

Proposed Changes to LCB File #R122-12
Nevada Real Estate Division
Workshop of April 4, 2014

Sec. 17. 1. An applicant for a license must provide proof satisfactory to the

Administrator that the applicant:

(a) Holds an active certification or accreditation from a nationally recognized exam-based professional certification or accreditation program in the field of energy evaluation which has been approved by the Administrator; and

~~(a)~~ (b) Holds a certificate of completion from an approved program provider pursuant to section 29 of this regulation; ~~and~~ for which he or she

~~(b)~~ Has successfully completed not less than 40 hours of training and practice in each the areas identified in paragraph (c) of subsection 1 of NRS 645D.205 in an approved program.

2. An applicant who has been issued a license to practice as an energy auditor in another state or territory of the United States which was suspended or revoked shall:

(a) Disclose to the Division:

(1) The reason for the suspension or revocation of the license; and

(2) Any disciplinary action taken as a result of such suspension or revocation; and

(b) Provide to the Division documentation of the reinstatement of the license, if applicable.

Sec. 18. Each business, organization or other entity which desires to conduct an approved program offered in preparation for an original license shall apply for and receive approval from the Administrator before offering and conducting an approved program. The application for approval must be on a form provided by the Division and must include:

1. *The name, address, telephone number and, if available, the facsimile number, Internet website and electronic mail address, of the program provider.*
2. *The type of program provider and a description of its training facilities.*
3. *The name of any person, business or organization with an ownership interest in the program provider.*
4. *The name and address of each instructor and evidence of his or her qualifications.*
5. *A syllabus or curriculum for each course.*
6. *An outline specifying the material to be covered for each subject required for licensure pursuant to paragraph (c) of subsection 1 of NRS 645D.205. The outline required pursuant to this subsection must identify a minimum of 40 hours of ~~instruction~~ training and practice for each subject.*
7. *A proposed schedule for 1 year.*
8. *A copy of all required textbooks and any other required course materials.*
9. *A copy of each quiz and examination administered for each course, including the answer for each question posed in each quiz or examination.*
10. *A statement of purpose.*
11. *A written description of:*
 - (a) *The fees to be charged;*
 - (b) *The date, time and location of each course;*
 - (c) *The grading system;*
 - (d) *The requirements for attendance;*
 - (e) *How attendance is verified for each student;*
 - (f) *Any policy to account for absences from class;*
 - (g) *The location of student records;*

(h) How the course work will provide a practical understanding of the skills necessary to conduct an energy audit, limited energy audit and energy assessment on a home;

(i) Any equipment that may be used to demonstrate or teach any skill which is necessary to conduct an energy audit, limited energy audit or energy assessment on a home; and

(j) Any other criteria that must be met before a student may receive a certification of completion of an approved program.

12. Proof satisfactory that the program provider will administer a final examination for each course in the presence of a proctor.

13. Proof satisfactory that the curriculum will include instruction on conducting an energy audit, limited energy audit and energy assessment on a home.

14. A sample of the certificate of completion that will be issued to each student upon completion of an approved program.

15. Any other information that the Administrator may reasonably request in consideration of an application.

Sec. 29. An approved program provider shall provide a certificate of completion to each student who completes an approved program. The Division will accept the certificate as proof of the student's completion of the approved program. The certificate of completion must include, without limitation:

- 1. The name of the approved program provider;*
- 2. The title, description and number of the approved program;*
- 3. The name of the student;*
- 4. The number of hours of instruction attended by the student;*
- 5. The date of completion of the approved program;*

6. *The date of expiration of the certificate, if any;*
7. *An original signature of a person authorized to sign for the approved program; and*
8. *The statement: “This program is approved by the Nevada Real Estate Division Administrator”*

Sec. 36. 1. *An energy auditor may apply to the Division to have his or her license reinstated to active status on a form provided by the Division. The Division may approve an application for reinstatement if:*

- (a) *The applicant is in good standing with the Division;*
- (b) *The applicant submits with his or her application the fee required by NRS 645D.240, proof of current insurance and active accreditation or certification status with a nationally recognized exam-based professional certification or accreditation program in the field of energy evaluation which has been approved by the Administrator; and*
- (c) *The effective date of the reinstatement of the applicant’s license is before the expiration date of the license.*

2. *An energy auditor whose license expires pursuant to NRS 645D.230 after the license was placed on inactive status must renew his or her license pursuant to subsection 4 of NRS 645D.230 to activate his or her license.*

Sec. 39. NAC 645D.075 is hereby amended to read as follows:

645D.075 1. The Administrator may establish an advisory committee to assist him or her with any matter that the Administrator determines is appropriate for submission to an advisory committee.

2. The Administrator ~~shall~~ *will* create and maintain a list of the persons he or she approves to serve on an advisory committee. A person approved to serve on an advisory committee must:

- (a) Be a ~~certificate~~ *holder of a license or certificate* on active status and in good standing with the Division;

(b) Have been actively engaged in business as a certified inspector *or energy auditor* in this State for at least the 3 years immediately preceding the date of the person's approval; and

(c) Have been a resident of this State for not less than 5 years.

3. If the Administrator determines to establish an advisory committee, he or she ~~shall~~ *will* appoint three persons to serve on the committee from the list of approved persons. At least one member of the advisory committee *for inspectors of*

structures must be a certified master inspector. The Administrator

~~shall~~ *will* appoint one member of the advisory committee to serve as its chair.

4. A member of an advisory committee serves:

(a) At the pleasure of the Administrator;

(b) Without compensation; and

(c) Is entitled to receive the per diem allowance and travel expenses provided by law for state officers and employees generally for the period during which the member was engaged in the discharge of the member's duties.

Sec. 40. NAC 645D.090 is hereby amended to read as follows:

645D.090 1. Except as otherwise provided in subsection 2, this chapter applies to any person who:

(a) Performs ~~inspections~~ *an inspection* of residential or commercial property ~~;~~ *, energy audit, limited energy audit or energy assessment of a home;* and

(b) Signs a document regarding the inspection, *audit or assessment* in a way that designates the person as a "certified inspector ~~;~~" *or "energy auditor."*

2. This chapter does not apply to any person exempted from the provisions of chapter 645D of NRS pursuant to NRS 645D.100.

AMEND:

NAC 645D.310 is hereby amended to read as follows:

NAC 645D.310 Authority of certificate limited to person to whom issued or place of business specified. (NRS 645D.120) A certificate *or license* issued pursuant to this chapter must not give authority to do or perform any act specified in this chapter to any person other than the person to whom the certificate is issued, or from any place of business other than that specified therein. *or license*

AMEND:

NAC 645D.360 is hereby amended to read as follows:

NAC 645D.360 Change of employer, name or status; temporary working permit. (NRS 645D.120)

1. A holder of a certificate *or license* may request a change of employer, name or status by completing and submitting the appropriate form supplied by the Division and paying the required fees.
2. If a holder of a certificate *or license* requests such a change and pays the required fee, the receipt issued by the Division constitutes a temporary working permit pending receipt of the requested certificate. *or license*

AMEND:

NAC 645D.370 is hereby amended to read as follows:

NAC 645D.370 Inactive status: Application; renewal of certificate or license required. (NRS 645D.120)

1. A holder of a certificate or license may be placed on inactive status by applying to the Division on the appropriate form. The holder of a certificate or license is not entitled to a refund of any part of the fees paid for the unexpired term of his certificate or license.
2. A holder of a certificate or license who is on inactive status must apply for the renewal of his certificate or license on or before each anniversary of his certificate or license.

ADD NEW SECTION:

Requirements for renewal or reinstatement of a license. (NRS 645D.120):

1. ***To renew an active energy auditor license, a licensee must submit***
 - a. ***proof of current certification or accreditation from a nationally recognized exam-based professional certification or accreditation program in the field of energy evaluation which has been approved by the Administrator;***
 - b. ***proof of required insurance; and***
 - c. ***the required fee.***
2. ***To renew with penalty and reinstate an energy auditor license expired more than 60 days***

but less than 1 year, meet the requirements of subsection 1 and pay a fee equal to 150 percent of the amount otherwise required for renewal pursuant to NRS 645D.230.

ADD NEW SECTION:

Inactive status: Requirements for reinstatement.

1. A holder of a license who is in good standing with the Division and who is on inactive status may apply to the Division to be reinstated to active status. The application must:

- (a) Be on a form supplied by the Division;***
- (b) Be accompanied by the required fees;***
- (c) Submit fingerprints for a background investigation if the holder of the license has been on inactive status for at least 1 year; and***
- (d) Provide proof of current certification or accreditation from a nationally recognized exam-based professional certification or accreditation program in the field of energy evaluation which has been approved by the Administrator; and***
- (e) Provide proof of required insurance.***

2. A holder of a certificate who is placed on inactive status for his failure to comply with this chapter remains inactive until an application for reinstatement has been approved by the Division.

ADD NEW SECTION:

Issuance of license by Division.

1. The Division will grant a license to each applicant who complies with all provisions of this chapter and chapter 645D of NRS governing licensure as an energy auditor.

2. Upon receiving the license, the energy auditor may conduct the business of a licensed energy in this state.

↑
AUDITOR