

**LCB File No. R117-04**

**PROPOSED REGULATION OF THE REAL ESTATE DIVISION OF  
THE DEPARTMENT OF BUSINESS AND INDUSTRY**

**NOTICE OF WORKSHOP TO SOLICIT COMMENTS  
ON PROPOSED REGULATIONS**

The Nevada Real Estate Division of the Department of Business & Industry of the State of Nevada is proposing the Adoption and/or Amendment of regulations pertaining to **Chapter 645C of the Nevada Administrative Code**. A workshop has been set for the following dates, times and locations:

**JULY 1, 2004  
9:00 A.M.**

**Las Vegas area:**

**Dept. of Business & Industry  
2501 E. Sahara Avenue  
Hearing Room, 2nd Floor  
Las Vegas, NV 89104**

**Carson City area:**

**Dept. of Business & Industry  
788 Fairview Drive  
Hearing Room  
Carson City, NV 89701**

The purpose of the workshop is to receive comments from all interested persons regarding the adoption of regulations that pertain to **Chapter 645C of the Nevada Administrative Code**. The following general topics may be addressed in the proposed regulations:

< Adopt fee to be paid by all persons for conducting background checks.

A copy of all materials relating to the proposed regulations may be obtained at the **workshop** or by contacting the Real Estate Division at:

2501 E. Sahara Avenue, Room 100  
Las Vegas, NV 89104-4137  
(702) 486-4033, x. 222

788 Fairview Drive, Suite 201  
Carson City, NV 89701  
(702) 687-4280.

**TAMI DEVRIES**

OR ONLINE AT [www.red.state.nv.us](http://www.red.state.nv.us) or [www.leg.state.nv.us](http://www.leg.state.nv.us)

**NOTICE OF INTENT TO ACT UPON A REGULATION**

**NOTICE OF HEARING FOR THE ADOPTION, AMENDMENT AND REPEAL OF  
REGULATIONS OF THE NEVADA DEPARTMENT OF BUSINESS & INDUSTRY  
REAL ESTATE DIVISION ADMINISTRATOR**

The Nevada Real Estate Division of the Department of Business & Industry of the State of Nevada (the "Division") will hold a public hearing at **10:00 a.m. on JULY 1, 2004** at the **BRADLEY BUILDING, 2501 E. SAHARA AVENUE, 2<sup>ND</sup> FLOOR CONFERENCE ROOM, LAS VEGAS, NEVADA 89104** with a video-link connection to **DEPARTMENT OF BUSINESS & INDUSTRY, HEARING ROOM, 788 FAIRVIEW DRIVE, CARSON CITY, NV 89701**. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to chapter 645C of the Nevada Administrative Code.

**JULY 1, 2004 @ 9:00 A.M.**

**LAS VEGAS, NEVADA**

BRADLEY BUILDING  
2501 E. SAHARA AVENUE  
2<sup>ND</sup> FLOOR CONFERENCE ROOM  
LAS VEGAS, NEVADA 89104

**CARSON CITY, NEVADA**

DEPT. OF BUSINESS & INDUSTRY  
HEARING ROOM  
788 FAIRVIEW DRIVE  
CARSON CITY, NV 89701

The following information is provided pursuant to the requirements of NRS 233B.060:

**Information Regarding Adoption**

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

**Information about Proposed Regulations**

1. Purpose and need of the Proposed Regulations. The Division is the agency, which administers the licensing, education and compliance program under NRS 645C. The purpose of this regulation is to set forth the fee required for the investigation of a person's background.
2. Terms of the proposed regulations. The regulations to be adopted are stated in the attached document entitled Proposed Regulation of the Nevada Commission of Appraisers of Real Estate, LCB File No. \_\_\_\_\_.
3. Estimated Economic Effect. None known at this time.

4. Estimated Cost to the Agency. None known at this time. This fee will be collected directly from the person and will be made payable to the agency conducting the investigation.
5. Duplication with other Agencies: None known at this time.
6. Federal Law. None known at this time.
7. Federal Regulation. None known at this time.
8. New Fee Established. Section 2 proposes the fee for the cost to conduct a background investigation to be the actual cost of such investigation. Authority to adopt this fee was granted through Senate Bill 428 of the 72<sup>nd</sup> Legislature.

### **Comments and Written Submissions**

Persons wishing to comment on the proposed action of the Division may appear at the scheduled public hearings or may address their comments, data, views or arguments, in written form to:

**Nevada Real Estate Division  
Bradley Building  
2501 E. Sahara Avenue, Room 102  
Las Vegas, NV 89104-4137  
Attn: Tami DeVries, Legal Administrative Officer**

Written submissions must be received by the Division by **JUNE 25, 2004 @ 5:00 P.M.** If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Division may proceed immediately to act upon any written submissions.

### **Copies of Proposed Regulation**

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the proposed regulation will be available at the following Division offices:

Nevada Real Estate Division  
788 Fairview Drive, Suite 200  
Carson City, NV 89701

Nevada Real Estate Division  
Bradley Building  
2501 East Sahara, Suite 100  
Las Vegas, NV 89104-4137

and in all counties in which an office of the Division is not maintained, at the main public library, for inspection and copying by members of the public during business hours. The text of each regulation will include the entire text of any section of the Nevada Administrative Code, which is proposed for amendment or repeal. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653

and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

### **Posting**

This notice of hearing has been posted at the following locations:

Nevada Real Estate Division  
788 Fairview Drive  
Carson City, NV 89701

Nevada Real Estate Division  
Bradley Building  
2501 East Sahara, Suite 202  
Las Vegas, NV 89104-4137

Elko Conference Center  
700 Moren Way (Silver Room)  
Elko, Nevada

State Library  
100 Stewart Street  
Carson City, Nevada

Churchill County Library  
553 South Maine Street  
Fallon, Nevada 89406

Douglas County Library  
1625 Library Lane  
Minden, Nevada 89423

Elko County Library  
720 Court Street  
Elko, Nevada 89801

Goldfield Public Library  
Fourth & Crook Street  
Goldfield, Nevada 89013

Eureka Branch Library  
10190 Monroe Street  
Eureka, Nevada 89316

Humboldt County Library  
85 East 5<sup>th</sup> Street  
Winnemucca, Nevada 89445

Lincoln County Library  
93 Main Street  
Pioche, Nevada 89043

Storey County Library  
95 South R Street  
Virginia City, Nevada 89440

Lyon County Library  
20 Nevin Way  
Yerington, Nevada 89447

Mineral County Library  
First & A Street  
Hawthorne, Nevada 89415

Tonopah Public Library  
171 Central Street  
Tonopah, Nevada 89049

Pershing County Library  
1125 Central Avenue  
Lovelock, Nevada 89419

Washoe County Library

White Pine County Library

301 South Center Street  
Reno, Nevada 89505

950 Campton Street  
Ely, Nevada 89301

Battle Mountain Library  
625 Broad Street  
Battle Mountain, Nevada 89820

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THE DEPARTMENT OF BUSINESS AND INDUSTRY**

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

AUTHORITY: NRS 645C.450.

**Section 1.** Chapter 645C of NAC is hereby amended by adding thereto the provisions set forth as section 2, of this regulation.

**Sec. 2.** *The fee for the investigation of the background of any person, applicant, licensee, holder of a certificate or holder of a registration card will not exceed the actual cost to conduct the investigation.*