

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

3300 W Sahara Ave Ste 350, Las Vegas, NV 89102
Email: realest@red.nv.gov

(702) 486-4033
Website: <http://red.nv.gov/>

**FORM 701A – ENERGY AUDITORS
PRE-LICENSING PROGRAM APPLICATION**

*Program to meet the training and practice requirements for a Nevada Energy Auditors License
while simultaneously earning an accepted BPI or RESNET credential*

Program Provider Information: *Please Print or Type* **Application fee is non-refundable - \$100.**

Business Name:	
Mailing Address, City, State, Zip:	
List Owners:	
Purpose of Business (e.g., education):	
Phone:	Fax:
Website:	
Contact Person & Title:	
Phone:	Email:

Program Information: *A separate application and fees are required for each program.*

Program Title	Number of Hours	Student's Fee	Certification <i>(must select one)</i>
	*	\$	<input type="checkbox"/> BPI Building Analyst Professional <input type="checkbox"/> RESNET Home Energy Rater <input type="checkbox"/> Other (name)

List Instructors:

***A minimum of 40 hours of training and practice is required.** Do not include time to complete BPI/RESNET certification examination in 40 hours.

RETENTION OF STUDENT RECORDS

Provider verifies that attendance records (including student name, program title, Division approval number, quiz/exam scores, and student outcome i.e., pass ~ fail) will be retained for 3 years. Written notice of any change in location must be given to the Real Estate Division, Energy Auditors Section.

<i>Physical Location of Records:</i>
<i>Print Records Custodian Name & Title:</i>

Date

Signature of Authorized Records Custodian

INCOMPLETE SUBMISSIONS COULD RESULT IN DELAY OR DENIAL OF APPLICATION

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PAGES 1 THRU 7 ARE REQUIRED FOR A COMPLETE APPLICATION PACKET.

FORM 701A CHECKLIST X - Submit the following:

<input type="checkbox"/>	Are you a RESNET accredited training provider or a BPI training affiliate? No <input type="checkbox"/> Yes <input type="checkbox"/> If yes, please attach proof for the program and instructors as applicable.
<input type="checkbox"/>	Written responses with attachments to <i>Required Information</i> listed on page 3
<input type="checkbox"/>	Application (page 4) and attachments for <i>each</i> instructor listed on page 1 of this form
<input type="checkbox"/>	Attendance Verification Report or agree to use form on page 5
<input type="checkbox"/>	Sample Certificate of Completion (see sample on pg 6) which must contain the following: -Name of the program provider; -Program title; -Approval number (i.e., PL.xxxxx-EA) assigned by the Division; -Name of the student; -Number of hours of instruction attended by the student; -The date of student completion of the approved program; -Original signature of person authorized to sign for provider; and -The statement: "THIS PROGRAM IS APPROVED BY THE NEVADA REAL ESTATE DIVISION ADMINISTRATOR."
<input type="checkbox"/>	Copy of Program Advertising
<input type="checkbox"/>	Instructor & Content Evaluation Report (Must use <i>mandatory</i> Division form on page 7.)
<input type="checkbox"/>	Non-Refundable Application Fee of \$100.00 made payable to the NV Real Estate Division (NRED).

REGULATORY COMPLIANCE

By signing and submitting this form to the Division, Provider agrees to comply with the following:

- Report any material changes of the information contained in this application to the Real Estate Division not later than 15 days after the change and prior to presenting the amended program.
- Provide Instructor and Content Evaluation Reports and maintain a tabulation of the results for 2 years.
- Consent to auditing and/or evaluating by authorized representatives of the Nevada Real Estate Division.
- Provide Certificates of Completion with an original authorized signature only to students who have completed an approved program.

"I hereby declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct."

Date: _____ **Title of Authorized Signee:** _____

(Signature of person authorized to submit application) (Print Name)

Submit Completed Application with Required Attachments and Fee of \$100 to the:
Nevada Real Estate Division
Energy Auditor Pre-Licensing Program
3300 W Sahara Ave Ste 350
Las Vegas, NV 89102

For questions about this application, please call the Program Officer at (775) 684-1904.

Nevada Law Chapters 645D governing the Energy Auditors are located on the Real Estate Division Website at:
http://red.nv.gov/Content/Administration/Statutes_and_Regulations/

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REQUIRED INFORMATION

Attach as many pages as necessary to answer completely; number items to correspond sequentially.

1. **Submit the Curriculum** including relevant laws and regulations e.g., NRS 645D. Include a copy of textbook, program materials, non-proprietary exams and answers, student handouts, visual aids, and computer software programs.
2. Provide a complete **detailed three-level outline** (Topic 1: a, b, c; Topic 2: a, b, c). The outline must show hours of instruction time in minutes per section and subsection with the minutes/hours totaled at the end and not more than 8 hours of instruction per day. The outline must total a **minimum of 40 hours of instruction**. Break down to show time intervals by topic sections per subject according to NRS 645D.205 subsection 1.c. 1-21. The curriculum must also include instruction in the preparation of a report as required in NRS 645D.300. A credit hour is equal to 50 minutes of instruction.
3. **Describe the training facilities and equipment** used to demonstrate or teach any skill which is necessary to conduct an energy audit. Explain how the program will provide a practical (hands-on) understanding of the skills necessary to conduct an energy audit.
4. List the schedule (dates, times and locations of instruction) for accreditation period (July 1-June 30).
5. State the policy concerning **cancellation and refunds**.

6. List the requirements and **verification of attendance** including policy on making up sessions missed.

7. Explain the **grading system**, including the methods of testing and standards of grading. List the **minimum passing grades**; the number of written/computerized quizzes and exams and field exams. Explain whether provider administers quizzes or exams other than the BPI or RESNET proprietary ones.
8. Confirm that the provider administers **final examinations** conducted in the presence of a proctor.

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**INSTRUCTOR APPLICATION
ENERGY AUDITORS PRE-LICENSING PROGRAM**

Each instructor listed on page one must submit an application for approval

PROOF OF QUALIFICATION *MUST BE* ATTACHED: Attach a detailed 1-2 page resume that lists dates (from-to) of schooling and work/field experience to clearly show how applicant *is qualified* to teach subject matter. Include applicable licenses.

Please Print or Type

Name of Applicant (& Company if applicable):	
Mailing Address, City, State, Zip:	
Phone:	Email:
Fax:	Website:

Name and address of provider for which you will instruct:	
Title or section of program which you will instruct:	
Do you hold a NV Real Estate Division License?	<input type="checkbox"/> No <input type="checkbox"/> Yes #:
Have you instructed any other program for the Division? <input type="checkbox"/> No <input type="checkbox"/> Yes (List provider's name)	
Has any license/certificate held by you, from <i>any</i> state, been suspended, revoked or subject to discipline?	<input type="checkbox"/> No <input type="checkbox"/> Yes Attach explanation.
Have you ever been refused approval/license to teach or has such approval/license been suspended, revoked or subject to discipline?	<input type="checkbox"/> No <input type="checkbox"/> Yes Attach explanation.

I hereby declare under penalty of perjury by the laws of the State of Nevada that the information submitted with this application is true and accurate and contains no willful omissions.

Date: _____

_____ (Original Instructor Signature) _____ (Print Name)

Application with attachments must be submitted with Program Application

<i><u>DIVISION USE ONLY:</u></i>	
Date Application Approved: _____	Approved By: _____

INCOMPLETE SUBMISSIONS COULD RESULT IN DELAY OR DENIAL OF APPLICATION

*****Sample*****

Certificate of Completion

ENERGY AUDITORS PRE-LICENSING PROGRAM

Student's Name

*Attended and successfully completed
the training and practice program*

“PROGRAM TITLE”

{Date program completed}

PL.XXXXXX-EA

X Hours

Instructor(s): Name

**This program is sponsored by:
Sponsor Name**

Authorized Signature

Date

THIS PROGRAM IS APPROVED BY THE NEVADA REAL ESTATE DIVISION ADMINISTRATOR

**STATE OF NEVADA
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**INSTRUCTOR & CONTENT EVALUATION REPORT
ENERGY AUDITORS PRE-LICENSING PROGRAM**

TITLE:					
PL NO.:		NUMBER OF HOURS:		DATE:	
PROVIDER:					
INSTRUCTOR(S):					

I. INSTRUCTOR(S)	<i>Excellent</i>	<i>Average</i>	<i>Not Acceptable</i>	Not Applicable
Instructor demonstrated knowledge of program content and was well prepared	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Instructor provided clear program objectives and expectations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Instructor provided examples to illustrate a point	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Instructor provided helpful feedback, encouraged questions and responded satisfactorily	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate instructor's ability to control disruptions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate the timeliness of the class start and finish times	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate instructor's availability outside of the training location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II. CONTENT/MATERIALS				
Content was relevant and helped me learn subject matter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate the value of supplemental resources e.g., websites, case studies and articles from publications, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate your satisfaction with the interactivity among students	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The quizzes/final exam accurately measured what I learned	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
III. INTERNET DELIVERY METHOD <i>If online component was included, please also rate the following:</i>				
Rate the technology support needed and received	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate the ease of use with program access, links, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate your satisfaction with the self-paced structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate the content for clear program objectives and expectations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate the availability of the instructor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

What did you like about the program and instructor(s)?

What aspects of the program or instructor(s)' teaching methods should be improved, if any?

Name (optional): _____

Date: _____

Note: No exceptions to this form without prior Division approval.

NEVADA LAW
NEVADA REVISED STATUTE
CHAPTER 645D - ENERGY AUDITORS

GENERAL PROVISIONS

NRS 645D.010 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 645D.020](#) to [645D.090](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1997, 1792](#); A [2011, 1948](#))

NRS 645D.020 “Administrator” defined. “Administrator” means the Real Estate Administrator.

(Added to NRS by [1997, 1792](#))

NRS 645D.050 “Division” defined. “Division” means the Real Estate Division of the Department of Business and Industry. (Added to NRS by [1997, 1792](#))

NRS 645D.053 “Energy audit” defined. “Energy audit” means a consultation to improve the energy efficiency of a home conducted pursuant to [NRS 645D.300](#). (Added to NRS by [2011, 1945](#))

NRS 645D.057 “Energy auditor” defined. “Energy auditor” means a person who is licensed pursuant to this chapter, or regulated by the Public Utilities Commission of Nevada, to conduct energy audits of homes.

(Added to NRS by [2011, 1945](#))

NRS 645D.090 “License” defined. “License” means a license issued to an energy auditor pursuant to this chapter.

(Added to NRS by [2011, 1945](#))

NRS 645D.100 Applicability of chapter. The provisions of this chapter do not apply to:

1. A federal or state employee, or an employee of a local government, who prepares or communicates an inspection report or energy audit as part of his or her official duties, unless a certificate or license is required as a condition of his or her employment.

2. A person appointed to evaluate real estate pursuant to [chapter 152](#) of NRS or [NRS 269.125](#), except as required by the appointing judge.

3. A board of appraisers acting pursuant to [NRS 269.135](#).

4. A person licensed, certified or registered pursuant to [chapter 645](#), [645C](#) or [684A](#) of NRS while performing an act within the scope of his or her license, certification or registration. For the purposes of this subsection, a person licensed, certified or registered pursuant to [chapter 645C](#) of NRS shall be deemed to be acting within the scope of his or her license, certification or registration while performing an appraisal prescribed by federal law that requires a statement of visual condition and while preparing or communicating a report of such an appraisal.

5. A person who makes an evaluation of an improvement as an incidental part of his or her employment for which special compensation is not provided, if that evaluation is only provided to his or her employer for internal use within the place of employment.

6. A person who provides an estimate of cost, repair or replacement of any improvements upon real estate.

7. Any person who reviews plans, performs inspections, prepares inspection reports or examines any component of a structure or construction pursuant to [NRS 278.570](#) or [278.575](#).

8. An independent registered architect or a licensed professional engineer while performing an inspection pursuant to [NRS 116.4106](#). (Added to NRS by [1997, 1792](#); A [2001, 4](#), [1253](#); [2005, 2633](#); [2011, 1948](#))

ADMINISTRATION

NRS 645D.110 Duties of Division; restrictions on employees of Division.

1. The Division shall administer the provisions of this chapter and may employ legal counsel, investigators and other professional consultants necessary to discharge its duties pursuant to this chapter.

2. An employee of the Division shall not:

(a) Be employed by or have an interest in any business that prepares inspection reports or energy audits;

(b) Act as an inspector or as an agent for an inspector; or

(c) Act as an energy auditor or as an agent for an energy auditor. (Added to NRS by [1997, 1793](#); A [2011, 1949](#))

NRS 645D.120 Regulations. The Division shall adopt:

1. Regulations prescribing the education and experience required to obtain a certificate.

2. Regulations prescribing a standard of practice and code of ethics for certified inspectors. Such regulations must establish a degree of care that must be exercised by a reasonably prudent certified inspector.

3. Regulations prescribing the education and experience required to obtain a license.

4. Such other regulations as are necessary for the administration of this chapter.

(Added to NRS by [1997, 1793](#); A [2011, 1949](#))

NRS 645D.125 Authority for Division to conduct business electronically; regulations; fees; use of unsworn declaration; exclusions.

1. The Administrator may adopt regulations which establish procedures for the Division to conduct business electronically pursuant to title 59 of NRS with persons who are regulated pursuant to this chapter and with any other persons with whom the Division conducts business. The regulations may include, without limitation, the establishment of fees to pay the costs of conducting business electronically with the Division.

2. In addition to the process authorized by [NRS 719.280](#), if the Division is conducting business electronically with a person and a law requires a signature or record to be notarized, acknowledged, verified or made under oath, the Division may allow the person to substitute a declaration that complies with the provisions of [NRS 53.045](#) or [53.250](#) to [53.390](#), inclusive, to satisfy the legal requirement.

3. The Division may refuse to conduct business electronically with a person who has failed to pay money which the person owes to the Division. (Added to NRS by [2003, 1299](#); A [2011, 18](#))

NRS 645D.130 Records: Maintenance by Division; general provisions governing public inspection and confidentiality.

1. The Division shall maintain a record of:

- (a) Persons from whom it receives applications for a certificate or license;
- (b) Investigations conducted by it that result in the initiation of formal disciplinary proceedings;
- (c) Formal disciplinary proceedings; and
- (d) Rulings or decisions upon complaints filed with it.

2. Except as otherwise provided in this section and [NRS 645D.135](#), records kept in the office of the Division pursuant to this chapter are open to the public for inspection pursuant to regulations adopted by the Division. The Division shall keep confidential, except as otherwise provided in [NRS 239.0115](#) or unless otherwise ordered by a court, the criminal and financial records of an inspector, energy auditor or of an applicant for a certificate or license.

(Added to NRS by [1997, 1793](#); A [2003, 3472](#); [2007, 2148](#); [2011, 1949](#))

NRS 645D.135 Records: Certain records relating to complaint or investigation deemed confidential; certain records relating to disciplinary action deemed public records.

1. Except as otherwise provided in this section and [NRS 239.0115](#), a complaint filed with the Division, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action are confidential and may be disclosed in whole or in part only as necessary in the course of administering this chapter or to a licensing board or agency or any other governmental agency, including, without limitation, a law enforcement agency, that is investigating a person who holds a certificate or license issued pursuant to this chapter.

2. The complaint or other document filed by the Division to initiate disciplinary action and all documents and information considered by the Division when determining whether to impose discipline are public records.

(Added to NRS by [2003, 3471](#); A [2007, 1546, 2148](#); [2011, 1950](#))

NRS 645D.140 Deposit of money received by Division; financial support of Division; claim for attorney's fees or costs of investigations.

1. All fees, penalties and other charges received by the Division pursuant to this chapter must be deposited with the State Treasurer for credit to the State General Fund.

2. Money for the support of the Division in carrying out the provisions of this chapter must be provided by direct legislative appropriation and be paid out on claims as other claims against the State are paid.

3. The Real Estate Commission and the Division shall deposit any money collected from the imposition of any administrative fine or penalty pursuant to this chapter with the State Treasurer for credit to the State General Fund. The Real Estate Commission or Division may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is required to pay attorney's fees or the costs of an investigation, or both.

(Added to NRS by [1997, 1793](#); A [2015, 2783](#))

NRS 645D.150 Duties of Attorney General.

1. The Attorney General shall render to the Division opinions upon questions of law relating to the construction or interpretation of this chapter, or arising in the administration thereof, submitted to the Attorney General by the Division.

2. The Attorney General shall act as the attorney for the Division in all actions and proceedings brought against or by the Division pursuant to any of the provisions of this chapter. (Added to NRS by [1997, 1794](#))

CERTIFICATES AND LICENSES

NRS 645D.160 Certificate or license required; penalty; prosecution of violation.

2. Any person who, in this state, engages in the business of, acts in the capacity of, or advertises or assumes to act as an energy auditor without first obtaining a license pursuant to this chapter is guilty of a misdemeanor.

3. The Division may file a complaint in any court of competent jurisdiction for a violation of this section and assist in presenting the law or facts at any hearing upon the complaint.

4. At the request of the Administrator, the Attorney General shall prosecute such a violation. Unless the violation is prosecuted by the Attorney General, the district attorney shall prosecute a violation that occurs in the county of the district attorney. (Added to NRS by [1997, 1794](#); A [2011, 1950](#))

NRS 645D.170 Application for certificate or license: Form and contents. An application for a certificate or license must be in writing upon a form prepared and furnished by the Division. The application must include the following information:

1. The name, age and address of the applicant.
2. The place or places, including the street number, city and county, at which the applicant intends to maintain an office to conduct business as an inspector or energy auditor.
3. The business, occupation or other employment of the applicant during the 5 years immediately preceding the date of the application, and the location thereof.
4. The applicant's education and experience to qualify for a certificate or license.
5. Whether the applicant has ever been convicted of, is under indictment for, or has entered a plea of guilty, guilty but mentally ill or nolo contendere to:
 - (a) A felony and, if so, the nature of the felony.
 - (b) Forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud or any crime involving moral turpitude.
6. If the applicant is a member of a partnership or association or is an officer of a corporation, the name and address of the principal office of the partnership, association or corporation.
7. Any other information relating to the qualifications or background of the applicant that the Division requires.
8. All other information required to complete the application.

(Added to NRS by [1997, 1794](#); A [1999, 1220](#); [2005, 2789](#), [2808](#); [2007, 1478](#); [2011, 1950](#))

NRS 645D.180 Submission of fees and fingerprints with application; investigation of applicant's background.

1. Each application for a certificate or license must be accompanied by the fee for the certificate or license and the fee to pay the costs of an investigation of the applicant's background.
2. Each applicant must, as part of the application and at his or her own expense:
 - (a) Arrange to have a complete set of fingerprints taken by a law enforcement agency or other authorized entity acceptable to the Division; and
 - (b) Submit to the Division:
 - (1) A completed fingerprint card and written permission authorizing the Division to submit the applicant's fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background and to such other law enforcement agencies as the Division deems necessary; or
 - (2) Written verification, on a form prescribed by the Division, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by another means to the Central Repository and that the applicant has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for a report on the applicant's background and to such other law enforcement agencies as the Division deems necessary.
3. The Division may:
 - (a) Require more than one complete set of fingerprints;
 - (b) Unless the applicant's fingerprints are directly forwarded pursuant to subparagraph (2) of paragraph (b) of subsection 2, submit those fingerprints to the Central Repository for submission to the Federal Bureau of Investigation and to such other law enforcement agencies as the Division deems necessary; and
 - (c) Request from each such agency any information regarding the applicant's background that the Division deems necessary. (Added to NRS by [1997, 1794](#); A [2003, 1300](#), [2864](#); [2005, 1296](#); [2011, 1951](#))

NRS 645D.190 Submission of proof of insurance with application; maintenance of policy of insurance.

1. The Administrator shall require each applicant for an original certificate or license and each applicant for renewal of a certificate or license to submit proof that the applicant or his or her employer holds a policy of insurance covering:
 - (a) Liability for errors or omissions in an amount of not less than \$100,000; and
 - (b) General liability in an amount of not less than \$100,000.
2. Each certified inspector, energy auditor or his or her employer shall maintain a policy of insurance that complies with the requirements of subsection 1.
(Added to NRS by [1997, 1795](#); A [2011, 1951](#))

NRS 645D.195 Payment of child support: Submission of certain information by applicant; grounds for denial of certificate or license; duty of Administrator. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. In addition to any other requirements set forth in this chapter:
 - (a) A person who applies for the issuance of a certificate or license shall include the social security number of the applicant in the application submitted to the Administrator.

(b) A person who applies for the issuance or renewal of a certificate or license shall submit to the Administrator the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Administrator shall include the statement required pursuant to subsection 1 in:

- (a) The application or any other forms that must be submitted for the issuance or renewal of the certificate or license; or
- (b) A separate form prescribed by the Administrator.

3. A certificate or license may not be issued or renewed by the Administrator if the applicant:

- (a) Fails to submit the statement required pursuant to subsection 1; or
- (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Administrator shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage. (Added to NRS by [1999, 1219](#); A [2005, 2789, 2808](#); [2011, 1952](#))

NRS 645D.195 Payment of child support: Submission of certain information by applicant; grounds for denial of certificate or license; duty of Administrator. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]

1. In addition to any other requirements set forth in this chapter, a person who applies for the issuance or renewal of a certificate or license shall submit to the Administrator the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Administrator shall include the statement required pursuant to subsection 1 in:

- (a) The application or any other forms that must be submitted for the issuance or renewal of the certificate or license; or
- (b) A separate form prescribed by the Administrator.

3. A certificate or license may not be issued or renewed by the Administrator if the applicant:

- (a) Fails to submit the statement required pursuant to subsection 1; or
- (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Administrator shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1999, 1219](#); A [2005, 2789, 2790, 2808](#); [2011, 1952](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 645D.205 Qualifications for issuance and grounds for denial of license.

1. The Administrator shall issue a license to any person who:

- (a) Is of good moral character, honesty and integrity;
- (b) Holds a certification or accreditation from an organization approved by the Administrator;

(c) **Has successfully completed not less than 40 hours of training and practice in the following areas:**

(1) **Building science and working with a home as a system, including, without limitation, training in making recommendations based on the proper loading order of improvements;**

(2) **The transfer of heat;**

(3) **Testing building performance;**

(4) **Air distribution and leakage;**

(5) **The calculation of gross and net areas;**

(6) **Energy terms and definitions;**

(7) **Concerns relating to combustion appliances;**

(8) **Envelope leakage, thermal bypass and thermal bridging;**

(9) **The presence or absence of insulation and, when observable, the quality of its installation;**

(10) **The recommended levels of insulation for different climate zones;**

(11) **Determinations of the efficiency of heating, ventilating and air-conditioning equipment from model numbers and default tables;**

(12) The strengths and weaknesses, drivers and sensitivities of major types of heating, ventilating and air-conditioning systems;

(13) Estimations of the efficiency of household appliances based on their model numbers or age;

(14) Energy, power, heat-conductivity or resistance and temperature units and key conversion factors;

(15) Measuring building dimensions;

(16) Identification and documentation of inspected features of the home during an energy audit;

(17) Basics of specifications;

(18) Determination of the efficiency of windows and doors;

(19) Determination of the orientation of buildings and the characteristics of the shading around them;

(20) Defining the thermal boundary and making appropriate recommendations for changing it; and

(21) The basic concepts of measure interaction, expected life and bundling for optimal performance when the home is considered as a system and taking into consideration the need for savings;

(d) Has submitted proof that the person or his or her employer holds a policy of insurance that complies with the requirements of subsection 1 of [NRS 645D.190](#); and

(e) Has submitted all information required to complete an application for a license.

2. The Administrator may deny an application for a license to any person who:

(a) Has been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to, forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud or any crime involving moral turpitude;

(b) Makes a false statement of a material fact on the application;

(c) Has had a license suspended or revoked pursuant to this chapter within the 10 years immediately preceding the date of application;

(d) Does not possess the training or certification required pursuant to subsection 1; or

(e) Has not submitted proof that the person or his or her employer holds a policy of insurance that complies with the requirements of subsection 1 of [NRS 645D.190](#). (Added to NRS by [2011, 1945](#))

NRS 645D.210 Notification of denial of application; leave to file another application; procedure for appeal of denial.

1. If an application for a certificate or license is denied:

(a) The Division shall notify the applicant within 15 days after its decision; and

(b) The applicant may not reapply until he or she petitions the Division for leave to file another application. The Division may grant or deny that leave in its sole discretion.

2. If the applicant, within 30 days after receipt of the notice denying the application, files a written request containing allegations that, if true, qualify the applicant for a certificate or license, the Administrator shall set the matter for a hearing before a hearing officer of the Division to be conducted within 60 days after receipt of the applicant's request. The decision of the hearing officer is a final decision for the purposes of judicial review. (Added to NRS by [1997, 1795](#); A [2011, 1952](#))

NRS 645D.220 Invalidation and surrender of certificate or license issued in error; notice; request for hearing.

The Division, upon the discovery of an error in the issuance of a certificate or license that is related to the qualifications or fitness of the holder thereof, may invalidate the certificate or license upon written notice to the holder. The holder shall surrender the certificate or license to the Division within 20 days after the notice is sent by the Division. A person whose certificate or license is invalidated pursuant to this section, and who has surrendered his or her certificate or license, may request a hearing on the matter in the same manner as for the denial of an application pursuant to [NRS 645D.210](#).

(Added to NRS by [1997, 1795](#); A [2011, 1952](#))

NRS 645D.230 Form, size and contents of certificate or license; expiration and renewal; additional fee for electronic renewal.

1. The Division shall issue a certificate or license to each eligible person in the form and size prescribed by the Division. A certificate or license must:

(a) Indicate the name and address of the inspector or energy auditor and the location of each place where he or she transacts business as an inspector or energy auditor; and

(b) Contain any additional matter prescribed by the Division.

3. A license is valid for 1 year after the first day of the first calendar month immediately following the date it is issued.

4. If an inspector or energy auditor fails to apply for the renewal of his or her certificate or license and pay the fee for renewal before the certificate or license expires, and applies for renewal:

(a) Not later than 1 year after the date of expiration, he or she must pay a fee equal to 150 percent of the amount otherwise required for renewal.

(b) Later than 1 year after the date of expiration, he or she must apply in the same manner as for an original certificate or license.

5. The Division may:

(a) Create and maintain a secure website on the Internet through which each certificate or license issued pursuant to the provisions of this chapter may be renewed; and

(b) For each certificate or license renewed through the use of a website created and maintained pursuant to paragraph (a), charge a fee in addition to any other fee provided for pursuant to this chapter which must not exceed the actual cost to the Division for providing that service. (Added to NRS by [1997, 1796](#); A [2007, 585](#); [2011, 1953](#))

NRS 645D.235 Requirement to report conviction to Division.

1. A certified inspector or energy auditor shall notify the Division in writing if he or she is convicted of, or enters a plea of guilty, guilty but mentally ill or nolo contendere to, a felony or any offense involving moral turpitude.
 2. A certified inspector or energy auditor shall submit the notification required by subsection 1:
 - (a) Not more than 10 days after the conviction or entry of the plea of guilty, guilty but mentally ill or nolo contendere; and
 - (b) When submitting an application to renew a certificate or license issued pursuant to this chapter.
- (Added to NRS by [2007, 1546](#); A [2011, 1953](#))

NRS 645D.240 Fees.

1. The following fees must be charged and collected by the Division:

For each application for a certificate or license.....	\$100
For the issuance or renewal of a certificate or license.....	250
For each penalty for a late renewal of a certificate or license.....	125
For each change of name, address or association.....	20
For each duplicate certificate or license where the original is lost or destroyed and an affidavit is made thereof.....	20
For each reinstatement to active status of an inactive certificate or license.	20
For each annual approval of a course of instruction offered in preparation for an original certificate or license.....	100
For each original accreditation of a course of continuing education.....	100
For each renewal of accreditation of a course of continuing education.....	50
2. The Division shall adopt regulations which establish the fees to be charged and collected by the Division to pay the costs of:
 - (a) Any examination for a certificate or license, including any costs which are necessary for the administration of such an examination.
 - (b) Any investigation of a person’s background. (Added to NRS by [1997, 1796](#); A [2003, 1300](#); [2011, 1953](#))

ENERGY AUDITS

NRS 645D.300 Procedure; report; duties of energy auditor; limited energy audit or energy assessment.

1. Except as otherwise provided in subsection 5, when conducting an energy audit, an energy auditor shall evaluate the entire home and must include, without limitation, in his or her evaluation:
 - (a) A visual inspection, diagnostic overview and health and safety test of the energy features of the entire home;
 - (b) Documentation of the general condition of the home, including, without limitation:
 - (1) Envelope features and ages;
 - (2) Types, characteristics and ages of equipment;
 - (3) Characteristics of appliances and lighting; and
 - (4) Any anticipated remediation issues, including, without limitation, moisture or combustion appliance problems;
 - (c) An assessment of the performance and efficiency of the building airflow and indoor air quality and ventilation, including, without limitation:
 - (1) Any visible sources of indoor air pollution;
 - (2) The flow rate of exhaust fans and whether the clothes dryer vent is properly vented; and
 - (3) An evaluation of the connection of any attached garage to the home for possible air leaks;
 - (d) An assessment of the control of moisture in the home, including, without limitation:
 - (1) A visual identification of any moisture present from roof leaks, wall penetrations or door or window openings; and
 - (2) An identification of any potential areas where mold may grow;
 - (e) An estimation of U-factors and solar heat gain coefficients of the windows and doors;
 - (f) An evaluation of the efficiency of the heating and cooling of the home, including, without limitation, the performance and efficiency of any:
 - (1) Furnace;
 - (2) Air-conditioning system;
 - (3) Heat pump;
 - (4) Air duct system;
 - (5) Thermal insulation;
 - (6) Boiler;
 - (7) System for providing steam heat;
 - (8) Hot water heater; or
 - (9) Heating, ventilating and air-conditioning system;

(g) An analysis of the base load energy use and advice to clients on reduction strategies, including, without limitation, an examination of:

- (1) The utility use and the billing history for the immediately preceding 12 months;
- (2) The efficiency of major appliances;
- (3) Lighting efficiency and alternatives; or
- (4) The energy used by any pool or spa; and

(h) Testing of combustion appliances in accordance with the standards issued by the American National Standards Institute or the American Society for Testing and Materials.

2. After conducting an energy audit, an energy auditor shall prepare and provide to the homeowner and the United States Department of Energy a report based upon the energy audit that includes, without limitation:

- (a) Any energy programs, incentives, regulations, energy costs or fuel types which apply to the homeowner;
- (b) A specific recommendation that any combustion appliance which is post-retrofit be tested;
- (c) A prioritization of health and safety hazards in the home and recommendations for improvements according to their urgency and importance, in relation to any energy efficiency measures which have been installed;
- (d) Suggestions for home repairs and renovations based on a loading order that will maximize cost effectiveness and feasibility using computer software approved by the United States Department of Energy;
- (e) In addition to the provisions of paragraph (c), an identification of existing hazards and potential hazards which may develop, together with specific preventative measures; and
- (f) Measures to save energy and changes in the behavior of the homeowner to increase energy efficiency, including the use of consumer electronics.

3. An energy auditor shall not base an energy audit upon a single product line, the services of a contractor or his or her own convenience.

4. An energy auditor shall use survey and labeling software programs or rating tools for performing an energy audit which have been approved by the United States Department of Energy.

5. In lieu of an energy audit, an energy auditor may perform a limited energy audit or energy assessment of a home. If an energy auditor performs a limited energy audit or energy assessment, the energy auditor must comply with the requirements of subsections 2, 3 and 4. As used in this subsection:

(a) "Energy assessment" means an evaluation of one or more of the appliances or systems listed in paragraph (f) of subsection 1.

(b) "Limited energy audit" means an evaluation of a home which includes less than the entire home, but includes the provision of at least one of the services specified in paragraphs (a) to (e), inclusive, (g) or (h) of subsection 1.

(Added to NRS by [2011, 1947](#))

DISCIPLINARY AND OTHER ACTIONS

NRS 645D.690 Investigations, disciplinary and other proceedings, fines and penalties not affected by expiration, revocation or voluntary surrender of certificate or license. The expiration or revocation of a certificate or license by operation of law or by order or decision of a hearing officer or court of competent jurisdiction, or the voluntary surrender of a certificate or license by a certified inspector or energy auditor does not:

1. Prohibit the Division from initiating or continuing an investigation of, or action or disciplinary proceeding against, the certified inspector or energy auditor as authorized pursuant to the provisions of this chapter or the regulations adopted pursuant thereto; or

2. Prevent the imposition or collection of any fine or penalty authorized pursuant to the provisions of this chapter or the regulations adopted pursuant thereto against the certified inspector or energy auditor.

(Added to NRS by [2001, 527](#); A [2011, 1954](#))

NRS 645D.700 Grounds for disciplinary action; authorized disciplinary action; limitations on reissuance of certificate or license after revocation; orders imposing discipline deemed public records.

1. Grounds for disciplinary action against a certified inspector or energy auditor are:

- (a) Unprofessional conduct;
- (b) Professional incompetence; and
- (c) A criminal conviction for a felony or any offense involving moral turpitude.

2. If grounds for disciplinary action against a certified inspector or energy auditor exist, the Division may, after providing the inspector or energy auditor with notice and an opportunity for a hearing, do one or more of the following:

- (a) Revoke or suspend the certificate or license.
- (b) Place conditions upon the certificate or license or upon the reissuance of a certificate or license revoked pursuant to this section.

(c) Deny the renewal of the certificate or license.

(d) Impose a fine of not more than \$1,000 for each violation.

3. If a certificate or license is revoked by the Division, another certificate or license must not be issued to the same inspector or energy auditor for at least 1 year after the date of the revocation, or at any time thereafter except in the sole discretion of the Administrator, and then only if the inspector or energy auditor satisfies the requirements for an original certificate or license.

4. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records. (Added to NRS by [1997, 1796](#); A [2001, 527](#); [2003, 3472](#); [2011, 1954](#))

NRS 645D.703 Disciplinary or other action for failure to pay money owed to Division. In addition to any other remedy or penalty, the Administrator may:

1. Refuse to issue a certificate or license to a person who has failed to pay money which the person owes to the Division.
2. Refuse to renew, or suspend or revoke, the certificate or license of a person who has failed to pay money which the person owes to the Division. (Added to NRS by [2003, 1299](#); A [2011, 1955](#))

NRS 645D.705 Suspension of certificate or license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certificate or license. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Administrator receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a certified inspector or energy auditor, the Administrator shall deem the certificate or license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Administrator receives a letter issued to the certified inspector or energy auditor by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the certified inspector or energy auditor has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Administrator shall reinstate a certificate or license that has been suspended by a district court pursuant to [NRS 425.540](#) if the Administrator receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose certificate or license was suspended stating that the person whose certificate or license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1999, 1219](#); A [2005, 2808](#); [2011, 1955](#))

PROHIBITED ACTS; PENALTIES; ENFORCEMENT

NRS 645D.720 Injunctive relief.

1. Whenever the Division believes from evidence satisfactory to it that any person has violated or is about to violate a provision of this chapter, or a provision of any regulation, ruling or decision of the Division, it may bring an action, in the name of the Division, in the district court of the State of Nevada in and for the county where the person resides or, if the person resides outside the State of Nevada, in any court of competent jurisdiction within or outside the State of Nevada, against the person to enjoin that person from engaging in or continuing the violation, or from doing any act or acts in furtherance of the violation.

2. If the action is brought in a district court of the State of Nevada, an order or judgment may be entered, if proper, awarding a temporary restraining order, preliminary injunction or final injunction. A preliminary injunction or temporary restraining order must not be granted without at least 5 days' notice to the opposite party.

(Added to NRS by [1997, 1797](#))

NRS 645D.730 Administrative fine for engaging in certain conduct without certificate, license or other authorization; procedure for imposition of fine; judicial review; exceptions.

1. In addition to any other remedy or penalty, the Administrator may impose an administrative fine against any person who knowingly:

(a) Engages or offers to engage in any activity for which a certificate or license or any type of authorization is required pursuant to this chapter, or any regulation adopted pursuant thereto, if the person does not hold the required certificate or license or has not been given the required authorization; or

(b) Assists or offers to assist another person to commit a violation described in paragraph (a).

2. If the Administrator imposes an administrative fine against a person pursuant to this section, the amount of the administrative fine may not exceed the amount of any gain or economic benefit that the person derived from the violation or \$5,000, whichever amount is greater.

3. In determining the appropriate amount of the administrative fine, the Administrator shall consider:

- (a) The severity of the violation and the degree of any harm that the violation caused to other persons;
- (b) The nature and amount of any gain or economic benefit that the person derived from the violation;
- (c) The person's history or record of other violations; and
- (d) Any other facts or circumstances that the Administrator deems to be relevant.

4. Before the Administrator may impose the administrative fine, the Administrator must provide the person with notice and an opportunity to be heard.

5. The person is entitled to judicial review of the decision of the Administrator in the manner provided by [chapter 233B](#) of NRS.

6. The provisions of this section do not apply to a person who engages or offers to engage in activities within the purview of this chapter if:

(a) A specific statute exempts the person from complying with the provisions of this chapter with regard to those activities;
and

(b) The person is acting in accordance with the exemption while engaging or offering to engage in those activities.

(Added to NRS by [2003, 1299](#); A [2011, 1955](#))

NRS 645D.900 Prohibited acts; penalties.

1. A person who obtains or attempts to obtain a certificate or license by means of intentional misrepresentation, deceit or fraud is guilty of a category E felony and shall be punished as provided in [NRS 193.130](#). In addition to any other penalty, the court may impose a fine of not more than \$10,000.

2. A person who:

(a) Holds himself or herself out as a certified inspector or energy auditor;

(b) Uses in connection with his or her name the words “licensed,” “registered,” “certified” or any other title, word, letter or other designation intended to imply or designate that he or she is a certified inspector or energy auditor; or

(c) Describes or refers to any inspection report or energy audit prepared by him or her as “certified” or “licensed” in this state, without first obtaining a certificate or license as provided in this chapter,

↪ is guilty of a gross misdemeanor.

(Added to NRS by [1997, 1797](#); A [2011, 1956](#))