

**ADOPTED REGULATION OF THE  
STATE CONTRACTORS' BOARD**

**LCB File No. R047-03**

Effective December 4, 2003

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

AUTHORITY: §§1-3, NRS 624.031.

**Section 1.** Chapter 624 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

**Sec. 2. 1.** *To apply for an owner-builder exemption from the provisions of chapter 624 of NRS pursuant to subsection 4 of NRS 624.031, an owner of property must submit an Owner-Builder Disclosure Statement to:*

*(a) The Board; and*

*(b) The local building official responsible for issuing the permit for the work that will be the subject of the exemption.*

*2. If the Owner-Builder Disclosure Statement submitted pursuant to subsection 1 is completed fully and accurately, and signed by the applicant under penalty of perjury, the Board will approve the owner-builder exemption.*

*3. Unless the Board notifies the applicant within 10 days after he submits the Owner-Builder Disclosure Statement to the Board that the owner-builder exemption is denied, the owner-builder exemption shall be deemed to have been approved by the Board.*

*4. If the Board denies an application for an owner-builder exemption, the Board will, within 10 days after the applicant submits the Owner-Builder Disclosure Statement to the Board:*

- (a) Notify the applicant that the owner-builder exemption is denied; and*
- (b) Set forth the reasons for the denial.*

*5. If the applicant is notified pursuant to subsection 4 that the owner-builder exemption is denied, the applicant may submit supplemental materials to the Board regarding the application for an owner-builder exemption.*

*6. If it appears to the satisfaction of the Board that the materials submitted pursuant to subsection 5 satisfy the reasons for the denial of the owner-builder exemption, the Board may approve the owner-builder exemption.*

*7. As used in this section, "Owner-Builder Disclosure Statement" means the form adopted by the Board pursuant to section 3 of this regulation.*

**Sec. 3. 1. The Board will adopt a form for the Owner-Builder Disclosure Statement.**

**2. The form must include, without limitation:**

*(a) The name, mailing address, physical address and telephone number of the owner of property applying for the owner-builder exemption from the provisions of chapter 624 of NRS pursuant to subsection 4 of NRS 624.031;*

*(b) The county where the property that will be subject to the owner-builder exemption is located;*

*(c) The parcel number of the county assessor for the property;*

*(d) A description of the work to be performed on the property;*

*(e) With regard to the work described in paragraph (d), the type of permit for which the owner of property is, or will be, applying;*

*(f) A description of the basis for the owner-builder exemption; and*

*(g) A declaration, to be signed under penalty of perjury by the owner of property submitting the form, stating that:*

*(1) The owner of property owns the property and is building or improving a residential structure on the property for his own occupancy and not intended for sale or lease;*

*(2) The information contained in the Owner-Builder Disclosure Statement is accurate and complete; and*

*(3) The owner of property will comply with all applicable statutes, regulations, ordinances and codes.*

**NOTICE OF ADOPTION OF PROPOSED REGULATION  
LCB File No. R047-03**

The State Contractors' Board adopted regulations assigned LCB File No. R047-03 which pertain to chapter 624 of the Nevada Administrative Code on October 28, 2003.

**Notice date:** 8/26/2003  
**Hearing date:** 10/6/2003

**Date of adoption by agency:** 10/28/2003  
**Filing date:** 12/4/2003

**INFORMATIONAL STATEMENT**

- 1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.**

A workshop and hearing were noticed on August 26, 2003 by posting at the Washoe County Court House; Washoe County Library; Reno City Hall; Las Vegas City Hall; Sawyer State Building; Clark County Library and Offices of the Contractors' Board in Reno and Las Vegas. The notice was posted on the agency's website and mailed to approximately 135 interested individuals.

- 2. The number of persons who:**
- |  |          |
|--|----------|
| <b>(a) Attended each hearing:</b>                    | <b>0</b> |
| <b>(b) Testified at each hearing:</b>                | <b>0</b> |
| <b>(c) Submitted to the agency written comments:</b> | <b>0</b> |

- 3. A description of how comment was solicited from affected businesses, a summary of their response and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses by the notice posting, website and direct mail.

- 4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The regulation was adopted by the Nevada State Contractors Board at its October 27, 2003 meeting without change since no comments were received.

- 5. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and**  
**(b) Both immediate and long-term effects.**

- (a) The regulation is expected to have little economic impact on the regulated industry since the regulation simply provides for an exemption from licensure for an owner builder.
- (b) Immediate and long-term effects should be minimal.

**6. The estimated cost to the agency for enforcement of the adopted regulation.**

The cost of enforcement of the proposed regulation will be minimal.

**7. A description of any regulations of other state or governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other state or government agency regulations which the proposed regulations duplicate.