PROPOSED REGULATION OF THE

COMMISSIONER OF MORTGAGE LENDING

LCB FILE NO. R173-26I

The following document is the initial draft regulation proposed by the agency submitted on 08/27/2026

Blue - Insertion
~~[Red]~~ - Deletion

PROPOSED REGULATION OF THE

COMMISSIONER OF MORTGAGE LENDING

NRS 645A ESCROW AGENCIES AND AGENTS

NRS 645B MORTGAGE COMPANIES AND MORTGAGE LOAN ORIGINATORS

NRS 645F MORTGAGE LENDING AND RELATED PROFESSIONS

LCB File No. __________ (NAC 645A, NAC 645B, NAC 645F)

EXPLANATION: Matter in (1) ***blue bold italics*** is new language; (2) [~~red strikethrough~~] is deleted language.

AUTHORITY:

Amend Chapter 645A of the Nevada Administrative Code by adding thereto:

Section 1.
NAC 645A._____ Notice to Commissioner.

(1) Upon discovering a notification event as described in NRS 645A.075(3)(b), if the notification event involves the information of any consumers in Nevada, the escrow agency or escrow agent shall notify the Commissioner as soon as practicable, but in no event later than seventy-two (72) hours after discovery of the notification event. The notice must be made:
- ***(a) In a format specified by the Commissioner, and***
- ***(b) Electronically on a form located on the Division's website or Registry.***

(2) The notice must include, to the extent known at the time of submission:
- ***(a) The name and contact information of the reporting escrow agency or escrow agent;***
- ***(b) A description of the types of information that were involved in the notification event;***
- ***(c) If the information is possible to determine, the date or date range of the notification event;***
- ***(d) The total number of consumers affected or potentially affected by the notification event. The escrow agency or escrow agent shall provide the best estimate in the initial report to the Commissioner and update this estimate with each subsequent report;***
- ***(e) A general description of the notification event including how the information was exposed, lost, stolen, or breached, detailing specific roles and responsibilities of third-party service providers, if any;***
- ***(f) A description of efforts being undertaken to remediate the situation that permitted the notification event to occur; and***
- ***(g) A statement:***
  - ***i. Disclosing whether a law enforcement official has provided the escrow agency or escrow agent with a written determination indicating that providing notice to the public regarding the breach would impede a criminal investigation or cause damage to national security, and***

ii. If a written determination described under item (i) was provided to the escrow agency or escrow agent, providing contact information that enables the Commissioner to contact the law enforcement official. A law enforcement official may request an initial delay of up to thirty (30) days following the date that notice was provided to the Commissioner. The delay may be extended for an additional period of up to sixty (60) days if the law enforcement official seeks an extension in writing. An additional delay may be permitted only if the Commissioner determines that public disclosure of the notification event continues to impede a criminal investigation or cause damage to national security.

(h) Name of contact person who is both familiar with the notification event and is authorized to act for the escrow agency or escrow agent.

(3) The escrow agency or escrow agent shall have a continuing obligation to update and supplement initial and subsequent notifications to the Commissioner concerning the notification event.

(4) An escrow agency or escrow agent shall comply with chapter 645A, as applicable, and provide a copy of the notice sent to consumers under that chapter to the Commissioner, when an escrow agency or escrow agent is required to notify the Commissioner.

(5) The escrow agency shall promptly comply with any subsequent requests for information or documentation made by the Commissioner concerning the notification event.

AUTHORITY:

Amend Chapter 645B of the Nevada Administrative Code by adding thereto:

Section 1.

NAC 645B.___ Notice to Commissioner.

(1) Upon discovering a notification event as described in NRS 645B.077(3)(b), if the notification event involves the information of any consumers in Nevada, the mortgage company or mortgage loan originator shall notify the Commissioner as soon as practicable, but in no event later than seventy-two (72) hours after discovery of the notification event. The notice must be made:

(a) In a format specified by the Commissioner, and

(b) Electronically on a form located on the Division's website or Registry.

(2) The notice must include, to the extent known at the time of submission:

(a) The name and contact information of the reporting mortgage company or mortgage loan originator;

(b) A description of the types of information that were involved in the notification event;

(c) If the information is possible to determine, the date or date range of the notification event;

(d) The total number of consumers affected or potentially affected by the notification event. The mortgage company or mortgage loan originator shall provide the best estimate in the initial report to the Commissioner and update this estimate with each subsequent report;

(e) A general description of the notification event including how the information was exposed, lost, stolen, or breached, detailing specific roles and responsibilities of third-party service providers, if any;

(f) A description of efforts being undertaken to remediate the situation that permitted the notification event to occur; and

(g) A statement:

i. Disclosing whether a law enforcement official has provided the mortgage company or mortgage loan originator with a written determination indicating that providing notice to the public regarding the breach would impede a criminal investigation or cause damage to national security, and

ii. If a written determination described under item (i) was provided to the mortgage company or mortgage loan originator, providing contact information that enables the Commissioner to contact the law enforcement official. A law enforcement official may request an initial delay of up to thirty (30) days following the date that notice was provided to the Commissioner. The delay may be extended for an additional period of up to sixty (60) days if the law enforcement official seeks an extension in writing. An additional delay may be permitted only if the Commissioner determines that public disclosure of the notification event continues to impede a criminal investigation or cause damage to national security.

(h) Name of contact person who is both familiar with the notification event and is authorized to act for the mortgage company or mortgage loan originator.

(3) The mortgage company or mortgage loan originator shall have a continuing obligation to update and supplement initial and subsequent notifications to the Commissioner concerning the notification event.

(4) A mortgage company or mortgage loan originator shall comply with chapter 645B, as applicable, and provide a copy of the notice sent to consumers under that chapter to the Commissioner, when a mortgage company or mortgage loan originator is required to notify the Commissioner.

(5) The mortgage company or mortgage loan originator shall promptly comply with subsequent requests for information or documentation made by the Commissioner concerning the notification event.

AUTHORITY:

Amend Chapter 645F of the Nevada Administrative Code by adding thereto:

Section 1.

NAC 645F.____ Notice to Commissioner.

(1) Upon discovering a notification event as described in NRS 645F.399(3)(b), if the notification event involves the information of any consumers in Nevada, the foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation shall notify the Commissioner as soon as practicable, but in no event later than seventy-two (72) hours after discovery of the notification event. The notice must be made:

(a) In a format specified by the Commissioner, and

(b) Electronically on a form located on the Division's website or Registry.

(2) The notice must include, to the extent known at the time of submission:

- ***(a) The name and contact information of the reporting foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation;***
- ***(b) A description of the types of information that were involved in the notification event;***
- ***(c) If the information is possible to determine, the date or date range of the notification event;***
- ***(d) The total number of consumers affected or potentially affected by the notification event. The foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation shall provide the best estimate in the initial report to the Commissioner and update this estimate with each subsequent report;***
- ***(e) A general description of the notification event including how the information was exposed, lost, stolen, or breached, detailing specific roles and responsibilities of third-party service providers, if any;***
- ***(f) A description of efforts being undertaken to remediate the situation that permitted the notification event to occur; and***
- ***(g) A statement:***
  - ***i. Disclosing whether a law enforcement official has provided the foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation with a written determination indicating that providing notice to the public regarding the breach would impede a criminal investigation or cause damage to national security, and***
  - ***ii. If a written determination described under item (i) was provided to the foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation, providing contact information that enables the Commissioner to contact the law enforcement official. A law enforcement official may request an initial delay of up to thirty (30) days following the date that notice was provided to the Commissioner. The delay may be extended for an additional period of up to sixty (60) days if the law enforcement official seeks an extension in writing. An additional delay may be permitted only if the Commissioner determines that public disclosure of the notification event continues to impede a criminal investigation or cause damage to national security.***
- ***(h) Name of contact person who is both familiar with the notification event and is authorized to act for the foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation.***

(3) The foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation shall have a continuing obligation to update and supplement initial and subsequent notifications to the Commissioner concerning the notification event.

(4) A foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation shall comply with chapter 645F, as applicable, and provide a copy of the notice sent to consumers under that chapter to the Commissioner, when a foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation is required to notify the Commissioner.

(5) The foreclosure consultant, foreclosure purchaser, loan modification consultant, or person performing covered services for compensation shall promptly comply with any subsequent requests for information or documentation made by the Commissioner concerning the notification event.

Section 2.

NAC 645F.____ Notice to Commissioner.

(1) Upon discovering a notification event as described in NRS 645F.535(3)(b), if the notification event involves the information of any consumers in Nevada, the mortgage servicer shall notify the Commissioner as soon as practicable, but in no event later than seventy-two (72) hours after discovery of the notification event. The notice must be made:

(a) In a format specified by the Commissioner, and

(b) Electronically on a form located on the Division's website or Registry.

(2) The notice must include, to the extent known at the time of submission:

(a) The name and contact information of the reporting mortgage servicer;

(b) A description of the types of information that were involved in the notification event;

(c) If the information is possible to determine, the date or date range of the notification event;

(d) The total number of consumers affected or potentially affected by the notification event. The mortgage servicer shall provide the best estimate in the initial report to the Commissioner and update this estimate with each subsequent report;

(e) A general description of the notification event including how the information was exposed, lost, stolen, or breached, detailing specific roles and responsibilities of third-party service providers, if any;

(f) A description of efforts being undertaken to remediate the situation that permitted the notification event to occur; and

(g) A statement:

i. Disclosing whether a law enforcement official has provided mortgage servicer with a written determination indicating that providing notice to the public regarding the breach would impede a criminal investigation or cause damage to national security, and

ii. If a written determination described under item (i) was provided to the mortgage servicer, providing contact information that enables the Commissioner to contact the law enforcement official. A law enforcement official may request an initial delay of up to thirty (30) days following the date that notice was provided to the Commissioner. The delay may be extended for an additional period of up to sixty (60) days if the law enforcement official seeks an extension in writing. An additional delay

may be permitted only if the Commissioner determines that public disclosure of the notification event continues to impede a criminal investigation or cause damage to national security.

(h) Name of contact person who is both familiar with the notification event and is authorized to act for the mortgage servicer.

(3) The mortgage servicer shall have a continuing obligation to update and supplement initial and subsequent notifications to the Commissioner concerning the notification event.

(4) ***A mortgage servicer shall comply with chapter 645F, as applicable, and provide a copy of the notice sent to consumers under that chapter to the Commissioner, when a mortgage servicer is required to notify the Commissioner.***

(5) ***A mortgage servicer shall promptly comply with any subsequent requests for information or documentation made by the Commissioner concerning the notification event.***