

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

**LCB File No. R153-13**

January 14, 2014

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

AUTHORITY: §1, NRS 116.311395 and 116.615.

A REGULATION relating to common-interest communities; requiring a financial institution which is located outside of this State and is holding certain funds in this State to appoint the Real Estate Administrator as its agent for the service of process; and providing other matters properly relating thereto.

**Section 1.** Chapter 116 of NAC is hereby amended by adding thereto a new section to read as follows:

*1. A financial institution which is located outside of this State and is holding funds belonging to an association which is located in this State shall execute a written statement that appoints the Administrator as its agent for the service of process for any action or proceeding filed against the financial institution in this State.*

*2. The statement of appointment must include a provision which provides:*

*(a) That any process which is served on the Administrator shall be deemed to have the same legal validity as if it had been served on the financial institution;*

*(b) That the appointment of the Administrator as its agent for the service of process continues as long as any liability remains outstanding in this State against the financial institution; and*

*(c) Consent for venue in any judicial or administrative district in this State without regard to the residence or principal place of business of the financial institution.*

*3. The statement of appointment must be signed by an executive officer of the financial institution and notarized. The financial institution shall file a copy of the statement of appointment with the Administrator. A copy of the statement which is certified by the Administrator shall be deemed sufficient evidence of the appointment.*

*4. If any process is served upon the Administrator pursuant to this section, the Administrator shall mail the process by certified mail to the last known address of the financial institution. Service of process shall be deemed complete upon mailing. The manner of the service of process described in this subsection does not affect the validity of any other service of process authorized by law.*