



STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

COMMON-INTEREST COMMUNITIES AND
CONDOMINIUM HOTELS PROGRAM

CICOmbudsman@red.nv.gov

<http://www.red.nv.gov>

SERVING THE CLAIM

Please be advised, the Claimant is responsible to have the Respondent(s) served within **45 days** of receipt of the processed 521 claim form being sent to you via USPS by the Division. See below for instructions on *servicing the claim*:

The packet mailed to the Claimant contains (do not serve the Respondent the following items):

- Claim Opening Letter (keep this letter for your records);
- Receipt (for the **non-refundable** \$50.00 filing fee; keep for your records);
- Affidavit of Services Form
 - This form must be filled out by the person that serves the claim;
 - The form **MUST** be notarized, and returned to the Division within 10 days.
 - The packet cannot be served by anyone associated with the claim.

The following items from the packet are required to be served:

- ADR Overview, form #523
- Copy of the claim that was processed by the Division (form #520)
- Blank Response Form (#521)
- Blank Subsidy Application (form #668)
- *If the Claimant listed more than one Respondent on the claim form (#520), the Claimant is responsible to make copies of the packet so that each Respondent can be served.*
- *One (1) Affidavit of Service is to be notarized, and submitted for each Respondent listed on the Claim Form (#520).*
- *Pursuant to NAC 38.350(2)(a) – The Affidavit of Service **MUST** be submitted to the Division within 10 days of being served.*

How service must be made:

- **Service on a Nevada Corporation:** Service shall be made upon the president or other corporate head, secretary, cashier, managing agent or resident agent. However, if this is not possible, then upon the Secretary of State in the manner described in Rule 4 of the Nevada Rules of Civil Procedure.
- **Service on a Non-Nevada Corporation:** Service shall be made upon the agent designated for service of process, in Nevada, or its managing agent, business agent, cashier, or secretary within this State. However, if this is not possible, then upon the Secretary of State in the manner described in Rule 4 of the Nevada Rules of Civil Procedure.
- **In all other cases (except service upon a person of unsound mind, or upon a city, town or county):** Service shall be made upon the respondent personally, or by leaving copies at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein, or by delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process.
- **If all of the above are not possible because of the absence from the state or inability to locate the respondent:** An *Affidavit of Due Diligence* can be provided to the Division. If the Division determines adequate efforts were made to serve the respondent(s), the Division will provide a letter to the claimants acknowledging their unsuccessful efforts to participate in the ADR program. * *“Service by Publication” is not a valid form of service for the ADR Program.*