



State of Nevada
Department of Business and Industry
Real Estate Division
Office of the Ombudsman for Owners in
Common-Interest Communities and
Condominium Hotels

2009 Ombudsman Legislative Summary

PREFACE

This digest highlights select changes to the Nevada Revised Statutes from the 2009 Legislative Session affecting homeowner associations, organized by subject. Most of these new statutes will be incorporated into NRS 116, NRS 116A, NAC 116 and related laws. It is not a complete listing of all HOA-related changes, but a summary of certain ones primarily affecting board members, homeowners and tenants.

To see all of the bills directly relating to HOAs in their entirety, visit the Nevada Legislature Web site's Session Bill Information page: <http://leg.state.nv.us/75th2009/Reports/>. The pertinent bills are as follows:

SB 68	AB 129
SB 114	AB 204
SB 182	AB 207
SB 183	AB 251
SB 216	AB 311
SB 253	AB 350
SB 261	AB 361
SB 351	

ASSOCIATION POWERS/DUTIES/RESTRICTIONS

AB 129 prohibits HOAs from restricting the parking of public utility vehicles 20,000 lbs. or less, and law enforcement and emergency service vehicles. Regarding public utility vehicles, parking must be allowed where visitors can park, on common parking areas or in the driveways of the consumer while utility services are being provided to that unit. Also, these vehicles can also be parked in these same locations by owners and tenants if they are required by their employers to have these vehicles at home in order to respond to emergencies. For law enforcement and emergency vehicles, these same parking rules apply if they are engaged in their official duties or are required by their employers to have the vehicles at their homes. Associations can require written proof of the requirement of the employer. (NRS 116.350) (Eff. 10/1/09)

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AB 204 requires the HOA Board to make available to unit owners – at the time it makes the budget available – the policies for collecting fees, fines, assessments, and costs from owners and include information on the rights and responsibilities regarding these collections. (NRS 116.31151) It also allows HOAs to have a priority lien for 9 months of unpaid assessments and related costs (increased from 6 months). (NRS 116.3116) (Eff. 10/1/09)

AB 350 (1.7) creates a new section of law authorizing associations to charge “reasonable fees” for collecting any past due obligations. (Eff. 6/9/09 for regulations, 1/1/10 for all other purposes)

AB 361 authorizes associations to improve the appearance of vacant and foreclosed properties. It allows, without liability for violating trespass laws, entry on the grounds of these kinds of properties to maintain the exteriors, or abate nuisances (visible, threaten health or safety, result in blight, adversely affect the use and enjoyment of neighbors’ properties). This maintenance work can begin if -- after notice and a hearing -- the owner refuses to do so. Further, the costs for the maintenance can become a priority lien if the owner doesn’t pay the costs. In addition, people who acquire foreclosed properties, including banks, must give the association contact information within 30 days after filing an action to recover the debt (such as the first mortgage) or recording a notice of a breach of the obligation and the election to sell the unit. (Eff. 10/1/09)

SB 68 relates to security walls, and provides that associations must maintain them unless the governing documents provide otherwise. However, for associations created before Oct. 1, 2009, the requirements of this bill do not apply until January 2013. (Eff. 1/1/13, or earlier)

SB 182 (28) and SB 183 (31) prohibit the association from interrupting utility services except for nonpayment of utility charges. Before any interruption, the owner or tenant must get at least a 10-day notice. (NRS 116.345) (Eff.10/1/09)

SB 183 (28) An association’s official publications (newsletters, Web sites, bulletin boards, magazines) now must provide “equal space” to opposing points of view upon request and at no cost. This equal space requirement is with respect to certain specific subject areas, including but not limited to: mentions of candidates or ballot questions, views or opinions on matters of official interest such as adoption of rules, issues on which there will be a vote, and so forth. In addition, there is protection from civil or criminal liability for the association, officers, employees and agents for any act or omission that arises out of the publication of information pursuant to this provision. (NRS 116.31175) (Eff.10/1/09)

BOARD MEMBERS

AB 350 (3.5, 5.5, and 16.5) adds to the duties of executive board members to clarify that not only must they act as fiduciaries but they must act: 1) on an informed basis, 2) and in the honest belief that their actions are in the best interest of the association. (NRS 116.3103) On the other hand, board members and officers are protected from punitive damages for acts and omissions that occur in their capacity as board members and officers. (NRS 116.31036) There is an exception to the protection from punitive damages where acts are willful and establish a material failure to comply with the law (NRS 116.4117); these damages can be sought not only against the association but against unit owners and the declarant as well. (Eff. 7/1/09)

SB 182(14) also addresses executive board and officer liability. It provides that punitive damages cannot be recovered from the association, the board members or officers for acts or omissions that occur in their official capacities as board members or officers. (NRS 116.31036) (Eff. 10/1/09)

SB 182 (13) When a declarant has fully terminated control of the HOA, the owners shall elect an executive board of at least 3 members, all of whom must be owners (previously a “majority” had to be owners). Then the executive board shall elect officers, but unless the governing documents provide otherwise, officers of the association are not required to be unit owners. (NRS 116.31034) (Eff.10/1/09)

SB 182 (25) and SB 183 (29) prohibit executive board members and officers from contracting with the association to provide financing (this was added to provisions which already disallowed the providing of goods and services to the association). (NRS 116.31183 and NRS 116.31187) (Eff.10/1/09)

SB 183 (3) and SB 253 (2) provide that an executive board member who will gain personal profit or compensation from a matter before the board must: 1) disclose that matter to the board and 2) abstain from voting on that matter. If a board member is an employee or affiliate of the declarant, those factors do not by themselves violate this provision, nor does the fact that a board member is also a unit owner constitute a violation of this provision. SB 253 also provides that executive board members must disclose if members of households or certain relatives will profit from matters before the board. (Eff.10/1/09)

SB 183 (14) Terms for executive board members may be increased from 2 to 3 years but there is no limitation on the number of terms -- unless the governing documents provide otherwise. (NRS 116.31034) (Eff.10/1/09)

SB 351 (9) Unless the governing documents provide that executive board vacancies must be filled by a vote of the membership, vacancies can be filled by appointment by the remaining board members. (NRS 116.3103) (Eff.10/1/09)

UNIT OWNERS – RIGHTS/RESPONSIBILITIES

AB 350 (12.5) allows an owner who is retaliated against by the executive board, board members, officers, employees or agents for complaining in good faith about violations of laws or governing documents – or requesting to review association records – to bring a separate action in court to recover compensatory damages and attorney’s fees. (NOTE: The definition of retaliatory action means “taking actions that affect the unit owner’s rights as a unit owner,” according to the Commission on Common-Interest Communities at its July 31, 2007 meeting.) (NRS 116.31183) (Eff. 7/1/09)

AB 350 (13.7) (15.5) These provisions clarify that the public offering or resale package contains a statement listing all current and expected fees per unit – association fees, fines, assessments, late charges and penalties, interest rates for assessments, additional costs for collecting past due fines, and charges for opening and closing files (NRS 116.4103 and NRS 116.4109) (Eff. 7/1/09)

SB 114 prohibits CC&Rs from prohibiting or unreasonably restricting the use of solar energy systems, and specifically allows the use of black solar glazing (This bill amends NRS 111 and NRS 278, not 116) (Eff.6/9/09)

SB 182 (19) provides that when the executive board receives a written complaint from an owner alleging that the board has violated NRS 116 or the governing documents, the board shall acknowledge receipt of the complaint within 10 days. The board shall also notify the owner that he or she may make a written request to place the subject of the complaint on the agenda of the next board meeting. (NRS 116.31087) (Eff.10/1/09)

SB 182 (26) increases the number of political signs allowed on property, though the size remains the same (24 x 36 inches). There can now be one sign for each candidate, political party or ballot question and an owner cannot place signs on property where there is a tenant without the tenant's consent. All other laws governing political signs still apply. (NRS 116.325) (Eff.10/1/09)

SB 182 (27) clarifies that owners cannot be prohibited from installing drought-tolerant landscaping in their own front and back yards, but still must submit plans for architectural review, and the plans must still be compatible with the community's style. However, executive boards shall not unreasonably deny approval. Also, "drought-tolerant landscaping" specifically is now defined to include decorative rock and artificial turf along with other landscaping that conserves water. (NRS 116.330) (Eff.10/1/09)

SB 216 Associations may not unreasonably restrict, prohibit or withhold approval for owners to add shutters to improve security or conserve energy, even if they will be attached to certain common elements or limited common elements. The owner is responsible for their maintenance. A CC&R that does not unreasonably restrict shutters and that is in the governing documents or policies is enforceable if it existed as of July 1, 2009 or was in the governing documents in effect on the close of escrow of the first sale of a unit. (NRS 116.2111) (Eff. 7/1/09)

SB 253 (6) Unless at the time of purchase there is a rental prohibition, the association may not prohibit an owner from renting a unit. Further, unless at the time of purchase the declaration requires the owner to receive approval from the association to rent the unit, this approval cannot be required. If the declaration has a limit on the number of units that can be rented, it cannot be amended to decrease the number of units which can be rented. Even if there is a limitation on the number of rentals, an owner can seek a waiver based upon a showing of "economic hardship." Where there is a limit on the number of rental units, the units owned by the declarant cannot be counted or considered when determining the maximum number of rental units allowed. (NRS 116.335) (Eff. 10/1/09)

SB 253 (8) It is the responsibility of the owner to pay for the resale package when the property is being sold. Further, this resale package must include information on transfer fees, transaction fees, and other fees involved in unit resales. (NRS 116.4109) (Eff. 6/9/09 pursuant to AB 350)

ELECTIONS AND VOTING

AB 251 changes procedures for elections where the number of candidates running is the same or less than the number of vacancies. In such cases, the executive board must send out a notice informing owners that those nominated will be deemed to be elected to the board unless an owner submits a nomination form within 30 days after receiving the board's notice (the

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nomination period). In that case, a regular election will be held with the normal balloting procedure. If no one else is nominated, then no ballots will be mailed out and the previously nominated candidates will be considered elected to the board 30 days after the date of the closing of the nomination period. (116.31034) (Eff. 7/1/09)

SB 182 (3) states that persons who knowingly, willfully and with fraudulent intent alter the outcome of executive board elections can be found guilty of a category D felony (1 to 4 year sentence, possible \$5,000+ fine). (NRS 116.31034) (Eff. 10/1/09)

SB 182 (4) provides that community managers or executive board members who ask for or receive compensation to influence a vote, opinion or action are also guilty of a category D felony, along with those who offer or give such compensation. (Eff. 10/1/09)

SB 182 (13) prohibits an association from adopting rules or regulations that effectively prohibit or unreasonably interfere with election campaigns for the executive board. However, campaigning can be limited to 90 days before the date ballots are required to be returned. Also, candidates may request (to the secretary or officer specified in the bylaws) that the association send - 30 days before the election date - a “candidate informational statement.” This statement may be limited to a single typed page and may be sent either with the ballot, or in a separate mailing, at the association’s expense. This campaign material cannot contain defamatory, libelous or profane information. Further, the association, directors, officers, employees and agents are immune from criminal and civil liability for any act or omission resulting from the publication or disclosure of information regarding any individuals that occurs during this election process. (NRS 116.31034) (Eff. 10/1/09)

SB 182 (14) Removal elections: It is now easier to remove members of the executive board. If at least 35% of the voting members vote – and a majority of those voting vote in favor of removal - then the board member is removed. In a practical sense, this means that in a community of 100 voting members, if 35 vote, and 18 vote in favor of removal, then the board member is removed. (NRS 116.31036) Also, pursuant to SB 182 (16), the association cannot adopt any rule or regulation that prevents or unreasonably interferes with the collection of signatures for a petition for a special meeting for a removal election. (NRS 116.3108) (Eff. 10/1/09)

SB 183 (8) (14) (15) (18) (20) (21) provides that there cannot be delegate voting in the election or removal of executive board members. (Eff. 10/1/09)

SB 183 (22) provides an exception to the prohibition on delegates during the period of declarant control and 2 years after declarant control is terminated. (NRS 116.1201) (Eff. 10/1/11)

SB 183 (14) requires that the association will distribute the candidate disclosure statements with the ballot but it is not obligated to distribute any disclosure if it contains information that is believed to be defamatory, libelous or profane. (NRS 116.31034) (Eff. 10/1/09)

RECORDS

AB 350 (6.5, 7.5) provides that owners may receive a copy or summary of unit owner or executive board meeting minutes cost-free in an electronic format or, if not in electronic format, at the following costs: 25 cents per page for the first 10 pages, 10 cents per page thereafter. (NRS 116.3108, 116.31083) (Eff. 7/1/09)

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AB 350 (10.5, 12.2) provides that association books and records, including the budget, must be made available at a location (usually business office or management company) not to exceed 60 miles from the CIC. (NRS 116.31151, NRS 116.31175) (Eff. 7/1/09)

SB 182 (23.5) now includes attorney's contracts as records that are available for review by owners. (NOTE: It is our opinion that this applies to current contracts on the day the statute goes into effect, not to past ones.) (NRS 116.31175) (Eff. 10/1/09)

SB 183 (28) provides that although books, records and other papers of the association are generally available to owners – if that document (e.g., a reserve study and budget) is in a draft stage and has not been placed on the agenda for final approval by the board – it does not have to be provided to the owner. (NRS 116.31175) (Eff. 10/1/09)

SB 351 (13) Regarding records which are to be made available to owners upon written request, this new law protects the privacy of an owner's architectural plans or specifications submitted for approval to the association's architectural review committee. (NRS 116.31175) (Eff. 10/1/09)

MEETINGS

AB 350 (7.5) Regarding executive board meetings, on an annual basis, two of the meetings must be held outside "standard business hours." (NRS 116.31083) (Eff. 7/1/09) NAC 116.300 defines standard business hours as follows: "As used in this section, "regular business hours" means Monday through Friday, 9 a.m. to 5 p.m., excluding state and federal holidays."

SB 182 (17) requires audio recordings of executive board meetings (but not of the executive sessions). Within 30 days of that meeting, the audio recordings, the minutes and/or a summary of the minutes must be made available to owners, including copies. (NRS 116.31083) (Eff. 10/1/09)

SB 182 (17) also provides that there are 2 comment periods for owners. At the beginning of the meeting, comments are limited to agenda items. At the end of the meeting, comments can be on any subject. (NRS 116.31083) (Eff. 10/1/09)

SB 182 (18) now requires that if the association is taking any action on contracts with the association's attorney, it must be done during the open portion of the executive board meeting (in the past attorney's contracts were only allowed to be discussed in executive session). Further, these contracts can be reviewed by owners. (NRS 116.31085) (Eff. 10/1/09)

SB 183 (19) provides that executive board meetings must be held at least once every quarter, and not less than once every 100 days (previously the reference was to every 90 days). (NRS 116.31083) (Eff. 10/1/09)

SB 253 (3) provides that if the association solicits bids for an "association project", the bids must be opened during executive board meetings. Such project is defined as including maintenance, replacement and restoration of common elements or the provision of services to the association. (Eff. 10/1/09)

BUDGETS/ ACCOUNTS

AB 311 (1) changes audit requirements. If the HOA budget is under \$75,000, financial statements only have to be reviewed by a CPA during the year immediately preceding the year of the reserve study (Audits are no longer required). If budgets are \$75,000 to \$150,000, there just needs to be an annual review (again, no audit). For both of these types of associations, however, 15% of the voting members can submit a written request for an audit. Further, if budgets are above \$150,000 there must be an annual audit by a CPA. (NRS 116.31144) (Eff. 10/1/09)

SB 182 (21) provides that even if the governing documents state otherwise, the executive board has authority to impose assessments to establish adequate reserves - without seeking or obtaining the approval of owners. These assessments, however, must be based on the reserve study. (NRS 116.3115) (Eff. 10/1/09)

SB 183 (26) Money in operating accounts may not be withdrawn without 2 signatures: one must be of an executive board member or an officer and the second must be of another member of an executive board, an officer or the community manager. However, there can be a withdrawal with just 1 signature for 2 limited purposes: transferring money to the reserve account at regular intervals, or making automatic payments for utilities. (NRS 116.31153) (Eff. 10/1/09)

SB 351 (3) This section provides that associations, executive boards and community managers must deposit association funds in financial institutions which are 1) in Nevada, 2) are qualified to conduct business in Nevada or 3) have consented to jurisdiction of Nevada courts and the Division, if out-of-state. Further, except as otherwise provided by the governing documents, an association shall, in addition to the above requirements, deposit, maintain and invest funds in: 1) properly insured accounts (FDIC, National Credit Union Share Insurance Fund, or Securities Investor Protection Corporation), 2) with a private insurer (approved under NRS 678.755) or 3) in United States government backed securities. (Eff. 10/1/09)

SB 351 (12) (12.3) and (12.7) require that the association establish reserves not only for major components of the common elements but also for “any other portion of the CIC that the association is obligated to maintain, repair, replace or restore.” (NRS 116.31151) (Eff. 10/1/09)

VIOLATIONS, ENFORCEMENT OF CC&RS

AB 350 (4.5) Past due fines can no longer accrue interest. (NRS 116.31031) However, interest can be accrued for past due assessments under AB 350 (9). (Eff. 7/1/09)

AB 350 (9) Past due assessments that are 60 days or more past due bear interest at a rate equal to the prime rate at the largest bank in Nevada, plus 2 percent. The official rate is posted at www.fid.state.nv.us. (Eff. 7/1/09)

SB 182 (12) Where there are fines against an owner for violations which have been committed by tenants or invitees, the board cannot impose a fine against the owner unless 1) the unit owner participated in or authorized the violation, 2) the unit owner had prior notice of the violation, or 3) the unit owner had an opportunity to stop the violation and failed to do so. (NRS 116.3101) (Eff. 10/1/09)

SB 182 (18) creates additional due process protections during violation hearings. Owners must be informed that they have the right to counsel, the right to present witnesses, and the right to present information regarding any conflict of interest of anyone on the hearing panel. The Commission may be adopting regulations on these rights in the future. Also, these rights are minimum due process rights, and do not preempt any governing document provisions that provide greater protections. (NRS 116.31085) (Eff. 10/1/09)

SB 183 (12) With respect to not only owners and tenants but also invitees, there are some changes regarding fines. There can be no fines imposed against an owner, tenant or invitee regarding the delivery of goods or services by vehicle. In addition, “notice” requirements have been expanded so that fines cannot be imposed unless the owner - AND if different, the person against whom the fine will be imposed - has written notice of the violation. An owner will not be deemed to have received written notice unless it was mailed to the address of the unit AND – if different – to a mailing address specified by the owner. At the hearings, an executive board member who has not paid all assessments cannot participate in the hearing or vote. Such actions will render the board’s actions void. The party who receives the fine can request, within 60 days after paying any payment on the fine, a statement of any remaining balance owed. (NRS 116.31031) (Eff. 10/1/09)

SB 183 (13) Associations are required to establish a compliance account to account for fines which is separate from the account established for assessments. (NRS 116.310315) (Eff. 10/1/11)

CREDENTIALLED PROFESSIONALS

SB 182 (24) Managers are prohibited from taking retaliatory action against an owner who complained in good faith about violations of the law or governing documents, or recommended the selection or replacement of an attorney, community manager or vendor. These prohibitions also apply to executive board members and officers, employees and agents of the HOAs. (NRS 116.31183) (Eff. 10/1/09)

SB 182 (29) A civil suit can now be filed against a manager for failing to comply with NRS 116 or the governing documents. These suits can be filed by the association – or by a class of owners (at least 10% of the voting members). Further, managers are subject to punitive damages under certain conditions. (NRS 116.4117) (Eff. 10/1/09)

SB 182 (39) provides for the issuance of temporary certificates for community management for a period of one year under certain circumstances. (NRS 116A.410) (Eff. 1/1/10)

SB 183 (39) Reserve study specialists must be registered with the Division (changed from being required to have a permit). (NRS 116A.260) (Eff. 10/1/09)

ARBITRATORS

SB 182 (40) This provision establishes that arbitrators must provide specific information to parties, in plain English, that explains the procedures and law, including information on confirmation of awards, judgments on awards, and applicable laws and court rules regarding attorney’s fees and costs. It also clarifies that in nonbinding arbitration, parties have 30 days to

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commence an action in court, and a year to apply to court for confirmation of the award. In binding arbitration, if a party seeks to have that award vacated, or commences an action in court, that person will be responsible for the opposing party's attorney's fees and costs of a more favorable award or judgment is not received. (NRS 38.330) (Eff. 10/1/09)

DECLARANT ISSUES

SB183 (16) provides that the declarant must provide to the association an accounting for money of the association and audited financial statements for each fiscal year and any ancillary period from the date of the last audit. Further, the declarant must pay for this ancillary audit and must deliver it within 210 days after the date the declarant's control ends. (NRS 116.31038) (Eff. 10/1/09)

SB 183 (17) provides that, with respect to the converted building reserve deficit which the declarant must deliver to the association, it is defined as the amount necessary to replace major components within 10 years after the date of the first close of escrow of a unit (previously had been the date of the first sale). (NRS 116.310395) (Eff. 10/1/09)

OMBUDSMAN/REAL ESTATE DIVISION

SB 182 (5) allows for petitions to the Division for advisory opinions and rulings. (Eff. 10/1/09)

SB 182 (30) adds 2 new commissioners who are unit owners to the CICCH Commission. (NRS 116.600) (Eff. 10/1/09)

SB 253 (9) The CICCH Commission now can impose administrative fines of up to \$10,000 per violation (previously the limit was \$5,000). (NRS 116A.900) (Eff. 10/1/09)

CONTACT US

The Real Estate Division is available for questions related to compliance with the provisions of NRS 116 and NAC 116 during business hours. To speak with an investigator, call (702) 486-4480 any time from 8 a.m. to 5 p.m. Monday through Friday. Walk-ins and appointments are available from 9 to 11 a.m. and from 1:30 to 3:30 p.m. Tuesday through Thursday in Las Vegas. Office hours for appointments and calls are 8 a.m. to 1 p.m. and 2 to 5 p.m. in Carson City.

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GLOSSARY

Assembly Bill (AB) – One of two potential prefixes for legislation in Nevada, the other being Senate Bill (SB). Nevada has a bicameral Legislature, similar to the U.S. Congress. State legislation may begin in either the state Senate or the state Assembly. Even though it must eventually be passed by both houses, it retains original name, which also includes a number based upon the order it was drafted (e.g., SB 183 followed right after SB 182).

Assessments (sometimes referred to as dues) – Each unit owner in a homeowners association is obligated pay a share of the common expenses of the association, such as the cost of landscape maintenance, insurance, utility bills and administrative costs. The amount the unit owner is obligated to pay is the assessment. This may be paid monthly, annually, or anywhere in between depending upon the association’s governing documents.

Common-Interest Community (CIC)/ Homeowners Association (HOA or association) – Common-Interest Community means real estate with respect to which a person, by virtue of his ownership of a unit, is obligated to pay for real estate other than that unit (NRS 116.021). The more familiar term homeowners association is used interchangeably.

Commission on Common-Interest Communities and Condominium Hotels (Commission) – A five-member (seven as of Oct. 1, 2009) panel, appointed by the governor, charged with adopting regulations and holding hearings related to homeowners associations. Whereas the Real Estate Division serves the “executive branch” role of investigating potential NRS 116 violations and carrying out certain duties, the Commission serves the “judicial branch” role over complaints. In adopting regulations, they fulfill “legislative branch” duties, specifying provisions of statutes passed by the Legislature.

Executive Board/ Board of Directors/ Board – These terms are used interchangeably. As the governing body of a homeowners association, it may create policy, hold hearings on violations of governing documents, and perform administrative roles. After an association transitions from developer to homeowner control, directors are typically elected by the membership, although vacancies of unexpired terms may be appointed by the board itself. The directors, in turn, typically, but not always, select officers (president, treasurer, etc.) from amongst themselves.

Nevada Administrative Code (NAC) – Also referred to less precisely as the regulations. Many bills enacted in Nevada include provisions for regulations that “fill in the details” of the statute. While regulations have the power of law, they are subordinate to the statutes that authorize them and may be adopted only for the purposes specified by the law. After regulations are adopted, they are later “codified” into the Nevada Administrative Code. The Commission is the entity generally authorized to adopt regulations for inclusion in NAC 116.

Nevada Revised Statutes (NRS) – The laws passed by the Nevada Legislature are organized by subject into chapters of the Nevada Revised Statutes. For instance, Chapter 116 of the Nevada Revised Statutes is called “Common-Interest Ownership” and is usually referred to as NRS 116. This is the chapter that most directly affects homeowners associations, although other sections of the law may also apply, such as the chapters affecting the towing of vehicles, pools and spas, energy efficiency and fair housing.

Ombudsman for Owners in Common-Interest Communities and Condominium Hotels

(Ombudsman) – This office, part of the Real Estate Division, has a few general duties: educate HOA residents on their rights and responsibilities, assist in resolving HOA-related disputes, and maintain a registry of all HOAs in Nevada. Its duties are supplemented by other sections of the Division, which regulate community managers and investigate issues of compliance with NRS 116. There are several Ombudsman offices in Nevada government, however references in this guide refer only to this one.

Senate Bill (SB) – See Assembly Bill.

Unit Owner/ Homeowner/ Member – These terms are used interchangeably. The members of a homeowners association are the owners, not the tenants.

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This is not a legal document or legal advice. It is a summary of select new laws from the 2009 Nevada Legislative session pertaining to common-interest communities. It is not a complete listing. For full details on all bills, visit <http://leg.state.nv.us/75th2009/Reports/>. 11/20/09