

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

LCB File No. R047-03

July 30, 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.