

**ADOPTED REGULATION OF THE
COMMISSION OF APPRAISERS OF REAL ESTATE**

LCB File No. R103-10

Effective December 16, 2010

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

AUTHORITY: §§1 and 2, NRS 645C.210; §§3-5, NRS 645C.210 and 645C.440.

A REGULATION relating to appraisers of real estate; authorizing the Real Estate Division of the Department of Business and Industry to provide certain information on the website created and maintained by the Division; authorizing the Division to allow registered interns, licensees and holders of permits and certificates to use the website to verify certain information concerning continuing education; requiring a sponsor of a course of continuing education to submit certain information to the Division; and providing other matters properly relating thereto.

Section 1. Chapter 645C is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *“Sponsor” means a person or governmental entity who offers or conducts a course which satisfies the educational requirements, if any, for the issuance of a license, certificate, permit or registration card or a course which satisfies the continuing education requirements set forth in NAC 645C.300 and 645C.302.*

Sec. 3. *On the website created and maintained pursuant to NRS 645C.390, the Division may provide information concerning courses which satisfy the educational requirements, if any, for the issuance of a license, certificate, permit or registration card and courses which satisfy the continuing education requirements set forth in NAC 645C.300 and 645C.302. The information may include, without limitation:*

1. The name of each sponsor of a course;

2. Whether a course satisfies the educational requirements for the issuance of a license, permit, certificate or registration card or the continuing education requirements set forth in NAC 645C.300 and 645C.302;

3. Whether the Commission has approved a course; and

4. If a course has been approved by the Commission:

(a) The course number assigned by the Division;

(b) The title of the course and the name of the sponsor of the course;

(c) If the course is a course for continuing education, whether the Commission has approved the course;

(d) The number of hours of credit for which the Commission has approved the course; and

(e) The manner in which the instruction of the course will be delivered.

Sec. 4. The Division may allow a registered intern, licensee or holder of a permit or certificate to use the website created and maintained pursuant to NRS 645C.390 to verify information concerning credits for continuing education earned by the registered intern, licensee or holder of a permit or certificate during the current renewal period and the renewal period immediately preceding the current renewal period. The information may include, without limitation:

1. The name of the registered intern, licensee or holder of a permit or certificate and the number of that person's license, permit, certificate or registration card;

2. The title of the course and the name of the sponsor of the course;

3. The course number assigned by the Division;

4. Whether the Commission has approved the course;

5. The number of hours of continuing education credit earned by the registered intern, licensee or holder of a permit or certificate for completing a course;

6. The date on which the registered intern, licensee or holder of a permit or certificate completed a course; and

7. The number of hours of continuing education which the Commission has approved for the course.

Sec. 5. *Not later than 10 days after the completion of a course of continuing education which has been approved by the Commission, the sponsor of the course shall submit electronically to the Division, in a format approved by the Division, the information set forth in section 4 of this regulation for each registered intern, licensee or holder of a permit or certificate who completed the course to earn credit for continuing education.*

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
LCB FILE NO. R103-10**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 645C.

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

Notice of the proposed regulation was posted on the Real Estate Division website and in various other public locations where both the public and other interested persons would have access to that information. The Division conducted a public workshop on September 15, 2010 in Las Vegas, Nevada, with video to Carson City, NV. Public comment was solicited at the public hearing held in Carson City, with video to Las Vegas on November 30, 2010.

2. The number of persons who:

	<u>CC</u>	<u>LV</u>
Attended workshop: 09/15/10:	N/A	3
Submitted written comments:	0	0
Attended hearing: 11/30/10:	0	4
Submitted written comments:	0	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.

The public was invited to comment in the public workshop and hearing or in writing per the notices. Additionally, the Commission has had a standing agenda item for their meetings which included a discussion to review Chapter 645C of NAC and make recommendations for proposed changes, additions, and deletions since September 2005 and through November 30, 2010. At each meeting, the Commission considered possible changes to the Nevada Administrative Code for Chapter 645C, solicited public comment, and formulated their proposals for changes.

Interested persons are informed that they can obtain a copy of comment summaries by contacting Joanne Gierer, Legal Administrative Officer, at 702-486-4036.

Minutes of the Commission's meetings are available on the Division's website (www.red.state.nv.us) or by contacting Joanne Gierer, Legal Administrative Officer, at 702-486-4036.

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.

There were no public comments made at the workshop or the adoption hearing resulting in no changes in the proposed regulation.

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

Business which it is to regulate:

(1) Both adverse and beneficial effects:

Beneficial effects: Requires a sponsor of a course of continuing education to submit certain information to the Division.

Adverse effects: There are no anticipated adverse effects to businesses.

Beneficial effects:

(2) Both immediate and long-term effects.

Immediate effects: By using the Division's website to look up certain information, this regulation will allow registered interns, licensees and holders of permits and certificates to use the website to verify certain information concerning continuing education.

Long-term effects: None.

Public:

(1) Both adverse and beneficial effects:

Beneficial effects: This regulation is authorizing the Division to allow registered interns, licensees and holders of permits and certificates to use the website to verify certain information concerning continuing education.

Adverse effects: None.

(2) Both immediate and long-term effects:

Immediate effects: Will create faster access to Division continuing education information for licensees and interns.

Long-term effects: Same as above.

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

The Division will not experience additional expenses by adopting this regulation.

7. A description of any regulations of other state or government 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.

None.

8. If the regulation includes provisions, which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

None.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

There are no new fees or increases in existing fees.