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October 28, 2025

Chair and Honorable Members
Nevada Legislative Commission
401 South Carson Street
Carson City, Nevada 89701

Re: Proposed Amendments to NRS 116 — “Nevada Homeowner Fairness & Communication Act (2025)”

Dear Chair and Members of the Commission,

I respectfully submit the attached draft bill for your consideration and potential referral to the Joint Interim Standing Committee on Government Affairs for study and prefilings in the 2027 legislative session.

The proposed Nevada Homeowner Fairness & Communication Act (2025) aims to restore transparency, accountability, and basic fairness between homeowners and their associations. Specifically, it:

1. Requires every homeowners' association to adopt a written Internal Dispute Resolution (IDR) policy;
2. Establishes a 10-business-day response timeline before any lien or foreclosure action;
3. Pauses collections while a homeowner's written dispute is under review;
4. Mandates acknowledgment of all payments and correspondence; and
5. Adds clear, visible foreclosure notice transparency requirements.

This reform was inspired by a case in which our homeowners' association continues to impose **\$9,900 in fines** despite the fact that the home was **fully painted within 30 days** of notice—demonstrating the absence of fair dispute resolution and oversight in current HOA procedures.

These simple, no-cost reforms will protect seniors, veterans, and families from avoidable financial and emotional hardship — particularly the 55,000 Nevadans living with Alzheimer's or related conditions who reside within our 3,700 HOA-governed communities.

The bill carries no fiscal impact and can be implemented through existing administrative procedures within the Department of Business and Industry, Real Estate Division.

Thank you for your service, your time, and your dedication to justice and fairness for Nevada's citizens. Please feel free to contact me with any questions or for supporting documentation.

Respectfully submitted,

Jean Coquilla

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THE NEW BILL PROPOSAL

SENATE BILL No. ____ — COMMITTEE ON GOVERNMENT AFFAIRS CHAPTER 116 – COMMON-INTEREST OWNERSHIP (UNIFORM ACT)

AN ACT

relating to common-interest communities; requiring associations to establish a written internal dispute resolution policy; requiring acknowledgment of homeowner correspondence and payments; requiring a ten-business-day response period before initiation of a lien or foreclosure; pausing collections while disputes are under review; providing for oversight by the Real Estate Division; modernizing publication and sale notice requirements; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short Title.

This Act may be cited as the *Nevada Homeowner Fairness and Communication Act of 2025*.

Sec. 2. Legislative Findings and Declarations.

1. The Legislature finds that thousands of Nevada residents—particularly seniors, veterans, and persons living with cognitive or physical disabilities—reside in communities governed by homeowners' associations.
2. The Legislature further finds that unclear or inconsistent communication practices by certain associations have resulted in unnecessary penalties, financial hardship, property

loss, and emotional distress.

3. It is the intent of the Legislature to ensure transparency, accountability, and timely communication between associations and homeowners, thereby promoting trust, fairness, and due process in property ownership.

Sec. 3. Chapter 116 of NRS is hereby amended by adding thereto a new section to be designated as NRS 116.31189, to read as follows:

NRS 116.31189 – Internal Dispute Resolution and Communication Standards.

1. Each association shall adopt, maintain, and make available to all unit owners a written Internal Dispute Resolution (IDR) policy.
2. The policy must:
 - (a) Establish a step-by-step procedure for receiving, acknowledging, and responding to any written dispute or inquiry from a homeowner before initiating external enforcement or collection;
 - (b) Require the association or its managing agent to issue written or electronic acknowledgment of any payment or correspondence received from a homeowner within five (5) business days;
 - (c) Require a substantive written response or decision within ten (10) business days after acknowledgment;
 - (d) Require all collection or enforcement activity related to a disputed matter to pause while the written dispute is under review;
 - (e) Require the association to maintain all communications and determinations related to disputes for not less than five (5) years; and
 - (f) **Foreclosure Sale Transparency.** In addition to the publication requirements of NRS 116.311635, the association shall:
 - (1) Cause a physical copy of the notice of sale to be posted in a conspicuous location on the affected property at least **60 days** and again **30 days** prior to the scheduled sale;
 - (2) Retain **photographic or electronic proof** of each posting for not less than five (5) years; and
 - (3) Provide such proof upon request to the Real Estate Division Ombudsman for audit or investigation.
3. **Definition.** For the purposes of this section, the term "*newspaper of general circulation*" shall **not include** any publication or online platform restricted to members of a specific trade or profession. All sale publications must be reasonably accessible to the **general public** within the county where the property is located.
4. The Ombudsman for Owners in Common-Interest Communities and Condominium Hotels may audit or review any IDR policy or notice of sale for compliance and issue corrective recommendations.

5. Failure to comply with this section constitutes a violation subject to administrative action under NRS 116.745.

Sec. 4. NRS 116.31162 is hereby amended to read as follows:

1. An association shall not record a notice of delinquent assessment or commence foreclosure proceedings until at least ten (10) business days after it has provided written acknowledgment and response to any correspondence or dispute submitted by the unit owner regarding the delinquency.
2. During this period, the association shall pause all late fees, interest, and collection efforts until the written acknowledgment and response are issued in accordance with NRS 116.31189.
3. Failure to comply with this section shall render any related lien or foreclosure voidable upon application by the unit owner.

Sec. 5. Acknowledgment of Payments and Correspondence.

Every homeowners' association or its management company shall provide each unit owner with a dated receipt or electronic confirmation for any payment or correspondence received, clearly showing:

- (a) The date received;
- (b) The amount applied; and
- (c) The current account status following such application.

Sec. 6. Regulations.

The Real Estate Division of the Department of Business and Industry shall, by regulation, establish standardized forms, procedures, and compliance guidance necessary to carry out the purposes of this Act, including model Internal Dispute Resolution templates, by July 1, 2026.

Sec. 7. Effective Date.

This Act becomes effective on July 1, 2026.

Fiscal Note: No fiscal impact. Implementation requires only administrative compliance by existing associations and management companies.

Prepared by: **Jean Coquilla — Homeowner, Small-Business Owner, Advocate for Veterans and Seniors**

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Prepared for legislative review. Supporting documentation available upon request.