

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

LCB File No. R047-03

Effective December 4, 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.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R047-03**

The State Contractors' Board adopted regulations assigned LCB File No. R047-03 which pertain to chapter 624 of the Nevada Administrative Code on October 28, 2003.

Notice date: 8/26/2003
Hearing date: 10/6/2003

Date of adoption by agency: 10/28/2003
Filing date: 12/4/2003

INFORMATIONAL STATEMENT

- 1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.**

A workshop and hearing were noticed on August 26, 2003 by posting at the Washoe County Court House; Washoe County Library; Reno City Hall; Las Vegas City Hall; Sawyer State Building; Clark County Library and Offices of the Contractors' Board in Reno and Las Vegas. The notice was posted on the agency's website and mailed to approximately 135 interested individuals.

- 2. The number of persons who:**
- | | |
|--|----------|
| (a) Attended each hearing: | 0 |
| (b) Testified at each hearing: | 0 |
| (c) Submitted to the agency written comments: | 0 |

- 3. A description of how comment was solicited from affected businesses, a summary of their response and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses by the notice posting, website and direct mail.

- 4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The regulation was adopted by the Nevada State Contractors Board at its October 27, 2003 meeting without change since no comments were received.

- 5. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and**
(b) Both immediate and long-term effects.

- (a) The regulation is expected to have little economic impact on the regulated industry since the regulation simply provides for an exemption from licensure for an owner builder.
- (b) Immediate and long-term effects should be minimal.

6. The estimated cost to the agency for enforcement of the adopted regulation.

The cost of enforcement of the proposed regulation will be minimal.

7. A description of any regulations of other state or governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations which the proposed regulations duplicate.