

Congratulations to Bob!

Bob just became a new board member for his HOA!



Goals

Resources

People

NRS116

Duties



Bob's ready to go..... but first....Bob must do the following:

Can anyone guess and help Bob ?

Read the HOA's Governing Documents

Read NRS116 statues

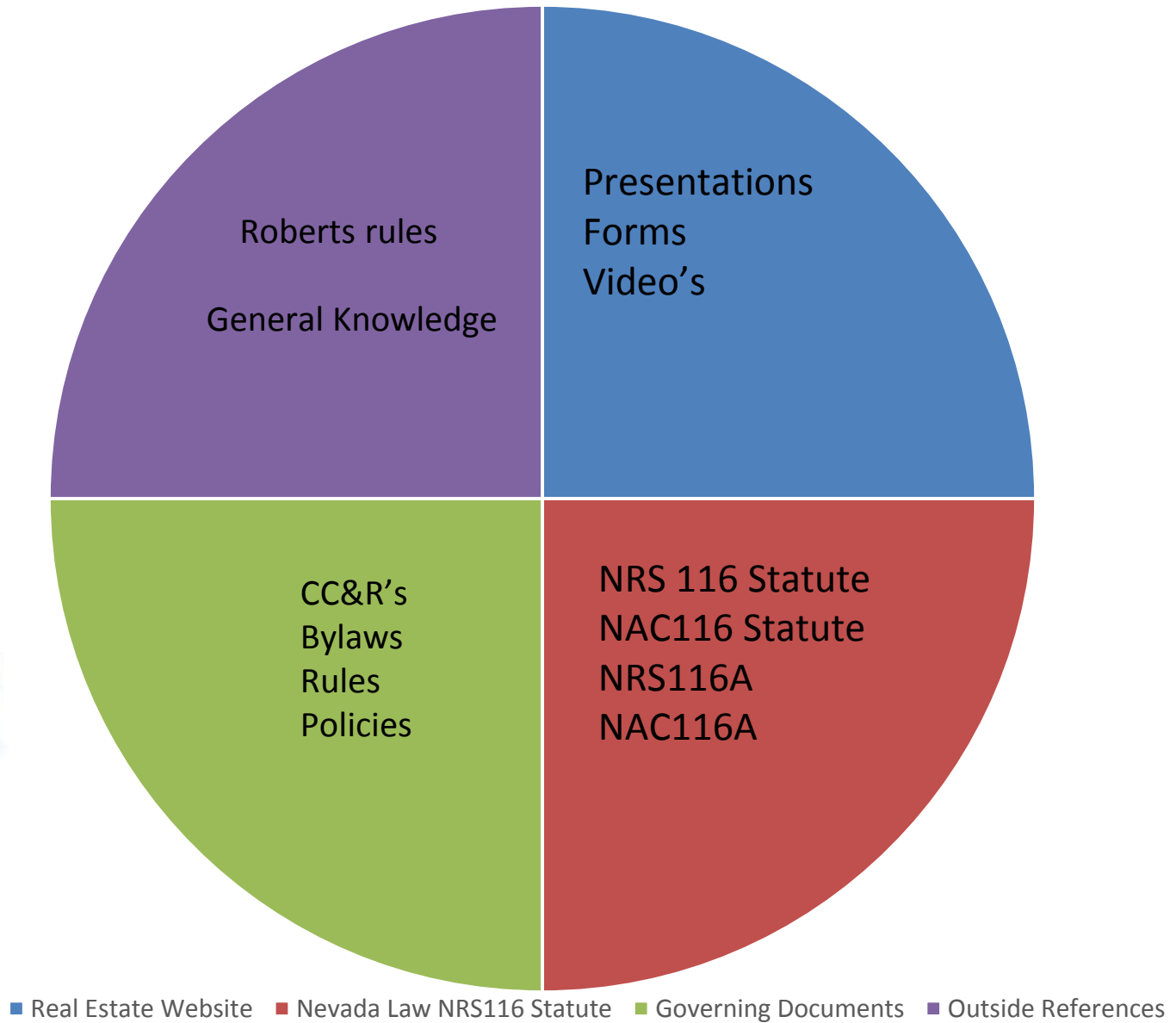


Registered with
Ombudsman Office

Read & Understands Governing Documents , NRS116

Each member of the executive board shall, within 90 days after his or her appointment or election, certify in writing to the association, on a form prescribed by the Administrator, that the member **has read and understands the governing documents of the association and the provisions of this chapter to the best of his or her ability.** The Administrator may require the association to submit a copy of the certification of each member of the executive board of that association at the time the association registers with the Ombudsman pursuant to [NRS 116.31158.](#)

Informational Resources



WWW.RED.NV.GOV

1. Registration Forms

Annual Association Registration

- Form 562

Initial Association Registration (first-time registrants)

- Form 603

Executive Board Declaration (for ALL Board Members. To be completed within 90 days after an election)

- Form 602

Registration Changes after Annual Filing

- Form 623

2. CANDIDACY DISCLOSURE STATEMENT -Form 850

- Make a good faith effort to disclose any financial, business, professional or personal relationship
- Disclose whether or not the candidate is a member in good standing

*Click on forms link

WWW.RED.NV.GOV

Educational Information

Video:

Elections

Reserve Study

Financial Analysis

PowerPoint Presentations:

HOA overview

Records & record keeping

Community Managers

Homeowners & Board Responsibilities

Governing Documents

Roberts Rules

Violations

Fast Reference Guides

Calendars

Publications

State of Nevada Statutes

Nevada Revised Statutes (NRS) are laws that are enacted by the legislature. Changes to these laws may only be made through legislative action. .

Nevada Administrative Code (NAC) are the regulations that outline how laws are administered.

NRS 116	Common-Interest Communities
NRS116A	Community Association Managers
NAC116	Nevada Administration Code
NAC116A	Nevada Administration Code
NRS81, 82	Corporate Law
NRS38	Alternative Dispute Resolution
NRS40	Construction Defects
NRS118	Discrimination in Housing
NRS118A	Landlord/Tenant
NRS487	Towing Vehicles
	City, County, local codes & ordinances

Can you help Bob with the following questions ?

1. The units' owners shall elect an executive board of at least three members, all of whom must be units' owners.

2. The executive board shall elect the officers of the association. Unless the governing documents provide otherwise, the officers of the association are not required to be units' owners. .

3. The bylaws of the association must:
 - (a) Provide the number of members of the executive board and the titles of the officers of the association;
 - (b) Provide for election by the executive board of a president, treasurer, secretary and any other officers of the association the bylaws specify;
 - (c) Specify the qualifications, powers and duties, terms of office and manner of electing and removing officers of the association and members of the executive board and filling vacancies;
 - (d) Specify the powers the executive board or the officers of the association may delegate to other persons or to a community manager;

Can you help Bob with these answers?

4. The three regular positions of the board includes the President and Secretary and Treasurer.

5. A meeting of the executive board must be held at least once every quarter, and not less than once every 100 days and must be held at a time other than during standard business hours at least twice annually. True or False?

TRUE

6. If an association solicits bids for an association project, the bids must be opened during a meeting of the executive board.
True or False?

TRUE

7. The association shall maintain, to the extent reasonably available and subject to reasonable deductibles: What three types of insurance

Property

Crime

Commercial general liability

Give a cheer! Bob on becoming the President of the HOA!





I understand the executive **board** acts on behalf of the association

Can you explain who I deal with and about my executive powers ?

NRS 116.3103 Power of executive board to act on behalf of association

(a) Are required to exercise the ordinary and reasonable care of officers and directors of a nonprofit corporation, subject to the business-judgment rule; and

(b) Are subject to conflict of interest rules governing the officers and directors of a nonprofit corporation organized under the law of this State

People involved in the HOA

Can you name a few?

Unit
owners

Community
Manager

Contractors

Reserve Study
Specialist

Business
Professionals



Expectations of Executive Board Members



Duty of Care

- Act in the best interest of the association.
- Exercise ordinary and reasonable care
- Identify risks and adopt policies to prevent harm
- Failure to act may be a breach

Business

- Business-judgment rule
- Would an ordinarily prudent person make a similar decision under similar circumstances
- Act on an informed basis
- Research the topic before making a decision.
- Use experts
- Know your limitations. Ask an expert.
- Confidentiality-Do not discuss privileged information – ever

Disclosure

- Disclose any and all potential/actual conflicts of interest
- A director cannot provide paid services to the association
- Disclose relationships with potential providers
- Do not accept gifts, rewards, incentives, gratuities

Powers of the Board????

- A. Amend the declaration
- B. Hire landscaper
- C. Prohibit unit owners from attending executive closed session
- D. Hire a new community managers
- E. May regulate the use, maintenance, repair, replacement and modification of common elements
- F. Stop a unit owner from voting
- G. Prepare and adopt budgets
- H. May make contracts and incur liabilities
- I. Terminate the common-interest community
- J. Prohibit a unit owner from making a comment at a meeting
- K. Unless the governing documents provide a vacancy on the executive board can be appointed by board

Allowable Acts



B C D E F
G H K

Prohibited Acts



A I J

**NRS 116.31031 allows board to prohibit owner from voting

Expectations of Boards



Working for the good of the Association

In the performance of their duties, the officers and members of the executive board are fiduciaries and shall act on an **informed basis, in good faith** and in the honest belief that their actions are in the **best interest of the association**. Officers and members of the executive board:

- (a) Are required to exercise the ordinary and reasonable care of officers and directors of a nonprofit corporation, subject to the business-judgment rule; and
- (b) Are subject to conflict of interest rules governing the officers and directors of a nonprofit corporation organized under the law of this State.

Disclosure & Voting

A member of an executive board who stands to gain any personal profit or compensation of any kind from a matter before the executive board shall:

- (a) Disclose the matter to the executive board; and
- (b) Abstain from voting on any such matter.

A member of an executive board who has a member of his or her household or any person related to the member by blood, adoption or marriage within the third degree of consanguinity or affinity who stands to gain any personal profit or compensation of any kind from a matter before the executive board shall disclose the matter to the executive board before voting on any such matter.

NRS 116.31084 Voting by member of executive board; disclosures; abstention from voting on certain matters.

Board members actions should **always** do the following:

- (a) Comply with all applicable federal, state and local laws and regulations and the governing documents of the association;
- (b) Uniformly enforce the governing documents of the association;
- (c) Hold meetings of the executive board with such frequency as to properly and efficiently address the affairs of the association;
- (d) Obtain, when practicable, at least three bids from reputable service providers who possess the proper licensing before purchasing any such service for use by the association;
- (e) Consult with appropriate professionals as necessary before making any major decision affecting the association or the common elements;

Board members actions **in reference to financials:**

Maintain **current, accurate** and properly documented **financial records**;

Establish policies and procedures for the disclosure of **potential conflicts of interest** and the appropriate manner by which to resolve such conflicts;

Establish policies and procedures that are designed to provide reasonable assurances in the **reliability of financial reporting, including, without limitation, proper maintenance of accounting records**, documentation of the authorization for receipts and disbursements, verification of the **integrity of the data** used in making business decisions, facilitation of fraud detection and prevention, and compliance with the applicable laws and regulations governing financial records;

BOOKS AND RECORDS

https://www.google.com/search?q=books+%26+records&rlz=1C1OPRB_enUS609US609&espv=2&biw=1326&bih=678&source=Inms&tbm=isch&sa=X&ved=0ahUKewiRsYLasoPRAhUU8GMKHdFqC78Q_AUIBygC

Statutes in regard: Make available books, records

The executive board of an association shall, upon **the written** request of a unit's owner, make available the books, records and other papers of the association for review at the business office of the association or a designated business location not to exceed 60 miles from the physical location of the common-interest community and during the regular working hours of the association, including, without limitation:

- (a) The financial statement of the association;
- (b) The budgets of the association required to be prepared pursuant to [NRS 116.31151](#);
- (c) The study of the reserves of the association required to be conducted pursuant to [NRS 116.31152](#); and
- (d) All contracts to which the association is a party and all records filed with a court relating to a civil or criminal action to which the association is a party.

The executive board shall provide a copy of any of the records described in paragraphs (a), (b) and (c) of subsection 1 to a unit's owner or the Ombudsman **within 21 days** after receiving a written request therefor

FYI: Requests for records (Do not apply)

Do not apply to:

- (a) The **personnel records of the employees** of the association, except for those records relating to the number of hours worked and the salaries and benefits of those employees;
- (b) The **records of the association relating to another unit's owner**, including, without limitation, any architectural plan or specification submitted by a unit's owner to the association during an approval process required by the governing documents, except for those records described in subsection 5; and
- (c) Any document, including, without limitation, minutes of an executive board meeting, a reserve study and a budget, if the document:
 - (1) **Is in the process of being developed** for final consideration by the executive board; and
 - (2) **Has not been placed on an agenda** for final approval by the executive board.

Request for Records from the Ombudsman-use form781

If the executive board refuses to allow a unit's owner to review the books, records or other papers of the association, the Ombudsman may:

(a) On behalf of the unit's owner and upon written request, review the books, records or other papers of the association during the regular working hours of the association; and

(b) If the Ombudsman is denied access to the books, records or other papers, request the Commission, or any member thereof acting on behalf of the Commission, to issue a subpoena for their production.

Records Storage

Just a reminder!

The books, records and other papers of an association must be maintained for at least 10 years!

Some records such as ARC decisions you may also want to keep for the lifetime of the association.

*except meeting minutes which must be maintained till the termination of the common-interest community

Fiduciary Responsibilities



Determine Fiduciary Responsibilities

Acted outside the scope of the authority granted in the governing documents;

Acted for reasons of self-interest, gain, prejudice or revenge;

Committed an act or omission which amounts to incompetence, negligence or gross negligence;

Except as otherwise required by law or court order, disclosed confidential information relating to a unit's owner, a member of the executive board or an officer, employee or authorized agent of the association unless the disclosure is consented to by the person to whom the information relates;

Duties-Investigations –working with the Division

Impeded or otherwise interfered with an investigation of the Division by:

- (a) Failing to comply with a request by the Division to provide information or documents;
- (b) Supplying false or misleading information to an investigator, auditor or any other officer or agent of the Division; or
- (c) Concealing any facts or documents relating to the business of the association;

Kept informed of laws, regulations and developments relating to common-interest communities;

Cooperated with the Division in resolving complaints filed with the Division; and

Bob asked the following questions . Can you help him out?

Are the following statements true or false?

1. All members of an executive board or officer of an association shall receive, in the aggregate, any gift, incentive, gratuity, reward or other item of value pursuant to subsection 2 of [NRS 116.31185](#) in any calendar year which exceeds the sum of \$100.

FALSE! **No member** of an executive board or officer of an association shall receive, in the aggregate, any gift, incentive, gratuity, reward or other item of value pursuant to subsection 2 of [NRS 116.31185](#) in any calendar year which exceeds the sum of \$100.

2. A board member can take retaliatory action towards a unit owner if
(a) Complained in good faith about any alleged violation of any provision of this chapter or the governing documents of the association

FALSE! **NRS 116.31183 Retaliatory action prohibited; separate action by unit's owner.** An executive board, a member of an executive board association **shall not** take, a community manager or an officer, employee or agent of an, or direct or encourage another person to take, any retaliatory action against a unit's owner because the unit's owner has:

(a) Complained in good faith about any alleged violation of any provision of this chapter or the governing documents of the association;

Allowable Actions

- Shall adopt and, except as otherwise provided in the bylaws, may amend bylaws and may adopt and amend rules and regulations.
- May hire and discharge managing agents and other employees, agents and independent contractors.
- May make contracts and incur liabilities.
- May impose charges for late payment of assessments
- May impose reasonable fines for violations of the governing documents of the association
- Need not respond to comments at meetings
- Make decisions without the consent of the unit owners
- Appoint members to the board

Is there information I should know about when working with the community manager?

Hi I am
April
Sunshine



Yes , Bob I have standards of practice I must follow!



NRS 116A.630 Standards of practice for community managers. In addition to the additional standards of practice for community managers adopted by the Commission, by regulation pursuant to [NRS 116A.400](#), a community manager shall:

1. Except as otherwise provided by specific statute, at all times:
 - (a) Act as a fiduciary in any client relationship; and
 - (b) Exercise ordinary and reasonable care in the performance of duties.
2. Comply with all applicable:
 - (a) Federal, state and local laws, regulations and ordinances; and
 - (b) Lawful provisions of the governing documents of each client.
3. Keep informed of new developments in the management of a common-interest community through continuing education, including, without limitation, new developments in law, insurance coverage and accounting principles.
4. Advise a client to obtain advice from an independent expert relating to matters that are beyond the expertise of the community manager.
5. Under the direction of a client, uniformly enforce the provisions of the governing documents of the association.



I work for
your
association

Ensure that:

- The financial transactions of a client are current, accurate and properly documented
- Proper maintenance of **accounting records**
- Documentation of the authorization for any purchase orders, expenditures or disbursements
- Provide notice to each unit's owner that the executive board is aware of all legal requirements pursuant to the applicable laws and regulations
- Obtain, **when practicable, at least three qualified bids for any capital improvement** project for the client.
- **Develop written collection policies**, approved by the executive board, to comply with all applicable federal, state and local laws
- Prepare or cause to be prepared interim and annual financial statements
- Upon written request, **make the financial records of an association available to the units' owners** electronically or during regular business hours



Here is a list of documents you might review.

1. Association Bylaws
2. Community Managers Contract
3. Association's Insurance Policy
4. Any complaints against association
5. Association Budget
6. Contractors agreements
7. Current Reserve Study

Thanks April I will get right on it



Contract Provided to New Members



NRS 116A.620 Management agreement:

After signing a management agreement, the community manager shall provide a copy of the management agreement to each member of the executive board. Within 30 days after an election or appointment of a new member to the executive board, the community manager shall provide the new member with a copy of the management agreement.

Executive Meeting Top Ten



NRS 116.31083 Meetings of executive board

1. At least once every quarter, and not less than once every 100 days
2. Must be held at a time other than during standard business hours at least twice annually.
3. Not less than 10 days before the date of a meeting of the executive board, cause notice of the meeting to be given to the units' owners
4. Notice of a meeting of the executive board must state the time and place of the meeting and include a copy of the agenda
5. The notice must include notification of the right of a unit's owner to: Have a copy of the audio recording, the minutes or a summary of the minutes of the meeting provided to the unit's owner upon request, in electronic format at no charge to the unit's owner

*Can charge for the cost of a CD

Executive Meeting Top Ten



**NRS 116.31083 Meetings of
executive board**

6. The unit owner can speak to the association or executive board, unless the executive board is meeting in executive session.

7. The agenda of the meeting of the executive board. A period required to be devoted to comments by the units' owners, those comments must be limited to items listed on the agenda.

8. At least once every quarter, the executive board shall review, at a minimum, the following financial information at one of its meetings:

A current year-to-date financial statement of the association;

(b) A current year-to-date schedule of revenues and expenses for the operating account and the reserve account, compared to the budget for those accounts;

(c) A current reconciliation of the operating account of the association;

Executive Meeting Top Ten



NRS 116.31083 Meetings of executive board

8. At least once every quarter, the executive board shall review, at a minimum, the following financial information at one of its meetings:

A current year-to-date financial statement of the association;

(d) A current reconciliation of the reserve account of the association;

(e) The latest account statements prepared by the financial institutions in which the accounts of the association are maintained; and

(f) The current status of any civil action or claim submitted to arbitration or mediation in which the association is a party

9. Not more than 30 days after each such meeting, shall cause the audio recording of the meeting, the minutes of the meeting and a summary of the minutes of the meeting to be made available to the units' owners

10. the minutes of each meeting of the executive board must include The date, time and place of the meeting, members present and absent, any votes

What about executive sessions?



Closed Meetings (Executive Session)

- To hold a hearing on an alleged violation of the governing documents (unit owner may request an open meeting)
 - Consult with the attorney for the association on matters relating to proposed or pending litigation
 - Discuss the character, alleged misconduct, professional competence, or physical or mental health of a community manager or an employee of the association.
 - Discuss the alleged failure of a unit's owner to adhere to a schedule
- *An executive board **may not** meet in executive session to open or consider bids for an association project

I can help you
with that
question



Meeting Information & Committees

Types of Meetings

- Unit Owners meetings
- Executive board meetings
- Executive sessions
- Special meetings-(removal meeting)
- Emergency meetings (

Executive Session

An executive board may meet in executive session only to:

- (a) Consult with the attorney for the association on matters relating to proposed or pending litigation if the contents of the discussion would otherwise be governed by the privilege set forth in [NRS 49.035](#) to [49.115](#), inclusive.
 - (b) Discuss the character, alleged misconduct, professional competence, or physical or mental health of a community manager or an employee of the association.
 - (c) Except as otherwise provided in subsection 4, discuss a violation of the governing documents, including, without limitation, the failure to pay an assessment.
 - (d) Discuss the alleged failure of a unit's owner to adhere to a schedule required pursuant to [NRS 116.310305](#) if the alleged failure may subject the unit's owner to a construction penalty.
4. An executive board shall meet in executive session to hold a hearing on an alleged violation of the governing documents

NRS 116.31085

Emergency Meeting

“Emergency” means any occurrence or combination of occurrences that:

- (a) Could not have been reasonably foreseen;
- (b) Affects the health, welfare and safety of the units’ owners or residents of the common-interest community;
- (c) Requires the immediate attention of, and possible action by, the executive board; and
- (d) Makes it impracticable to comply with the provisions of subsection 3 or 4.(proper notice)

NRS 116.3108

Disrupting a Meeting

- Governing documents
 - Check for “behavioral” provisions
- Code of conduct
 - Integrate with parliamentary procedures
 - Have all owner’s review and agree
 - Manage expectations



Disrupting a Meeting

- NRS 203.090 – Disturbing a meeting
 - Every person who, without authority of law, shall willfully disturb any assembly or meeting not unlawful in its character, shall be guilty of a misdemeanor
- NRS 116.31184
 - Threats and harassment prohibited,
 - Action that causes harm or serious emotional distress, or the reasonable apprehension thereof
 - Action that creates a hostile environment
 - Violation is a misdemeanor
 - Reportable to law enforcement



Disrupting a meeting

- Minor offenses
 - Rebuke by the chair, instructions
- More serious offenses
 - Warning by the chair
 - Call the member to order
 - Put the question to the members
 - Shall the member be allowed to continue speaking?
- Grave breach of order
 - “Naming” the offender by the chair
 - Any member can call for a penalty
 - Apology, censure, expulsion
- Call for a recess
- Adjourn the meeting





Committees

- A committee can do only what the organization asks it to do, cannot work independently of the organization
- The bylaws should state who has the power to appoint members of the committee
- Secretary lets members know of their appointment
- If a motion is referred to committee, the secretary needs to give the chairman a copy of the motion and the instructions that go with it

Henry M. Robert (1837–1923). Robert's Rules of Order Revised. 1915.
52. Committees, Special and Standing. <http://www.bartleby.com/176/52.html>



Committees

Standing Committee

Considered permanent part of organization

The purpose of the committee and its functions and duties do no change

Ex: finance, membership, program

Henry M. Robert (1837–1923). Robert's Rules of Order Revised. 1915.
52. Committees, Special and Standing. <http://www.bartleby.com/176/52.html>



Committees

Special Committee

To perform a specific task

Dissolved when task is completed and final report given

Function: to investigate or carry out what assembly has adopted

Henry M. Robert (1837–1923). Robert's Rules of Order Revised. 1915.
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Committees

Committee Chairman

Most important member of committee

Responsible for calling the meetings

Overseeing all the work

Completing the work

Most chairman are appointed by either the president or an executive board

Committees

Committee Chairman Characteristic's

- Enthusiastic
- Has to time to devote to the committee
- Knows how to do the work
- Able to work with others
- Inspire others to do the work

Committee work is teamwork not a one-man band

http://westsidetoastmasters.com/resources/roberts_rules/chap13.html

Committees

Committee Rules of Assembly

Motions to close or limit debate are not allowed

No limit on the times a member can speak

Not necessary to rise and address the chair

Unless agreed by general consent, all questions must be put to a vote

Reconsideration of the vote is possible , but it shall require a two-thirds vote for its adoption

Henry M. Robert (1837–1923). Robert's Rules of Order Revised. 1915.
52. Committees, Special and Standing. <http://www.bartleby.com/176/52.html>

“Official publication” means:

- (1) An official website;
- (2) An official newsletter or other similar publication that is circulated to each unit's owner; or
- (3) An official bulletin board that is available to each unit's owner.

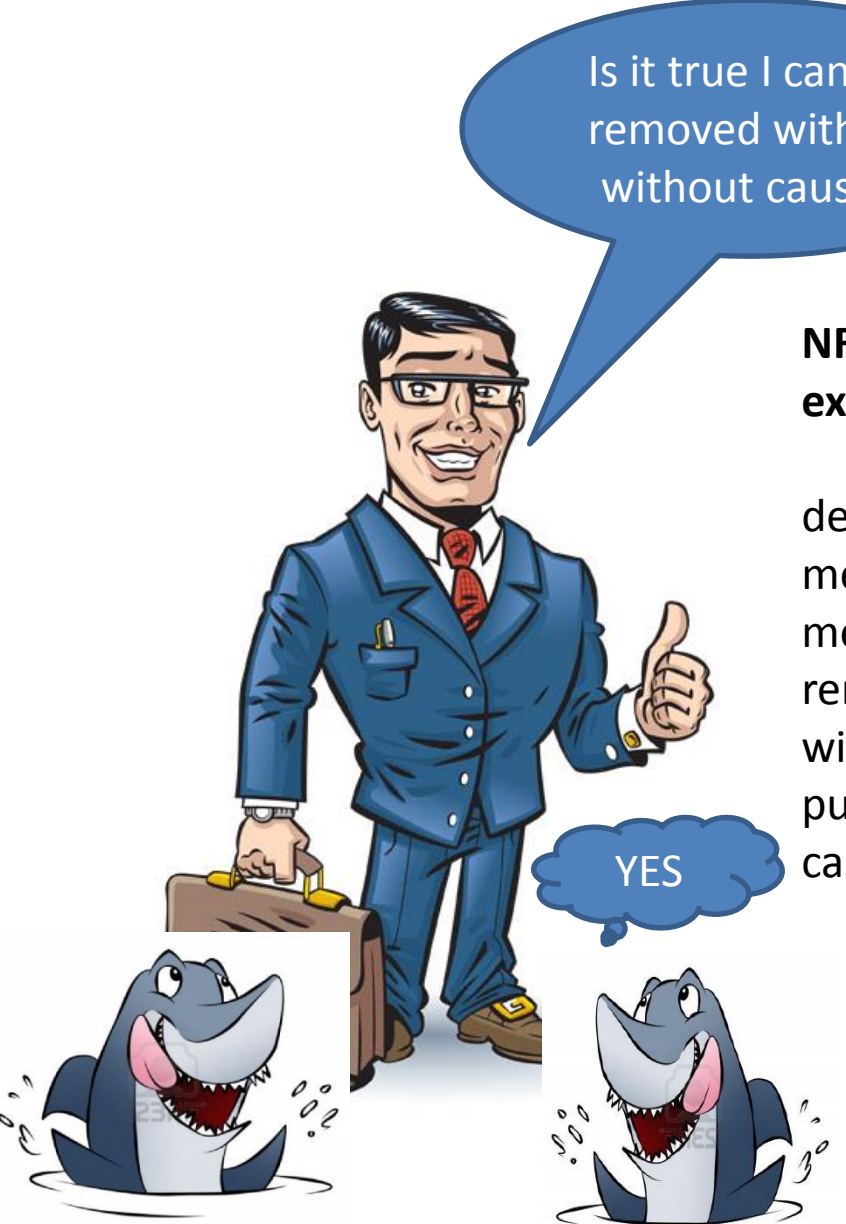
Compliance and Violation Hearings

Conduct hearings

- ▶ Impact of SB 130 (1/1/14)
- Potential violations of the governing documents.
- Closed meetings unless the unit owner requests an open meeting.
- Due process
- Notice of violation, including detailed description and proposed action to cure, clear, detailed photograph
- Opportunity to correct
- Right to a hearing, date time, location, amount of fine
- Notice of outcome
- Deliberations are closed.

We can't
forget this
information!





Is it true I can be removed with or without cause?

NRS 116.31036 Removal of member of executive board.

1. Notwithstanding any provision of the declaration or bylaws to the contrary, any member of the executive board, other than a member appointed by the declarant, may be removed from the executive board, with or without cause, if at a removal election held pursuant to this section, the number of votes cast in favor of removal constitutes:

YES

Notwithstanding Definition

¹ notwithstanding 

preposition | not·with·stand·ing | \,näť-with-'stan-din, -with-\

Simple Definition of NOTWITHSTANDING

Popularity: Top 10% of word:

: without being prevented by (something)

Full Definition of NOTWITHSTANDING

: **DESPITE** <*notwithstanding* their inexperience, they were an immediate success> —often used after its object <the motion passed, our objection *notwithstanding*>

NRS 116.31036 Removal of member of executive board.

1. Notwithstanding any provision of the declaration or bylaws to the contrary, any member of the executive board, other than a member appointed by the declarant, may be removed from the executive board, with or without cause, if at a removal election held pursuant to this section, the number of votes cast in favor of removal constitutes:

- (a) At least 35 percent of the total number of voting members of the association; and
- (b) At least a majority of all votes cast in that removal election.

2. A removal election may be called by units' owners constituting at least 10 percent, or any lower percentage specified in the bylaws, of the total number of voting members of the association. To call a removal election, the units' owners must submit a written petition which is signed by the required percentage of the total number of voting members of the association pursuant to this subsection and which is mailed, return receipt requested, or served by a process server to the executive board or the community manager for the association. If a removal election is called pursuant to this subsection and:

(a) The voting rights of the units' owners will be exercised through the use of secret written ballots pursuant to this section:

(1) The secret written ballots for the removal election must be sent in the manner required by this section not less than 15 days or more than 60 days after the date on which the petition is received; and

(2) The executive board shall set the date for the meeting to open and count the secret written ballots so that the meeting is held not more than 15 days after the deadline for returning the secret written ballots and not later than 90 days after the date on which the petition was received.

(b) The voting rights of the owners of time shares will be exercised by delegates or representatives as set forth in [NRS 116.31105](#), the executive board shall set the date for the removal election so that the removal election is held not less than 15 days or more than 90 days after the date on which the petition is received.

Ê The association shall not adopt any rule or regulation which prevents or unreasonably interferes with the collection of the required percentage of signatures for a petition pursuant to this subsection.

3. Except as otherwise provided in [NRS 116.31105](#), the removal of any member of the executive board must be conducted by secret written ballot in the following manner:

(a) The secretary or other officer specified in the bylaws of the association shall cause a secret ballot and a return envelope to be sent, prepaid by United States mail, to the mailing address of each unit within the common-interest community or to any other mailing address designated in writing by the unit's owner.

(b) Each unit's owner must be provided with at least 15 days after the date the secret written ballot is mailed to the unit's owner to return the secret written ballot to the association.

(c) Only the secret written ballots that are returned to the association may be counted to determine the outcome.

(d) The secret written ballots must be opened and counted at a meeting of the association. A quorum is not required to be present when the secret written ballots are opened and counted at the meeting.

(e) The incumbent members of the executive board, including, without limitation, the member who is subject to the removal, may not possess, be given access to or participate in the opening or counting of the secret written ballots that are returned to the association before those secret written ballots have been opened and counted at a meeting of the association.

Removal of a board member

- 100 unit associations- must have 35% return of ballots to start
- 0-34 ballots returned, the person is **not removed** due to not enough ballots returned
- 35 ballots- to remove all the ballots must cast votes in favor for removal
- 40 ballots- 35 ballots must cast votes in favor for removal (due to majority would be 21)
- 50 ballots – 35 ballots must cast votes in favor for removal (due to majority would be 26)
- 60 ballots- 35 ballots must cast votes in favor for removal (due to majority would be 31)
- 70 ballots- 35 ballots must cast votes in favor for removal and one additional (total 36 to remove)
- 80 ballots- 35 ballots must cast votes in favor for removal and additional 6 (total 41 ballots to remove)
- 90 ballots- 35 ballots must cast votes in favor for removal and additional 11 (total 46 ballots to remove)
- 100 ballots- 35 ballots must cast votes in favor for removal and additional 16 (total 51 ballots to remove)

Board Protection

▶ Indemnification (**NRS 116.3102 Powers of unit-owners' association; limitations**)

May provide for the indemnification of its officers and executive board and maintain directors and officers liability insurance

NRS 116.31037 Indemnification and defense of member of executive board. If a member of an executive board is named as a respondent or sued for liability for actions undertaken in his or her role as a member of the board, the association shall indemnify the member for his or her losses or claims, and undertake all costs of defense, unless it is proven that the member acted with willful or wanton misfeasance or with gross negligence. After such proof, the association is no longer liable for the cost of defense, and may recover costs already expended from the member of the executive board who so acted.

(Added to NRS by [2011, 2414](#))

Summary Review Questions

True or False



1. Each member of the executive board shall, within 90 days, certify in writing, that the member has read and understands the governing documents of the association and the provisions of this chapter to the best of his or her ability.

TRUE

2. New Board members can view video's and power point presentation at the website www.red.nv.gov ?

TRUE

3. NRS116 and NRS116A provides all the answers on how to live and run an HOA.

FALSE

4. The board members take all directions from the community manager on how to run the HOA.

FALSE

5. A new board member should review financial reports, records , contracts when they are new to the position.

TRUE

6. The board members can list on the agenda items for executive session if they don't want to deal with unit owners..

FALSE

7. A board member can be removed with or without cause.

TRUE

8. Community managers only have to follow the NRS **116A.630** standards of practice , if it is listed the contract with the association.

FALSE

Summary

Good of the Association

Understand your responsibilities

Read Governing Documents

Ask questions

Be an active participant

Follow Governing Documents & NRS 116 statutes

Try not to take situations personal

Thank you for becoming a board member!



This is a general education class based on NRS 116 and related laws and regulations. It is not intended to provide legal advice. The instructor cannot comment on specific cases.

Disclaimer

If you feel that there has been an violation of your governing documents or NRS116, you are able to file a complaint with the Ombudsman office