this section, “initial license” means the license of a person who is a first-year licensee and who:

(a) Did not hold a real estate license issued by another state or territory of the United States, or the District of Columbia, on the date on which the first-year licensee obtained a real estate license issued by the State of Nevada;

(b) Had not held a license as a real estate broker, real estate broker-salesman or real estate salesman issued by the State of Nevada within the 5 years immediately preceding the date on which the first-year licensee obtained a license as a real estate salesman; or

(c) Is licensed as a real estate broker-salesman and obtained the qualifications for licensure as a real estate broker-salesman pursuant to the provisions of subsection 2 of NRS 645.343.