STATE OF NEVADA

DEPARTMENT OF BUSINESS AND INDUSTRY

REAL ESTATE DIVISION

2501 East Sahara Avenue, Suite 102 | **Las Vegas**, NV 89104-4137 | Main: (702) 486-4033 | Fax: (702) 486-4275

Web: http://red.nv.gov | Email: realest@red.nv.gov

OWNER-DEVELOPER APPLICATION

General Information

"Owner-Developer" means a person, natural or artificial, who owns five or more lots within a recorded subdivision or shown on an approved parcel map, on each of which there is a single family residence not previously sold. For the purposes of this definition, the single family residence includes a condominium or townhouse unit.

"Sales Manager" means the duly authorized person filing the application form who will be responsible for sales management.

If, for any reason, the Division denies an application, the applicant may appeal the decision. The Division shall have broad discretion in granting or denying an application in view of the difficulty in securing evidence of bad reputation or of specific instances of fraudulent or unethical conduct.

Licensed real estate salesmen employed by a registered owner-developer may not be associated with a real estate broker during the same time period.

Instructions to Applicants for Owner-Developer Registration

The owner-developer registration will not be issued if an exemption from NRS 119 for the property described in the application has not been issued by the Real Estate Division. If the exemption has not been secured, the requirements are attached to the back of this application.

1. Application Form: This form must be filled out completely. The affidavits that are to be notarized appear on the last page of the form. Answer each question carefully. An original application must be completed for each recorded subdivision which an owner-developer intends to register.
2. Financial Statement: Attach the latest financial statement (not more than one year old) for the owner-developer. If more than one application for registration is being submitted at the same time, duplicate financial forms will not be required. Attached is a suggested financial form. You may use this form or any other form comprising the same information which has already been prepared by your accountants.
3. Form of Business: Attach a copy of the contractor's license, city or county business license and if the business is a corporation submit the Articles of Incorporation and current list of officers as filed with the Secretary of State. If the business is a L.L.C. submit the Articles of Organization and current list of members. If the business is a partnership, attach documentation of partnership. Attach a copy of the recorded fictitious name if different from the owner-developer name.
4. Sales Agreement: Attach a copy of the sales agreement which agreement shall obligate the owner-developer to construct a single-family residence.
5. Statutes: Copies of Nevada Revised Statutes, Chapter 645 and Chapter 119 and their respective administrative code are available at either division office. The fee is $8 each, including postage and handling, payable in advance. The owner-developer must comply with statute and administrative code regarding his operation and the supervision and regulation of licensed salesmen and broker-salesmen.
6. Fee Schedule:

Each Original Registration of an Owner-Developer	$500, plus $125 per map
Each annual renewal of a registration	$500, plus $125 per map
Each Enlargement of the area of a registration	$500, plus $50 per map
Each change of name or address	$25

No part of any fee is refundable. Make checks payable to the Real Estate Division

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IMPORTANT: Each detail of this application must be completed. Applications will not be considered unless all information and companion forms called for are furnished.

This application is submitted for registration as an Owner-Developer under NRS 645.283 and the Nevada Administrative Code.

PLEASE PRINT OR TYPE

1. Owner-Developer's Name _____
   First *Middle* *Last*
2. Firm Name _____
   (Contractor's Name)
3. Owner of Record _____
   (Vested Owner on Preliminary Title Report)
4. Form of Business ☐ Corporation ☐ Partnership ☐ Individual ☐ L.L.C.
5. Social Security Number or Federal Tax Identification Number for the Company _____
6. Address of Owner-Developer's principal place of business
   _____
   _____
7. Name of duly authorized person who will be responsible for sales management and to whom all division correspondence will be addressed

Name/Position	Social Security Number	Telephone Number

8. Address of person responsible for sales management if different from Owner-Developer
   _____
   _____
9. Recorded name and location of subdivision:
   _____
   Promotional name of subdivision:
   _____
10. Address of sales location(s)
    _____
    _____
11. Nevada contractor license number of Owner-Developer
12. Has any license issued to the Owner-Developer by any public authority been suspended or revoked?
    ☐ Yes ☐ No
13. Has any license for which the Owner-Developer has applied been denied by any public authority?
    ☐ Yes ☐ No

14. Has a surety company declined to be surety on any bond written on the Owner-Developer within 2 years prior to the date of this application: ☐ Yes ☐ No

15. Has any governmental agency ever instituted proceedings against the Owner-Developer? ☐ Yes ☐ No

16. Has any proceeding ever been instituted by or against the Owner-Developer under the Bankruptcy Act, or has he ever made an assignment for the benefit of creditors? ☐ Yes ☐ No

17. a. Has the Owner-Developer or Sales Manager ever been charged with, arrested for, or convicted of a felony? ☐ Yes ☐ No

    b. Has the Owner-Developer or Sales Manager ever been charged with, arrested for, or convicted of a gross misdemeanor? ☐ Yes ☐ No

    c. Has the Owner-Developer or Sales Manager ever been permitted to change a plea of guilty after conviction of a crime or had a judgement or verdict vacated? ☐ Yes ☐ No

    d. Has the Owner-Developer or Sales Manager ever entered a plea of nolo contendere to a criminal action? ☐ Yes ☐ No

IF ANY OF QUESTIONS 12-17 WERE ANSWERED YES, GIVE FULL DETAILS, INCLUDING THE COURT, TITLE OF PROCEEDINGS, DISPOSITION, AND ANY OTHER PERTINENT INFORMATION ON AN ATTACHED SHEET.

18. How long has the Owner-Developer been in business? _____

19. Names of previous subdivisions built/sold

_____

_____

20. Has the Owner-Developer previously filed for an exemption under the provisions of Chapter 119 of NRS for this subdivision? ☐ Yes ☐ No

    An owner-developer registration will not be issued for any subdivision which falls under the purview of Chapter 119 of Nevada Revised Statutes until compliance has been accomplished, either previously or with this application.

21. The owner-developer registration precludes the sale of vacant property. Does your project include lots offered with a residential building? ☐ Yes ☐ No

22. Is the property description on the attached preliminary title report correct? What portion of the property described is to be developed for the purpose of this registration? ☐ All ☐ Part Describe if other than all.

23. Attach a copy of the following documents:

    a. Sales agreement to be used.

    b. Business license and Contractors license.

    c. Articles of Incorporation and current list of officers or Articles of Organization and current list of members or documentation of partnership.

    d. Corporate minutes or partnership agreement showing authority of sales manager to manage sales personnel.

    e. Fictitious firm name filing, if applicable.

    f. Current preliminary title report with **legal description in lots and blocks**.

    g. Vital statistics sheet for sales manager (form attached).

    h. Financial statement of the Owner-Developer (not more than one (1) year old).

24. The attached affidavits must be signed by the sales manager and the owner-developer. **<u>Each</u> signature must be notarized.**

VITAL STATISTICS FORM

The following is to be completed by the person to be responsible for sales management.

Name: _____

Social Security Number: _____

Residence: _____

_____

Date of Birth: _____

Place of Birth: _____

Height: _____

Weight: _____

Eyes: _____

Hair: _____

Signature: _____

Date: _____

AFFIDAVIT OF SALES MANAGER

STATE OF _____
COUNTY OF _____ } ss.

I, _____ , being first duly sworn, state that I am the Broker-Salesman to act as sales manager herein named, that the statements made by me in this application are true, that in acting as the broker salesman responsible for managing sales personnel for the registered owner-developer I agree to be bound by and subject to the provisions found in NEVADA REVISED STATUTES, CHAPTER 645 and the Nevada Administrative Code, with which I have made myself familiar, and that should a change of address, name or status affecting me or the licensed salesmen or broker/salesmen in my employ occur, I will immediately notify the Real Estate Division

_____
Signature of Sales Manager

Subscribed and sworn to before me this _____ day of _____ , 20 _____

_____
Signature of Notary

AFFIDAVIT OF OWNER-DEVELOPER

STATE OF _____
COUNTY OF _____ } ss.

I, _____ , being first duly sworn, state that I am the Owner-Developer herein named, that the statements made in this application are true, that in acting as a Registered Owner-Developer I agree to be bound by and subject to the provisions found in NEVADA REVISED STATUTES, CHAPTER 645 and the Nevada Administrative Code, that I am responsible for the act of the salesmen, broker/salesmen and the authorized sales manager, and that should a change of address, name or status affecting me, the licensed salesmen, broker/salesmen or the authorized sales manager in my employ occur, I will immediately notify the Real Estate Division.

_____
Signature of Owner-Developer

Subscribed and sworn to before me this _____ day of _____ , 20 _____

_____
Signature of Notary

CONFIDENTIAL FINANCIAL STATEMENT

Name _____ Social Security # _____
Address _____ Business Ph. _____
_____ Residence Ph. _____
Occupation _____ Employer _____
Employer's Address _____
_____

Spouse's Name _____ Social Security # _____
Address _____ Business Ph. _____
_____ Residence Ph. _____
Occupation _____ Employer _____
Employer's Address _____

ASSETS

ALL LIQUID ASSETS MUST BE ACCOMPANIED BY VERIFICATION

Cash (other than amounts shown in banks)	$ _____	Automobiles	$ _____
Cash in Banks (Schedule 1)	$ _____	Other investments (Schedule 3)	$ _____
Accounts Receivable (Schedule 2)	$ _____	Personal Property	$ _____
Notes Receivable (Schedule 2)	$ _____	Net Worth of any Business Owned (Please include financial statement)	$ _____
Stocks and Bonds (Schedule 3)	$ _____		
Cash Value of Life Insurance (Schedule 6)	_____	Other Assets	_____
Real Estate (Schedule 4)	$ _____		
Sub Total	**$** _____	**Sub Total**	**$** _____
		Total	**$** _____

LIABILITIES

Notes Payable to Others (Schedule 7)	$ _____	Loans Against Life Insurance (Schedule 6)	$ _____
Installment Loans Payable (Schedule 7)	$ _____	Other Liabilities	$ _____
Accounts Payable	$ _____	Liens on Real Estate (Schedule 5)	$ _____
Taxes Payable	$ _____	Long Term Debts	$ _____
Sub Total	**$** _____	**Sub Total**	**$** _____
		Total	**$** _____
		Net Worth	$ _____

Salary	$ _____	Taxes & Assessments	$ _____
Spouse's Salary	$ _____	Income Taxes	$ _____
Dividends	$ _____	Child Support/Alimony	$ _____
Interest	$ _____	Mortgage Payments	$ _____
Commissions	$ _____	Contract Payments	$ _____
Rentals	$ _____	Insurance	$ _____
Other	$ _____	Other	$ _____
Total	**$** _____	**Total**	**$** _____

SCHEDULES

Schedule 1 Cash in Banks & Savings and Loan & Checking Accounts**

Bank Name	90 Day Avg Balance	Account #	Balance

Total **$** _____

** For each account, submit a verified statement letter from each banking institution, to include Name of Account, Current Balance, Account Number, Length and Specific Dates of Account. The accounts must have been open and on deposit for a minimum of ninety (90) days prior to the date of application. This financial statement cannot be approved without verification letters. NAC 645.150(2).

Schedule 2 Receivables

Name of Debtor	***Collateral***	***Payments***	***Maturity Date***	***Unpaid Balance***

Total **$** _____

Schedule 3. Stocks and Bonds

# of Shares	***Description***	***Amount Carried on My Books***	***Present Market Value***

Total **$** _____

Schedule 4. Real Estate (If additional space is necessary, attach separate sheet)

Address or Legal Description	***Type of Property***	***Monthly Income***	***Original Cost***	***Estimated Present Value***

Total **$** _____

Schedule 5. Mortgages of liens on Real Estate

Name of Creditor	***Payments***	***Unpaid Balance***

Total **$** _____

Schedule 6. Cash Surrender Value of Life Insurance

Company	*Face Amount*	*Cash Value*	*Loans Against Policy*

Totals _____

Total **$** _____

Schedule 7. Notes Payable to Others

Name of Creditor	***Address***	***Payments***	***Collateral***	***Unpaid Balance***

Total $ _____

I, by signing and filing this application, authorize any person or institution to which reference is made by me in connection with the application, to release or divulge to the Real Estate Division or its representative any information in the possession of such person or institution regarding me. I hereby approve any investigation on my credit background.

Signature _____ *Date* _____

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APPLICATION FOR ENLARGEMENT OF OWNER-DEVELOPER REGISTRATION

IMPORTANT: Each detail of this application must be completed. Applications will not be considered unless all information and companion forms called for are furnished.

This application is submitted for enrollment of my Owner-Developer (OWN) Registration under NRS 645.283 and the Nevada Administrative Code.

PLEASE PRINT OR TYPE:

Original Registration Issued on: _____ Assigned OWN No. _____
Date

1. Owner-Developer's Name _____
First *Middle* *Last*
2. Address of Owner-Developer
_____
_____
3. Name of Sales manager if different from Owner-Developer
_____
4. Address of Sales manager if different from Owner-Developer
_____
_____
5. Recorded name and location of subdivision
_____
6. Legal description of the property covered by this registration enlargement
_____
_____
_____
7. The Owner-Developer must file for an exemption under the provisions of Chapter 119 of NRS for this particular unit(s).
8. Attach $50.00 enlargement fee.
9. Sales manager and Owner-Developer sign the attached affidavits.
10. Attach a current preliminary title report with lot and block legal description.

AFFIDAVIT OF SALES MANAGER

STATE OF _____
COUNTY OF _____ } ss.

I, _____ , being first duly sworn, state that I am the person authorized to act as sales manager herein named, that the statements made by me in this application are true, that in acting as the duly authorized person responsible for managing sales personnel for the registered owner-developer I agree to be bound by and subject to the provisions found in NEVADA REVISED STATUTES, CHAPTER 645 and the Nevada Administrative Code, with which I have made myself familiar, and that should a change of address, name or status affecting me or the licensed salesmen in my employ occur, I will immediately notify the Real Estate Division

_____
Signature of Sales manager

Subscribed and sworn to before me this _____ day of _____ , 20 _____

_____
Signature of Notary

AFFIDAVIT OF OWNER-DEVELOPER

STATE OF _____
COUNTY OF _____ } ss.

I, _____ , being first duly sworn, state that I am the Owner-Developer herein named, that the statements made in this application are true, that in acting as a Registered Owner-Developer I agree to be bound by and subject to the provisions found in NEVADA REVISED STATUTES, CHAPTER 645 and the Nevada Administrative Code, that I am responsible for the act of the salesmen and the authorized sales manager, and that should a change of address, name or status affecting me, the licensed salesmen, or the authorized sales manager in my employ occur, I will immediately notify the Real Estate Division.

_____
Signature of Owner-Developer

Subscribed and sworn to before me this _____ day of _____ , 20 _____

_____
Signature of Notary

EXEMPTION DETERMINATION REQUIREMENTS

The Nevada Real Estate Division understands that you wish an exemption determination under the Nevada Revised Statutes, Chapter 119.120(4), the Land Sales Law

In order to make this determination, the Division will need the following items:

1. Cover letter requesting the exemption.
2. A copy of the recorded plat map.
3. The promotional name of the subdivision.
4. The physical address of the subdivision
5. A copy of the Nevada contractor's license.
6. Submit evidence of the contractor's ownership interest in the project.
7. A sworn statement signed by the contractor stating that each lot offered or disposed of will include a residential building when disposition is completed.
8. A copy of the purchase agreement including verification that the purchasers will take title free and clear of any encumbrances.
9. A preliminary title report issued within 30 days of the date of the request for exemption.
10. **$500** exemption determination fee per NRS 119.320, (per unit or phase), revised by the 78th Legislative Session, effective July 1, 2015, http://leg.state.nv.us/Session/78th2015/Bills/AB/AB478_EN.pdf

NOTE: When applying for an exemption determination in conjunction with an owner-developer registration pursuant to NRS 645.285, it is not necessary to duplicate documents which are requested on both applications.