

**PROPOSED REGULATION OF THE  
NEVADA TAX COMMISSION**

**LCB File No. R183-07**

December 5, 2007

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

AUTHORITY: §§1-6, NRS 360.090, 360.250 and 361.233.

A REGULATION relating to the taxation of real property; providing a methodology for the assessment and valuation of the real property within a common-interest community; and providing other matters properly relating thereto.

**Section 1.** Chapter 361 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

**Sec. 2.** *As used in sections 2 to 5, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in NRS 361.233 have the meanings ascribed to them in that section.*

**Sec. 3.** *The provisions of sections 2 to 5, inclusive, of this regulation apply to the assessment and valuation of the real property within a common-interest community.*

**Sec. 4. 1.** *A county assessor shall:*

*(a) Determine the taxable value of each community unit of a common-interest community separately and assess the tax thereon to the current owner of the community unit; and*

*(b) Determine the taxable value of the common elements of a common-interest community separately and assess the tax thereon to the current owners of the community units of the common-interest community as provided in section 5 of this regulation.*

*2. If a parcel includes both a community unit and any portion of the common elements of a common-interest community, a county assessor shall:*

*(a) Determine the taxable value of any improvements and land that comprise that community unit separately and assess the tax thereon to the current owner of the community unit; and*

*(b) Determine the taxable value of any improvements and land that comprise that portion of the common elements of the common-interest community and assess the tax thereon to the current owners of the community units of the common-interest community as provided in section 5 of this regulation.*

**Sec. 5. 1.** *A county assessor shall include in the valuation of each community unit of a common interest community an amount calculated by multiplying the taxable value of all the common elements of the common-interest community by a fraction, the numerator of which is 1 and the denominator of which is:*

*(a) Except as otherwise provided in paragraph (b), the total number of community units in the common-interest community; or*

*(b) If the common-interest community is still under development, the total number of community units planned to be constructed in the common-interest community,*

*↳ regardless of whether each community unit has yet been identified by a separate assessor's parcel number.*

*2. If a county assessor is unable to determine from public records the information necessary to carry out the provisions of subsection 1, the county assessor shall submit to the owners of the common elements of the common-interest community a written request for such*

*information as the county assessor determines to be necessary to carry out those provisions.*

*Such information may include, without limitation:*

*(a) The total number of community units constructed or planned to be constructed in the common-interest community;*

*(b) The assessor's parcel number or other identifying information for each community unit in the common-interest community; and*

*(c) The assessor's parcel number or other identifying information for each portion of the common elements of the common-interest community.*

*3. If the owners of the common elements of a common-interest community fail to provide the information requested pursuant to subsection 2 within 60 days after receiving that request, the county assessor shall allocate the taxable value of the common elements of the common-interest community to the community units of the common-interest community based on any information available to the county assessor.*

*4. The Department shall provide a standard form for requesting and providing information pursuant to this section.*

**Sec. 6.** NAC 361.010 is hereby amended to read as follows:

361.010 As used in NAC 361.010 to 361.609, inclusive, *and sections 2 to 5, inclusive, of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 361.012 to 361.018, inclusive, have the meanings ascribed to them in those sections.