

PROPOSED REGULATION OF THE REAL ESTATE COMMISSION

LCB File No. R097-14

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

Amend NAC 645.141

1. The Division will require a verified statement from an employing broker *or designated broker salesperson manager* indicating extended experience of any licensee associated with the employing broker in order to determine the extent of experience the licensee has gained while associated with the broker.

2. This information must be reported on a form provided by the Division which must request the following information:

- (a) The period of association with the broker.
- (b) The average number of hours worked per week for the broker.
- (c) Any other information concerning the activities of the licensee which should be considered as contributing towards the licensee's experience while associated with the broker.

Amend NAC 645.806

1. *A broker who receives monies such as rents, security deposits, down payments, advance fees, earnest money deposits or other money on behalf of a client, property owner, tenant or other person, or whose agent or property manager engages in the receipt of such monies, ~~On or before the date of expiration of his or her license as a real estate broker, a broker who engages in property management or who associates with a property manager who engages in property management~~* shall provide to the Division, on a form provided by the Division, an ~~annual~~ accounting as required by subsection 5 of NRS 645.310 which shows a ~~in annual~~ reconciliation of each trust account ~~related to property management~~ that he or she maintains.

2. The reconciliation required pursuant to subsection 1 must *be submitted to the Division annually by the expiration month and day of the broker's real estate license. The reconciliation must be for the month ~~include the 30 days~~* immediately preceding the *month of expiration ~~date~~* of his or her license as a real estate broker. *A broker who fails to comply with this requirement is subject to an administrative fine set forth in subsection 1 of NAC 645.695.*

3. *A broker who does not receive monies pursuant to subsection 1 of Section 3 shall provide to the Division, on a form prescribed by the Division, a declaration to inform the Division that the broker is not required to submit a reconciliation of the broker's trust accounts. The declaration form must be submitted to the Division annually by the expiration month and day of the broker's real estate license. A broker who fails to comply with this requirement is subject to an administrative fine set forth in subsection 1 of NAC 645.695.*

~~3~~ 4. A broker who engages in property management or who associates with a property manager who engages in property management shall maintain complete accounting records of each trust account related to property management that he or she maintains for at least 5 years after the last activity by the broker which involved the trust account. If the records are maintained by computer, the broker shall maintain an additional copy of the records on computer disc for at least 5 years after the last activity by the broker which involved the trust account.

Amend NAC 645.695

NAC 645.695 Administrative fines and other sanctions. (NRS 645.050, 645.190, 645.575, 645.630, 645.633, 645.635, 645.660)

1. The Administrator may require a licensee to pay an administrative fine in the amount set forth in this subsection for each violation of the following provisions:

	For each Offense
NRS 645.252.....	\$500
Subsection 4, 5 or 6 of NRS 645.310.....	1,000
NRS 645.530.....	100 per license
NRS 645.550.....	500
NRS 645.560.....	500
Subsection 1 of NRS 645.570.....	250
Subsection 2 of NRS 645.570.....	500
Subsection 1 of NRS 645.580.....	250
Paragraph (a), (b), (c), (e), (f), (i), (j), (k) or (l) of subsection 1 of NRS 645.630.....	500
Paragraph (g) of subsection 1 of NRS 645.630.....	1,000
Paragraph (c), (e), (g), (h), (j), (k) or (l) of subsection 1 of NRS 645.633.....	500
Paragraph (a) or (f) of subsection 1 of NRS 645.633.....	250
Paragraph (i) of subsection 1 of NRS 645.633.....	1,000
Subsection 1, 2, 3, 4, 5 or 6 of NRS 645.635.....	500
Subsection 7 or 8 of NRS 645.635.....	1,000
Subsection 3 of NRS 645.660.....	1,000
NAC 645.4442.....	100 250
NAC 645.448.....	100 250
NAC 645.610.....	500
NAC 645.620.....	500
NAC 645.627.....	500
NAC 645.632.....	500
NAC 645.637.....	500
NAC 645.640.....	500
NAC 645.645.....	500
NAC 645.650.....	1,000
NAC 645.655.....	1,000
NAC 645.855.....	2,000
<i>Subsection 2 of NAC 645.806.....</i>	<i>1,000</i>
<i>Subsection 3 of NAC 645.806.....</i>	<i>250</i>
<i>NAC 645.455.....</i>	<i>1,000</i>

2. In addition to or in lieu of imposing an administrative fine pursuant to subsection 1, the Administrator may:

- (a) Recommend to the Commission that the license of the licensee and any permit of the licensee be suspended or revoked;
- (b) Require a licensee to complete continuing education; or
- (c) Take any combination of the actions set forth in paragraphs (a) and (b).

Amend NAC 645.185 Cooperative certificate: Use of certificate. (NRS 645.050, 645.190, 645.605)

1. A certificate authorizing an out-of-state broker to cooperate with a Nevada broker is valid for *one transaction* ~~{12 months after the date of issuance}~~. The fee paid for the issuance covers that *transaction* ~~{period}~~. The certificate is not transferable.

2. An out-of-state broker holding such a certificate shall immediately report any change in his or her address to the Administrator.

3. If, at any time during which a cooperative certificate is in effect, the out-of-state broker or the Nevada broker wishes to terminate the relationship, he or she must give written notice of the termination to the Division and the broker with whom he or she has been cooperating and the out-of-state broker shall immediately surrender his or her certificate to the Division.

4. If the license of the out-of-state broker expires or is inactivated, suspended, revoked or cancelled, the out-of-state broker shall immediately give written notice to the Division of each Nevada broker with whom he or she is cooperating and surrender his or her cooperative certificate to the Division.

5. The Administrator may not issue a cooperative certificate to an out-of-state association, partnership or corporation which is licensed as a broker. Only a natural person who is a broker may be issued such a certificate.

6. When acting under a cooperative certificate, an out-of-state broker shall work through the cooperating Nevada broker or a licensee associated with a Nevada broker. The Nevada broker is in charge of the transaction from beginning to end.

7. Any money received in a cooperative transaction may be handled only by the cooperating Nevada broker in accordance with NRS 645.310.

8. Each out-of-state broker, while cooperating with a Nevada broker, is governed by the provisions of this chapter and chapter 645 of NRS. Any violation of such a provision by the out-of-state broker subjects his or her cooperative certificate and the Nevada broker's license to fine or suspension, or both, or revocation. By accepting a cooperative certificate, the out-of-state broker shall be deemed to have appointed the Nevada broker as his or her agent for service of all notices and process in any proceeding initiated by the Division pursuant to chapter 645 of NRS.

9. A cooperating out-of-state broker may authorize only one broker-salesperson or one salesperson employed by him or her to act in his or her behalf. The authorization must be on a form supplied by the Division, and a copy must be sent to the Division before the authorized representative of the out-of-state broker may conduct any transaction. The authorized representative shall carry the completed form with him or her whenever the authorized representative is in Nevada for the purpose of conducting his or her real estate business. ~~{The Division shall establish the time during which the authorization is valid. Such an authorization is renewable.}~~

10. An out-of-state broker may cooperate with more than one Nevada broker and a Nevada broker may cooperate with more than one out-of-state broker. Each arrangement is considered a separate agreement for which the appropriate form must be completed and submitted, the appropriate fee paid and a separate cooperative certificate obtained.

11. An out-of-state broker may not use a cooperating broker's certificate as authority to sell or attempt to sell real estate in Nevada *for a Nevada property owner* ~~{to a resident of Nevada}~~. Such a certificate may be used only for the purpose of allowing the out-of-state broker or salesperson to *represent* ~~{offer real estate in Nevada for sale to}~~ a person other than a resident of Nevada *in the purchase or real estate in Nevada*.

Add to NAC 645 regarding Cooperative Certificate

1. *To apply for a cooperative certificate permit issued pursuant to NRS 645.605, a person must hold a current license issued by another state or territory of the United States or the District of Columbia and be in good standing with the authority which issued the license or certificate.*

2. *The Division shall not issue a to a person:*

(a) Whose license is revoked or suspended by the licensing authority of another jurisdiction; or

(b) Who has failed to fulfill any penalties imposed by the licensing authority of another jurisdiction, at the time the person applies for a certificate.

Add to NAC 645 regarding Cooperative Certificate

1. *The Division shall issue a cooperative certificate if:*

(a) The application is completed to the satisfaction of the Division;

(b) The scope of the transaction application does not exceed the limits set forth in NAC 645.185 as amended; and

(c) The appropriate fees have been paid.

Add to NAC 645 regarding Cooperative Certificate

1. *A permit is not transferable and is limited to one transaction involving the out-of-state broker named in the certificate with the Nevada broker. The out-of-state applicant is deemed to have consented to the jurisdiction of the Commission.*

2. *The transaction must be limited to:*

(a) One client who is identified in the application.

(b) One property specifically described in the application.

3. *A certificate expires automatically when the transaction has been completed or has been terminated.*

4. *A separate certificate is required for each transaction.*

Add to NAC 645 regarding Cooperative Certificate

1. *If either the Nevada broker or the out-of-state broker changes license status or location during the time the cooperative certificate is in effect, the Division must be notified by the Nevada broker.*

2. *If the Division determines that a broker has discontinued business at the address at which either the Nevada broker or out-of-state broker is licensed, and the Division has not been properly notified, the cooperative certificate will be cancelled by the Division.*

Amend NAC 645.313

The Division shall not renew the license of an active broker, broker-salesperson or salesperson unless ~~{he or she submits to}~~ the Division *has received* proof of compliance with the

requirements for continuing education set forth in NRS 645.575 and the regulations adopted pursuant thereto.

Amend NAC 645.400

~~{For the purposes of NAC 645.400 to 645.467, inclusive, “school”}~~ *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 or college 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.}~~

Amend NAC 645.403

A school that wishes to offer ~~{courses}~~ *a course* to meet the educational requirements for ~~{licensure}~~ *original licensing* 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; *including, without limitation, any guest lecturers;*

5. A proposed schedule of each course for 1 year that includes, without limitation, the dates, times and locations of each course;

~~{5.}~~ *6. A list of the courses to be offered and a the title, objectives and topical syllabus for each course;*

7. An explanation for how each course meets the educational requirements for original licensing;

~~{6.}~~ *8. The allotment of time for each subject;*

9. If a course is a distance education course, any information required by the Commission to determine whether the course satisfies the requirements of NAC 645.443;

~~{7. A proposed schedule of courses for 1 year.}~~

~~{8.}~~ *10. The titles, authors ~~{and}~~ publishers and date of publication and edition of all required textbooks;*

~~{9.}~~ *11. A copy of any manual, handout or other course material to be used by the instructor or students;*

12. A copy of each examination to be used and the correct answer for each question;

~~{10.}~~ *13. A statement of:*

(a) The purpose of the school;

(b) The fees to be charged;

(c) The days, times and locations of ~~{classes}~~ *courses*;

(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;

~~{11.}~~ **14.** 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

~~{12.}~~ **15.** A *requirement* ~~{statement}~~ that to pass a course, a student must earn at least 75 percent of the points possible for the entire course.

Amend NAC 645.404

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 the student's 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 the student is transferring a copy of his or her attendance record and certification for each of those courses which he or she has completed.

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

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

Amend NAC 645.440

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)}~~ **(b)** 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.

Amend NAC 645.4434

1. If the Administrator determines, whether pursuant to *student evaluations, to an audit or investigation conducted by the Division*, 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 or her intent to withdraw approval of the course. The notice must include the specific reasons upon which the Administrator is basing the decision to withdraw approval of the course. Not later than 30 days after the date on which he or she 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
- (c) Reverse the decision of the Administrator to withdraw approval of the course.

Amend NAC 645.4436

The Division shall ~~[-, on behalf of the Commission,]~~ reapprove an approved course if no *material* changes in the course have occurred since the course was last approved or reapproved, *unless the course has the designation for law and legislation update, which may only be renewed once.*

Amend NAC 645.4438

1. To receive a certificate of completion for an approved course a student must:

(a) Direct his or her 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 *and shall not submit the student's name on the roster to the Division pursuant to NAC 645. ___ of ~~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 *and credit for completing the course*, the Administrator shall set the matter for an informal hearing before him or her to be conducted as soon as practicable.

4. A person may not receive credit for completing an approved course for which the person is approved to instruct pursuant to NAC 645.426.

Amend NAC 645.4444

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 *if the course meets the requirements specified in NAC 645.4442, and ~~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 or her 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 or her identity before the licensee 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~~ *Commission* to a licensee who completes the course.

(f) Publishes a policy for retaking an examination which a licensee has failed.

4. If a course for postlicensing education has been approved, the sponsor of the course shall provide a ~~certified copy of the record of attendance or record~~ *certificate* of completion to the licensee upon his or her 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 or her 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:

(a) The name of the sponsor;

(b) The name of the licensee and his or her 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 *to the course* 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 fulfilled the requirements to pass the course.

Amend NAC 645.450

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 or her to give better service to the public *described in subsection 2*.
 - (b) Information that relates to pertinent Nevada laws and regulations *that relate to real estate transactions in this State*.
2. The ~~{Commission considers courses in the}~~ following areas ~~{to be}~~ *are* acceptable for continuing education:
 - (a) Ethics of selling real estate;
 - (b) Legislative issues which concern the practice of real estate or licensees, including ~~{pending and}~~, *without limitation, recent legislation and changes to this chapter*;
 - (c) The administration of real estate law and regulations, including licensing and enforcement;
 - (d) Real estate financing, including mortgages and other *financing* 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~~{;}~~, *including, without limitation, issues relating to the development or redevelopment of farms and ranches*;
 - (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) Personal development courses, *including, without limitation, cross-cultural communications and international real estate transactions*;
 - (r) *Antitrust law*;
 - (s) *Issues relating to consumer protection*;
 - (t) *Disclosures required during the sale of real property, including, without limitation, information required pursuant to NRS 116.4103, 116.4109 and 116B.760*;
 - (u) *Commercial real estate*; and
 - (v) *Environmental issues, including, without limitation, issues relating to energy and water conservation and environmental responsibility*.
- ~~{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.~~ 3. The ~~Commission~~ *Division* may, upon application, approve a course conducted by any other school, professional society or organization if the ~~Commission~~ *Division* 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 *that is* designed to prepare students for examination, *commonly known as a “cram course.”*

(b) A course *that is* 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 *or keyboarding*, 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~~ *Division* will not approve more than:

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

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

Amend NAC 645.455:

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~~ *Division* may grant retroactive approval for a course for continuing education.

3. The ~~Commission~~ *Division* will grant credit for a course for continuing education only if:

(a) The course consists of at least 3 hours of distance education or *1 hour of* 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 or her 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}~~ *Division* 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 or her identity before the student 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 or her 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}~~ *certificate* of completion to the licensee upon his or her 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 or her 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 or her 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}~~ *Division*;

(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}~~ *successfully completed* the ~~{class}~~ *course* if an examination was given; and

(j) Manner in which instruction for the course was delivered.

5. *Within three business days after the completion of an approved course for continuing education, the sponsor of the course shall electronically submit to the Division, in a format provided by the Division, a list of each licensee or holder of a permit who successfully completed the course.* The Division shall accept the *electronic submittal of the roster of attendees* ~~{certificate}~~ as proof of the attendance of the licensee ~~{or}~~ *and successful* completion of the course by the licensee for the purpose of renewal or reinstatement of his or her license. If

the course is taken at a university or community college, the proof of attendance must be a certified transcript.

Add new Section to NAC 645 under Continuing Education Section

- 1. If the Division denies an application for approval of a course for continuing education, 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 the application for approval as an instructor.*
- 2. 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 of a course for continuing education at a regularly scheduled meeting of the Commission and will:
 - (a) Affirm the decision of the Division to deny the application for approval of a course for continuing education; or*
 - (b) Reverse the decision of the Division to deny the application for approval of a course for continuing education.**