

**PROPOSED REGULATION OF THE
COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM HOTELS**

LCB File No. R152-13

AGENCY DRAFT #1 122613

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

AUTHORITY: NRS 116A.200.

A REGULATION relating to common-interest communities;

and providing other matters properly relating thereto.

Section 1. NAC 116A.230 is hereby amended to read as follows:

NAC 116A.230 Approval of and requirements for course; record of attendance or completion.
(NRS 116.615, 116.665, 116A.200, 116A.410)

1. Except as otherwise provided in subsection 4, an application for the approval of a course for continuing education must be submitted to the Division on a form provided by the Division for review and presentation to the Commission and must include the fee required by NAC 116A.515. If the Commission approves a course for continuing education, the Commission's approval is effective for 1 year after the original approval or a renewal and the Commission will not grant more than:

(a) Seven hours of credit for continuing education for a day of instruction in the course if the sponsor does not require a student to complete and pass a final examination to pass the course.

(b) Eight hours of credit for continuing education for a day of instruction in the course if the sponsor requires a student to complete and pass a final examination to pass the course.

2. The Commission may grant retroactive approval for a course for continuing education.

3. If an application for the approval of a course for continuing education is presented to the Commission pursuant to subsection 1, the Commission will grant credit for the course only if:

(a) The course consists of at least ~~3~~ 1 hours of distance education or instruction in a classroom.

(b) The course satisfies the requirements of NAC 116A.232.

(c) For a course of instruction in a classroom, the sponsor of the course:

- (1) Certifies the attendance of holders of a certificate who take the course for credit.
 - (2) Maintains for at least 4 years a record of attendance which contains the following information with respect to each holder of a certificate who has taken the course for credit:
 - (I) The name of the holder of a certificate in attendance and the number of his or her certificate.
 - (II) The title and number of the course.
 - (III) The hours of instruction attended and dates of attendance by the holder of a certificate.
 - (IV) A statement that the holder of a certificate has successfully completed the course, if applicable.
 - (3) Assures the Commission that an approved instructor will preside throughout the course.
 - (d) For a course of distance education, the sponsor of the course:
 - (1) Requires each student to:
 - (I) Take a closed-book final examination with a proctor present at a location designated by the sponsor in its application for approval filed with the Division and receive a score of at least 75 percent to pass the course;
 - (II) Prove his or her identity before he or she is allowed to take any examination;
 - (III) Complete an entire course to receive credit for taking the course; and
 - (IV) Complete each course within an established minimum and maximum time.
 - (2) Gives credit for only the number of hours for which the course has been approved by the Commission to a holder of a certificate who has completed the course.
 - (3) Publishes a policy for retaking an examination which a holder of a certificate failed.
 - (4) Maintains for at least 4 years a record of completion of the course which contains the following information with respect to each holder of a certificate who has taken the course for credit:
 - (I) The name of the holder of a certificate who completes the course and the number of his or her certificate.
 - (II) The title and number of the course.
 - (III) A statement that the holder of a certificate has successfully completed the course, which includes, without limitation, the date that the course was completed and the number of hours completed.
4. The Administrator may grant credit for continuing education for a course offered by any university, school or community college which is a part of the Nevada System of Higher Education, or any other university or college bearing the same or an equivalent accreditation if:
- (a) The course provides instruction in the management of a common-interest community or the association of a condominium hotel or a subject directly related to the management of a common-interest community or the association of a condominium hotel;
 - (b) The university, school or college offers the course for university or college credit; and
 - (c) The sponsor of the course agrees to comply with paragraphs (a), (c) and (d) of subsection 3, subsection 5, NAC 116A.240 and 116A.250 and subsection 1 of NAC 116A.285.
5. If a course is approved, the sponsor shall provide a certified copy of the record of attendance or record of completion to the holder of a certificate upon his or her completion of the course. The Division shall accept the certified copy as proof of the attendance of the holder of a certificate or completion of the course by the holder of a certificate for the purpose of renewal or

reinstatement of his or her certificate. If the course is taken at a university or community college, the proof of attendance must be a certified transcript. The certified copy of the record of attendance or record of completion of a sponsor must contain the:

- (a) Name of the sponsor;
- (b) Name of the holder of a certificate and his or her certificate number;
- (c) Number of hours of credit for continuing education for which the course is approved;
- (d) Dates of instruction for a course of instruction in a classroom;
- (e) Date of completion of the course for a course of distance education;
- (f) Title of the course or seminar;
- (g) Number of the sponsor assigned by the Division and a statement that the course was approved by the Commission;
- (h) Signature of the person authorized to sign for the sponsor;
- (i) Grade received by the holder of a certificate or a statement of whether the holder of a certificate passed the class if an examination was given; and
- (j) Manner in which instruction for the course was delivered.

Sec. 2. NAC 116A.255 is hereby amended to read as follows:

NAC 116A.255 Credit for attendance at meeting of Commission. (~~NRS 116.615, 116.665, 116A.200, 116A.410~~)

1. The Commission will grant credit for continuing education, not to exceed 6 hours during a certification period, to a holder of a certificate for attending a meeting of the Commission if:

(a) The meeting of the Commission for which credit for continuing education is being sought is not a meeting in which the holder of a certificate was participating or otherwise affiliated with a specific disciplinary hearing;

(b) The meeting of the Commission for which credit for continuing education is being sought lasts at least ~~3~~ 1 hours; and

(c) The Commission certifies, for the purposes of providing credit for continuing education, the attendance of the holder of a certificate at the meeting.

2. If a holder of a certificate attends only part of a meeting of the Commission, the Division may determine the number of hours of credit, if any, that the holder of a certificate may receive for credit for continuing education pursuant to this section.