



State of Nevada

DEPARTMENT OF BUSINESS AND INDUSTRY

Department Overview

Presented to the Joint Interim Standing Committee on Commerce and Labor

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Nevada State Business Center in Las Vegas

OUR MISSION

To encourage and promote the development and growth of business, and to ensure the legal operation of business to protect consumers by maintaining a fair and competitive regulatory environment.

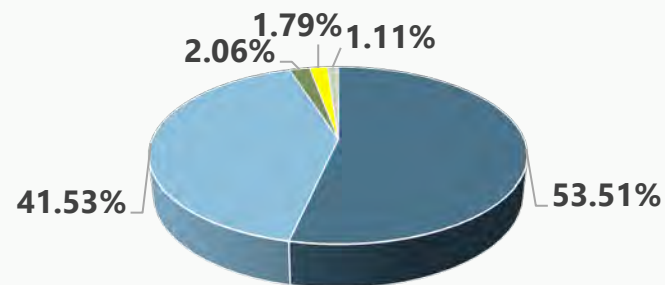
CORE FUNCTIONS

Commerce and Capital Regulation
Labor and Workforce Protection
Community Development
Consumer Protection and Advocacy

BUSINESS AND INDUSTRY BY THE NUMBERS

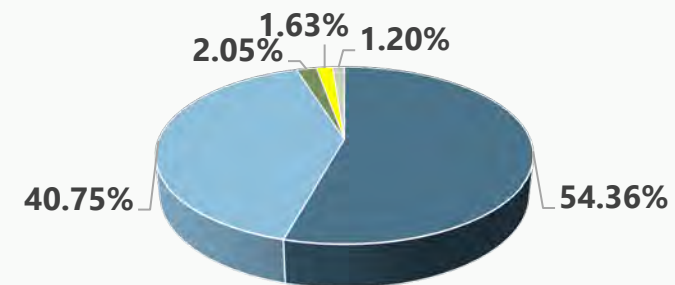
- **11** Divisions plus the Director's Office
- **62** Commissions, Boards and Advisory Committees
 - **37** newly added boards/commissions with creation of the Office of Nevada Boards, Commissions and Councils Standards
- Approximately **700** employees
- **Only 1.7%** of budget comes from the State General Fund

FY24 Department Funding Sources



■ Industry Fees ■ Federal Funds ■ Transfers
■ General Fund ■ Highway Fund

FY25 Department Funding Sources



■ Industry Fees ■ Federal Funds ■ Transfers
■ General Fund ■ Highway Fund

DIRECTOR'S PRIORITIES

- Support the B&I Team
- Provide Timely and Accurate Customer Service
- Fully Staff the Department
- Enhance the Office of the Director
- Strategic Plan/ KPI/ SWOT/ Gap Analysis
- Empower Division Administrators
- Invest in Technology

UNDERSTANDING THE DEPARTMENT OF BUSINESS AND INDUSTRY

COMMERCE & CAPITAL REGULATION

- Division of Insurance
- Financial Institutions Division
- Mortgage Lending Division
- Nevada Transportation Authority
- Office of Nevada Boards, Commissions and Council Standards
- Real Estate Division
- Taxicab Authority

COMMUNITY DEVELOPMENT

- Director's Office
 - New Market Tax Credit Program
 - Private Activity Bond Program
 - Small Business Resources
- Nevada Housing Division
 - Affordable Housing Financing
 - Down Payment Assistance Programs
 - Weatherization Grants

LABOR & WORKFORCE PROTECTION

- Division of Industrial Relations
 - Workers' Compensation
 - Mechanical Section
 - OSHA / Mine Safety / SCATS
- Government Employee-Management Relations Board
- Nevada Attorney for Injured Workers
- Office of the Labor Commissioner

CONSUMER PROTECTION & ADVOCACY

- Director's Office
 - Nevada Consumer Affairs
 - Ombudsman of Consumer Affairs for Minorities
 - Commission on Minority Affairs
- Nevada Housing Division
 - Affordable Housing Advocate
- Real Estate Division
 - CICCH Ombudsman

2023 LEGISLATIVE UPDATE

Division of Insurance

- AB 398: Defense within Limits- clarifying regulation was required, permanent regulation addressing concerns have been adopted

Division of Industrial Relations/ Division of Insurance

- SB 274: Changes to Nevada Industrial Insurance Act- draft regulation at LCB, technology enhancements completed, 3 of 6 FTE approved with 2 hired, DOI working to determine appropriate disciplinary actions

Financial Institutions Division

- SB 276: Debt Buyers- regulation adoption hearing scheduled 1/25, 3 new FTE submitted for approval
- SB 290: Earned Wage Access- workshops held, adoption hearing not yet scheduled
- AB 21: Modernized Money Transmission Act- workshops held, adoption hearing not yet scheduled
- AB 332: Student Loan Servicers- first workshop held 11/29, 4 new FTE submitted for approval

Nevada Housing Division

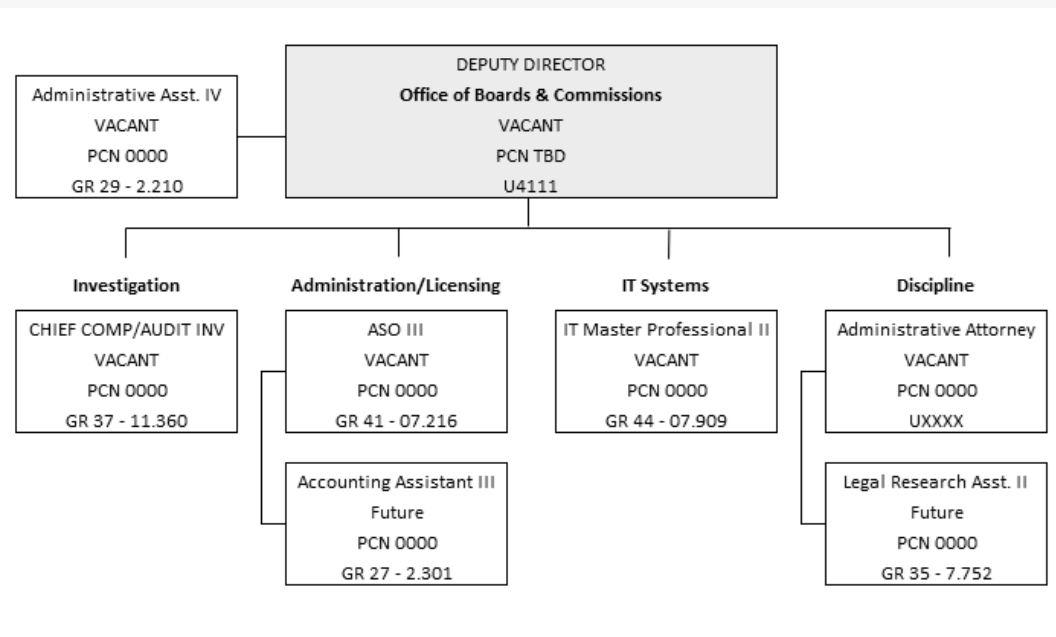
- SB 450: Windsor Park Neighborhood Relocation- developers have made presentations to the committee, developer selection to follow
- AB 310: Nevada Supportive Development Fund- currently drafting regulations

Office of the Labor Commissioner

- SB 82: Apprenticeship Utilization Act Overhaul- collecting information through end of 2024. Process to draft regulations to follow

SB 431: OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCIL STANDARDS (DIRECTOR'S OFFICE)

NEXT STEPS



- Working Group
 - Comprised of department administration, B&C deputy director(s), industry experts
- Internal Controls
 - Policy manual: operations, purchasing, signing and approval authority
 - Personnel policies
 - Asset inventory available: offices, vehicles, furniture, equipment
- Licensing and Disciplinary Process
 - Internal or external process
 - Investigation and compliance process
- Websites
 - Information content: compliant format, licensing information, meeting schedules, consumer information
- Current reporting requirements and special conditions under NRS and NAC
- Develop report to Governor and Legislature on streamlining boards, licensing process, possible consolidation and/or elimination of boards and (interstate) reciprocity.

DIRECTOR'S OFFICE

Community Development
Consumer Protection & Advocacy

SECTIONS:

- Administration/ Fiscal Section
- Office of Business Finance and Planning
- Office of Nevada Boards, Commissions and Council Standards
- Nevada Consumer Affairs
- Ombudsman of Consumer Affairs for Minorities
- Commission on Minority Affairs

KEY FUNCTIONS:

- Centralized administrative functions: fiscal, budget, collections, payroll, human resources, IT
- Licensing for Financial Institutions Division and Mortgage Lending Division
- Small business resources and advocacy
- Administrator and conduit issuer of private activity bond programs
- Administer Nevada New Market Tax Credit program
- Consumer protection and enforcement of deceptive trade practices
- Minority advocacy and outreach

DIVISION OF INSURANCE

Commerce & Capital Regulation

PURPOSE:

Protect consumers and ensure solvency through regulation of insurance companies, captives, insurance agents, adjusters, bail bond agents in all lines of insurance including health, life, property, casualty, title, auto and homeowners

NEVADA'S INSURANCE INDUSTRY:

Insurers write approximately \$22 billion in annual premiums, which has increased by 91% in the past 10 years

KEY FUNCTIONS:

- Monitor and ensure solvency of carriers to ensure companies doing business in Nevada can make good on the promises made to their consumers
- Promote compliance to provide an adequate and competitive market and ensure Nevada consumers are treated fairly
- Licensing and education of individuals interacting with consumers in Nevada's insurance market
- Consumer protection and fraud investigation

DIVISION OF INDUSTRIAL RELATIONS

Labor & Workforce Protection

SECTIONS:

- Administration
- Mechanical Compliance Section (MCS)
- Mine Safety and Training Section (MSATS)
- Occupational Safety and Health Administration (OSHA)
- Safety Consultation and Training Section (SCATS)
- Workers' Compensation Section (WCS)

PURPOSE AND KEY FUNCTIONS:

Improve worker safety through training, technical assistance and enforcement

- MCS: Regulates safety of elevators, escalators, boilers and pressure vessels
- MSATS: Conducts workplace safety inspections of mines and provides required classroom safety training for miners
- OSHA: Conducts targeted inspections of workplaces to enforce safety standards, responds to workplace safety complaints, and investigates workplace fatalities
- SCATS: Provides outreach and free onsite safety and health consultations to reduce workplaces safety hazards, conducts formal classroom training for employers and employees
- WCS: Regulate Nevada's workers compensation programs to ensure timely and accurate benefits to injured workers

FINANCIAL INSTITUTIONS DIVISION

Commerce & Capital Regulation

PURPOSE:

- Safeguard Nevada's financial institutions system to sustain a safe, sound and compliant financial environment to protect Nevadans and to promote economic development in a progressive, proactive, and service oriented manner
- Regulate depository institutions, non-depository businesses, and fiduciary institutions including but not limited to:
 - Banks, credit unions, thrift companies
 - Payday and title lenders, collection agencies, money transmitters, installment lenders
 - Retail and family trust companies

KEY FUNCTIONS:

- Annual examinations of depository, non-depository and fiduciary licensees
- Investigate possible violations and take disciplinary action arising from complaints filed with the division
- Recruit and encourage proposals for new institutions as well as conversion and relocation of national and out-of-state charters into Nevada to increase capital intermediation in our state following a 50% loss during the recession
- Facilitate establishment of the fast-growing retail and family trust company market that brings skilled, professional jobs

GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD

Labor & Workforce Protection

PURPOSE:

The board acts as an administrative court resolving disputes between local governments and their employee organizations, and state employee organizations and the executive department of state government in the areas of:

- Unfair labor practice allegations
- The scope of bargaining units (which job classifications are included in a bargaining unit)
- Which employee or labor organization, if any, is to represent given employees
- Note: EMRB does not resolve grievances. Those are resolved through process outlined in the bargaining agreements.

WHO THEY SERVE:

- State government, 212 local governments, 158 employee organizations, 5 labor organizations,
- 18,000 state government employees and 90,200 local government employees, 258 bargaining units

HOW THEY SERVE:

- Hearings before the entire board or a board panel, and settlement conferences conducted by the Commissioner
- 5 part-time board members appointed by the Governor and 3 full-time staff

MORTGAGE LENDING DIVISION

Commerce & Capital Regulation

PURPOSE:

Implement and administer licensing and regulatory programs primarily related to non-depository mortgage lending activity. Non-depository institutions do not accept or fund activities with the “demand deposits” of customers such as checking or savings accounts.

645A

- 9 Escrow Agencies
- 15 Escrow Agents

↓10%
↓10%

645B

- 1,620 Mortgage Companies
- 11,956 Mortgage Loan Originators

↑7%
↓8%

645F

- 139 Mortgage Servicers
- Covered Service Providers

↑7%

598

- Credit Service Organizations
(*registration only)

KEY FUNCTIONS:

- Company and individual occupational licensing
- Periodic examinations of licensee’s books and records
- Investigations of consumer complaints and findings from examinations
- Administrative law enforcement and civil adjudication

NEVADA ATTORNEY FOR INJURED WORKERS

Labor & Workforce Protection

PURPOSE:

The attorneys in the Office of the Nevada Attorney for Injured Workers (NAIW) represent injured workers claiming rights under the Nevada Industrial Insurance Act.

- Services are provided at no cost to the claimant after their case reaches the administrative appeals level.
- NAIW can also represent the claimant on appeal to the district court or the Nevada Supreme Court.
- The agency also provides procedural advice and general information about the workers' compensation system to the public.

CURRENT ACTIVITIES:

Represent injured workers in over 815 cases each year, which includes:

- Initial Administrative Appeals Hearing: 666
- Appeals to District Courts: 8
- Appeals to Nevada Supreme Court: 3
- Decision & Settlement Wins: 251
- Information calls from the public: 1,508

NEVADA HOUSING DIVISION

Community Development
Advocacy

KEY FUNCTIONS:

- Homeownership programs
- Finance multi-family development and preservation of affordable housing
- Weatherization assistance
- Administer federal funding for housing
- Affordable housing database reporting

CURRENT ACTIVITIES:

- Home Is Possible Down Payment Assistance Programs for low- to mid-income homebuyers, teachers and veterans
- 14 developments financially closed in the Multifamily Bond Program in last 18 months, creating or preserving 2,700 affordable apartments, supported by \$450M in volume cap from Business and Industry
- \$8M in 9% Tax Credit Program
- 395 households assisted through weatherization programs in FY23.
- HUD Award fund balance available \$26M (multiyear) for affordable housing development, rental assistance, housing and neighborhood stabilization
- Over \$12M in FY24 awards for the state Affordable Housing Trust Fund
- Pandemic-related programs (\$882M, multiyear): Home Means Nevada Initiative, Emergency Rental Assistance, Homeowner Assistance Fund, ESG-C, HOME (ARP)

NEVADA TRANSPORTATION AUTHORITY

Commerce & Capital Regulation

PURPOSE:

The Nevada Transportation Authority (NTA) regulates the transportation industry which includes charter buses, limos, movers, tow cars, tour buses, non-emergency medical transfers, employer van pools, airport transfer services, special services, warehouse permits, transportation network companies (TNC) and autonomous vehicles statewide, as well as all taxicabs outside of Clark County.

CURRENT ACTIVITIES:

- Process driver permits
- Administer new carrier applications
- Oversee administrative & enforcement hearings
- Audit & inspections of existing carriers
- Enforcement of Nevada laws by POST certified investigators

DIVISION STATS:

- Active Carriers: 504
- Certificates by Authority: 564
- TNC Driver Count: 34,437
- Non-TNC Driver Count: 13,527

OFFICE OF THE LABOR COMMISSIONER

Labor & Workforce Protection

PURPOSE AND KEY FUNCTIONS:

The Office of the Labor Commissioner is the principal wage and hour regulatory agency.

- Enforce private sector employment laws including:
 - Minimum wage and overtime, breaks and lunches, and deductions (NRS/NAC 608)
 - Employment practices (NRS/NAC 613)
 - Employment of minors (NRS/NAC 609)
- License private employment agencies and professional employer organizations (NRS/NAC 611)
- Administer the Nevada State Apprenticeship Program (NRS/NAC 610)
- Administer public works projects and Prevailing Wage and Apprenticeship Utilization Act (NRS/NAC 338)
 - Issue public works project numbers
 - Calculate prevailing wage
 - Enforce and investigate potential violations, impose penalties and/or disqualification

REAL ESTATE DIVISION

Commerce & Capital Regulation
Advocacy

KEY FUNCTIONS:

- **LICENSING** Reviews and issues licenses to real estate professionals including real estate salespersons/ brokers, builders and developers, timeshare agents and representatives, appraisers, energy auditors/ inspectors, community managers
 - 41,554 licensees
- **EDUCATION** A hub for all real estate education, training and information
- **COMPLIANCE** Receives complaints and opens cases for investigation and disciplinary hearings
 - 1,189 complaints received; 498 cases opened; 574 walk-ins assisted; 7,282 calls received
- **OFFICE OF THE OMBUDSMAN FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS (CICCH)** Assists homeowners and board members in common interest communities to understand their rights /obligations, registers associations
 - 13,173 new units added; 97 new associations added; 769 licensed community managers
- **COMMISSIONS** Hears cases related to violations of law, issue disciplinary actions, develop regulations and provide advisory services and/or education.
 - Real Estate Commission (5-member body); Commission of Appraisers of Real Estate (5-member body); Commission for Common-Interest Communities (7-member body)

TAXICAB AUTHORITY

Commerce & Capital Regulation

PURPOSE:

The Taxicab Authority is the regulatory agency charged with oversight of the Clark County taxicab industry to ensure the safety, welfare and convenience of the public.

TAXICAB INDUSTRY:

- 3,530 Medallions
- 16 Cab Companies
- 4,447 Active Drivers
- Taxi Rides (annual)
 - Pre-COVID: 15.8 Million
 - FY23: 13.8 Million

KEY FUNCTIONS:

- Driver Permitting: Fingerprint and background investigation
- Vehicle Inspection: Every vehicle is inspected annually
- Enforcement: Routine patrol, investigations and impounds



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QUESTIONS?