

**PROPOSED REGULATION OF THE
COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM HOTELS**

LCB File No. R115-15

October 22, 2015

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

AUTHORITY: §1, NRS 116.31155, as amended by section 1 of Assembly Bill No. 474, chapter 446, Statutes of Nevada 2015, at page 2592; §2, NRS 116A.200 and 116A.410.

A REGULATION relating to common-interest communities; increasing certain fees required to be paid by homeowners' associations; increasing the fees for the application for and issuance of certificates and temporary certificates for community managers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes certain fees that must be paid by homeowners' associations to the Real Estate Administrator for deposit with the State Treasurer for credit to the Account for Common-Interest Communities and Condominium Hotels. These fees are established on the basis of the actual costs of administering the Office of the Ombudsman for Owners in Common-Interest Communities and Condominium Hotels and may not exceed \$3 for each unit in a homeowners' association. (NRS 116.31155) Assembly Bill No. 474 of the 2015 Nevada Legislature increases the authorized maximum fee from \$3 to \$5 beginning on July 1, 2016. (Section 1 of Assembly Bill No. 474, chapter 446, Statutes of Nevada 2015, at page 2592) Existing regulations provide that the amount of the fee that a homeowners' association is currently required to pay pursuant to NRS 116.31155 is \$3 for each unit in the association. (NAC 116.445) **Section 1** of this regulation increases the fee from \$3.00 to \$4.25 beginning on July 1, 2016.

Existing law prohibits a person from acting as a community manager for a common-interest community or condominium hotel unless the person holds a certificate issued by the Real Estate Division of the Department of Business and Industry. (NRS 116A.400) Existing law also requires the Commission for Common-Interest Communities and Condominium Hotels to provide by regulation for the issuance of certificates. Such regulations must provide for the issuance of temporary certificates for a 1-year period to persons who meet certain qualifications but who have not obtained the education and experience required for the issuance of a certificate. (NRS 116A.410) Existing regulations require the Division to charge and collect a fee of: (1) \$200 for the application for and issuance of a certificate; and (2) \$100 for the application for and

issuance of a temporary certificate. (NAC 116A.515) **Section 2** of this regulation increases the fee to: (1) \$300 for the application for and issuance of a certificate; and (2) \$200 for the application for and issuance of a temporary certificate.

Section 1. NAC 116.445 is hereby amended to read as follows:

116.445 ~~The~~

1. Before July 1, 2016, the amount of the fee that an association is required to pay pursuant to NRS 116.31155 is \$3 for each unit in the association.

2. On and after July 1, 2016, the amount of the fee that an association is required to pay pursuant to NRS 116.31155, as amended by section 1 of Assembly Bill No. 474, chapter 446, Statutes of Nevada 2015, at page 2592, is \$4.25 for each unit in the association.

Sec. 2. NAC 116A.515 is hereby amended to read as follows:

116A.515 The Division shall charge and collect the following fees:

For application for, and issuance of, a certificate	(\$200) \$300
For application for, and issuance of, a temporary certificate	(\$100) 200
For examination of an applicant for a certificate	100
For biennial renewal of a certificate	200
For late renewal of a certificate	50
For reinstatement of an inactive certificate	20
For issuance of a duplicate certificate or temporary certificate	20
For change of name or address on a certificate or temporary certificate	20
For change of status as a community manager, provisional community manager or supervising community manager on a certificate	20
For change of association with a supervising community manager	20

For approval of courses to meet the requirements for original certification	100
For approval of a course for continuing education	100
For renewal of an approval of a course for continuing education	50