

**STATE OF NEVADA**  
**DEPARTMENT OF BUSINESS AND INDUSTRY**  
**REAL ESTATE DIVISION**

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**EXEMPTION DETERMINATION REQUIREMENTS**  
**NRS 119.122(3) ADM**

The Nevada Real Estate Division (Division) understands that you will file for an initial registration exemption determination under Nevada Revised Statutes, Chapter 119.122(3) Administrative (ADM) filing, SALE OF SUBDIVIDED LAND: LICENSING AND REGULATION.

In order to make this determination, the Division requires the following items to be submitted for each subdivision as defined by a recorded map:

1. Cover letter requesting the exemption, identifying the applicable statutory citation (NRS 119.122(3)-ADM) and including any original certifications/requirements referred to the below that may be applicable.
2. A copy of the recorded and approved final subdivision/plat map in 11 x 17 readable size. A separate filing fee and project registration is required for each different recorded map.
3. The common promotional name of the subdivision development and physical locations of the subdivision. Provide the sales office address where the permit letter will be posted.
4. A preliminary title report (PTR) issued after the map was recorded and dated within thirty (30) days of your application for exemption. The legal description on the PTR exhibit should be in lots, blocks or units (condos).
5. Roads: A jurisdictional or civil engineers certificate that all roads are complete and who maintains them, or if the roads are not complete, a copy of the subdivision improvement agreement and the surety bond guaranteeing completion of such improvements.
6. Utilities: A jurisdictional or civil engineers certificate that all improvements are complete and who maintains them, or if the utilities are not complete, a copy of the subdivision improvement agreement and the surety bond guaranteeing completion of such improvements.
7. A copy of the sales contract to be used to make individual sales, containing a provision assuring transfer of free and clear title or a separate certification to that effect.

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8. Original certification from the developer that all lots, parcels, units or interests sold will be conveyed by a Grant Deed.
9. The name, address, email, license number and telephone number of the Nevada real estate broker who will assist in marketing the property by completing Form 649, Statement of Project Broker. The issued Exemption Determination must be posted in a conspicuous location in the general sales office and any other offices where sales will be made.
10. The name, address, email and telephone number of the Developer and the contact person for the information contained in the exemption request.
11. If under a blanket encumbrance, submit evidence that one of the following conditions have been met:
  - a) All sums paid or advanced by purchasers are placed in escrow or other depository acceptable to the Division until the fee title contracted for is delivered to such purchaser by deed together with the complete release from all financial encumbrances; or
  - b) The fee title to the subdivision is placed in trust under an agreement or trust acceptable to the Division until a proper release from each blanket encumbrance, including all taxes, is obtained and title contracted for is delivered to such purchaser; or
  - c) Such blanket encumbrance contains provisions evidencing the subordination of the lien to the rights of those persons purchasing from the subdivider; or
  - d) Evidence of a provision for release of the lien, and the ability to secure such release from such blanket encumbrances with respect to the property upon full payment of the purchase price owed by the purchaser.
12. An affirmation form to be signed by purchaser that an on-site inspection has been made.
13. State whether your subdivision will be developed in increments.

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14. Is this subdivision a conversion of an existing project of any kind? \_\_\_\_\_

If this is a conversion, is the Developer improving, refurbishing or renovation the property in any manner and if so, please describe these improvements and the funding for such improvements in detail on a separate attachment.

If no improvements are planned please attach a copy of what disclaimer you will be providing to the prospective purchasers, (i.e., a reserve study or similar analysis of project components), to inform them that the property they are buying and the project the property is within, will not be improved and how the Developer will be structuring the association budget to provide for property improvements in the future that may need to be made prior to the adequate build up of reserves for such improvements, (i.e. a capital improvement or special assessment contribution made at the time of purchase). If the Developer has not provided for this issue, please explain how the Developer will be explaining this to the prospective purchasers to they will be aware of the increased possibility of special assessments in an existing and possible aged and under improved project.

15. Please describe the financial arrangements that the developer has made to assure lien free completion of the on site units and common facilities (if applicable) of the Project.
16. Will this subdivision be part of a Owners Association or Common-Interest Community as defined in NRS 116.021? \_\_\_\_\_. Please provide the name of the association.
17. **\$500** exemption determination fee per NRS 119.320, and \$25 for [Form 649](#), revised by the 78<sup>th</sup> Legislative Session, effective July 1, 2015, [http://leg.state.nv.us/Session/78th2015/Bills/AB/AB478\\_EN.pdf](http://leg.state.nv.us/Session/78th2015/Bills/AB/AB478_EN.pdf) .

***IF ANY PART OF THE ABOVE CRITERIA IS MISSING FROM THE PACKAGE, THE REAL ESTATE DIVISION MAY RETURN THE PACKAGE FOR COMPLETION OR ISSUE A DEFICIENCY FOR CORRECTION.***

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**AFFIRMATION FORM**  
**PURCHASER ON-THE-LOT INSPECTION**

The undersigned, by his or her signature, hereby acknowledges that he or she has made a personal on-the-lot inspection of (insert legal description of unit or lot), in (name of subdivision), developed by (insert name of Developer), which is the lot upon which the undersigned plans to execute a contract of sale or lease.

\_\_\_\_\_  
Signature of Purchaser or Lessee

\_\_\_\_\_  
Date

**NOTE:** This exemption request applies only to the herein named subdivision increment.