

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

LCB File No. R199-09

September 10, 2010

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

AUTHORITY: §1, NRS 116.310313.

A REGULATION relating to common-interest communities; establishing provisions concerning fees charged by an association or person acting on behalf of an association to cover the costs of collecting a past due obligation of a unit’s owner; 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. To cover the costs of collecting any past due obligation of a unit’s owner, an association or a person acting on behalf of an association to collect a past due obligation of a unit’s owner may not charge the unit’s owner an amount which exceeds the following:

<i>(a) Demand or intent to lien letter</i>	<i>\$150</i>
<i>(b) Notice of delinquent assessment lien</i>	<i>325</i>
<i>(c) Intent to notice of default letter</i>	<i>90</i>
<i>(d) Notice of default.....</i>	<i>400</i>
<i>(e) Intent to notice of sale letter</i>	<i>90</i>
<i>(f) Notice of sale.....</i>	<i>275</i>
<i>(g) Intent to conduct foreclosure sale</i>	<i>25</i>

<i>(h) Conduct foreclosure sale</i>	<i>125</i>
<i>(i) Prepare and record transfer deed.....</i>	<i>125</i>
<i>(j) Payment plan agreement - One-time set-up fee.....</i>	<i>30</i>
<i>(k) Payment plan breach letter.....</i>	<i>25</i>
<i>(l) Release of notice of delinquent assessment lien.....</i>	<i>30</i>
<i>(m) Notice of rescission fee</i>	<i>30</i>
<i>(n) Bankruptcy package preparation and monitoring</i>	<i>100</i>
<i>(o) Mailing fee per piece for demand or intent to lien letter, notice of delinquent assessment lien, notice of default and notice of sale.....</i>	<i>2</i>
<i>(p) Insufficient funds fee.....</i>	<i>20</i>
<i>(q) Escrow payoff demand fee.....</i>	<i>150</i>
<i>(r) Substitution of agent document fee</i>	<i>25</i>
<i>(s) Homeowner debt dispute fee</i>	<i>75</i>
<i>(t) Foreclosure fee</i>	<i>150</i>

2. If:

(a) An association or a person acting on behalf of an association to collect a past due obligation of a unit’s owner incurs any costs in connection with an activity described in subsection 1, including, without limitation, the cost of a trustee sale guarantee and other title costs, recording costs, posting and publishing costs, sale costs, mailing costs, express delivery costs and skip trace fees; and

(b) Those costs are charged to the association or person acting on behalf of an association by a person who is not an officer or employee of the association or the person acting on behalf

of an association, an agent or attorney of the association or the person acting on behalf of an association, the community manager of the association or a collection agency,

↳ the association or person acting on behalf of an association may recover from the unit's owner the actual costs incurred without any increase or mark-up.