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TO: Commission for Common-Interest Communities and Condominium Hotels
FROM: Jennifer Oerding, Education and Information Officer
SUBJECT: Education Summary – November 17-19, 2015

DISCUSSION AGENDA EDUCATION COURSES

NEW REAL ESTATE CONTINUING EDUCATION COURSES

1. Nevada Association Services, Inc.
“Collections in the Common Interest Community Industry”

Request: **3 Hours General Classroom**

Recommendation: **Approve – 3 Hour – General – Classroom. The course meets the NAC 116 standards for general education credit.**

Instructors: **David Stone, Chris Yergensen, Esq., Brandon Wood, Esq.**

Objective: **“Participants should get a full understanding of why, how and the laws of the collection process in the CIC.”**

Standards: **NAC116A.232**

- 1(a)** Contains current information on the management of a common-interest community or an association of a condominium hotel that will improve the professional knowledge of a community manager and enable a community manager to give better service to his or her clients.
- 1(b)** Contains information that relates to pertinent Nevada laws and regulations.
- 2(q)** The enforcement of financial obligations, including, without limitation, liens and collections procedures.
- 2(s)** Dispute resolution techniques and processes, including, without limitation, informal and formal mediation, arbitration and guidelines for internal association procedures related to hearings concerning violations of the governing documents and other disputes.

Content:

I. Introduction and Overview	5
II. Why is it important to collect Delinquent Assessments	20
A. Provide and Maintain vital services	
B. Maintain property values	
C. Fiduciary duty	
1. NRS 116.3102(3)	

D.	Long term financial health of the community association	
E.	Prompt Collection handling makes it easier on the delinquent homeowner	
F.	Example of lack of improper collections and the ramifications	
III.	What does NAC require of the Community Manager (CM)	15
A.	How does the CM handle NAC 116 provisions regarding acceptance of payments and partial payments	
B.	What to do with payments once account is sent to collections	
C.	What to do when an owner contacts the manager about an account in collection	
IV.	Collection Policy	10
A.	Every association should have a collection policy (see sample)	
B.	Review of the collection policy is suggested	
C.	Uniform execution of the policy is suggested – Pitfalls of not doing so	
D.	Policy should have the following	
1.	Amount of the assessment	
2.	Date payment is due	
3.	Date payment is considered late	
V.	NRS 116.31162 (4) Before Collections Begin	10
A.	Not earlier than 60 days before the HOA mails an Intent of Notice of Lien or takes any action to collect, HOA must	
1.	Mail to owner a schedule of the fees that may be charged	
2.	Proposed payment plan	
3.	Notice of right to contest the past due obligation at a hearing	
B.	No collection action for 30 days from the date of mailing and 10 days from hearing of breach of payment plan	
C.	An agent for the owner or holder of a security instrument may request, and receive, demand statement information	
1.	Demand effective for at least 15 days	
2.	Correct the demand with no negative consequences if change is made within the 15 days and sale has been completed	
VII.	Method of collection (Court v. No Court)	20
A.	Small Claims Court	
a.	Must sue for finite amount of money	
b.	No Guarantee EVER of winning in court	
c.	Try to collect the money GOOD LUCK	
B.	Judicial Foreclosure	
1.	Hiring a lawyer	
2.	No guarantee EVER of winning	
3.	Cross Complaints filed	
4.	Can take months even years to resolve	
5.	When judicial is an effective alternative to non-judicial foreclosure	
i.	Property is owned by a governmental agency	
ii.	Association is already engaged in complex litigation with the owner of the property	
C.	Non-Judicial Foreclosure	
1.	NRS 116.3102(3)	
2.	Demand Letter	
3.	In ten days record Lien – Is a Lien that important	
4.	In 30 days Record Notice of Default	
5.	In 90 days set the property for foreclosure sale	

6. No cross complaints	
7. When is non-judicial foreclosure and affective alternative	
a. Property owned by a non-governmental agency	
b. Simple case of owner will not pay assessments	
c. No preexisting complex legal issues or lawsuits	
VII. Lender Forecloses	5
A. Will the association get the money owed?	
B. Super priority lien (NRS116.3116(2))	
VIII. NRS 116.31162(7) / Foreclosure and Mediation with Lender	10
A. HOA may NOT Foreclose if:	
1. HOA received a notice of foreclosure mediation, unless	
(1) Recorded completion of certificate or	
(2) Unit owner fails to pay assessment that becomes due during mediation	
IX. Bankruptcy	10
A. Chapter 7	
B. Chapter 13	
C. Discharge vs. Dismissal	
D. Bankruptcy Abuse Prevention and Customer Act of 2005 (10/05)	
1. Filing more difficult	
a. Credit counseling schedules	
2. Relief from stay if the filing was a scheme to delay creditors involving multiple filings	
3. In rem relief???	
4. Homestead exemptions	
a. Elect the exemption in state debtor has resided in for at least 730 days or where resided for the majority of 180 days preceding the 730 days. Limits state homestead to \$125,000 unless the property involved as acquired more than 1215 days prior to the petition date	
5. Post-petition unpaid association assessments are non-dischargeable	
6. Time between Chapter 7 dischargeable bankruptcies from six to eight years	
7. Discharge of debtor	
a. State median income	
X. Collecting Fines, Construction Penalties, Late Fees and Interest	15
A. Statutory limits on charges for collecting fines (NRS 116.31031)	
B. Cannot foreclose unless violation possesses an imminent threat of causing a substantial adverse effect of the health, safety or welfare of the unit's owners or residents of the common interest community (NRS 116.31162 (6) (a))	
C. Construction penalty is not a foreclosable fine	
XI. Combining Fiduciary Responsibilities & Collections	15
A. The buck stops at the Board of Directors	
B. Fair Debt Collections Practices Act	
C. State law regarding collection agencies	
1. Annual audits	
2. Bond requirements	
3. Approval of form used	

4. Qualified Manager	
5. License – who needs to be licensed?	
D. Know your collection agency	
1. Is it licensed?	
a. Must an association use a licensed collection agency	
b. Non-licensed agency doing business	
c. Attorneys doing collections	
2. Is it bonded?	
3. Does it have professional liability insurance?	
4. Is there an experienced qualified manager	
XII. Review of RFP for Services	5
XIII. Questions	10
TOTAL: 150 min ÷ 50 class hr = 3 Hours	150

2. Angius & Terry, LLP.
“Legal and Practical Fundamentals of Contracts”

Request: **1 Hour General Classroom**

Recommendation: **Approve – 1 Hour – General – Classroom. The course meets the NAC 116 standards for general education credit**

Instructors: **Paul Terry, Esq., Brad Epstein, Esq., Troy Dickerson, Esq., Aaron Yen, Esq., Scott Kelsey, Esq., David bray, Esq., John Stander, Esq., Norman Rosensteel**

Objective: **Upon completion of this course, attendees will have a better understanding of the types of contracts, the different elements of a contract, and the anatomy of a contract as well as the difference between an oral vs. written contracts. Other issues will be discussed such as the importance of using licensed vendors and checking the Nevada State Contractors board before using a general contractor. Indemnification and Insurance will also be discussed along with some standards of practice.**

Standards: **NAC116A.232**
1(a) Contains current information on the management of a common-interest community or an association of a condominium hotel that will improve the professional knowledge of a community manager and enable a community manager to give better service to his or her clients.
2(p) Contracts, including, without limitation, the preparation of requests for proposals and the obtaining of bids.

Content:	Minutes
I. Legal and Practical Fundamentals of a Contract	2
II. Types of Contracts	2
1. Executory or Unilateral	
2. Reciprocal or Bilateral	

III. Elements of a Contract	3
1. Offer	
2. Acceptance	
3. Consideration	
4. Capacity	
5. Legality	
IV. Written vs. Oral Contracts	3
1. Written v. Oral	
a. Emails – Contract or Evidence of Contract	
1. One way	
2. Two way	
2. Emergencies	
V. Other Important Issues	3
1. Licensure	
2. Insurance	
3. Indemnification	
4. Vendor Contracts	
VI. Licensure	3
1. Always use licensed Vendors	
a. Nevada State Contractors Board www.nvcontractorsboard.com	
2. Most Common Violation	
a. Handyman	
b. \$1,000.00	
c. Limited Trades	
VII. Indemnification	2
1. Equitable	
2. Contractual	
a. Type 1	
b. Type 2	
c. Contract form	
VIII. Insurance	10
1. Types	
a. Worker’s Comp	
b. Liability Insurance - Limits	
c. Automobile Insurance	
d. Additional Named Insured Endorsement	
1. Association	
2. Management Company	
3. Primary	
4. 30 Day Cancellation Notice	
e. Look at the Form the vendor Gives You	
2. Consider Obtaining the Endorsement	
a. Accord Form	
b. Authorized Agents	
IX. Vendor Contracts	3
1. NEVER use them	
a. Terms will always favor vendor	
b. The “roast beef” problem	
c. Power of the pen gives vendor the negotiating advantage	

X. Per Standard Practice	2
1. Manager can open bid without a price	
2. Per AB238 – 3 bid rule	
3. Form contract accomplishes the same thing	
XI. Anatomy of a Contract	5
1. Parties	
2. Scope of Work	
3. Price	
4. Timing of Payment	
5. Start date/ Completion date	
6. Warranty	
7. Execution	
XII. Let’s Draft a Contract	10
1. Re-roof the Clubhouse	
2. Use the sample form	
XIII. Summary	2
1. Get it in writing	
2. Pay close attention to the scope of work	
3. Make sure the price is clear	
4. Insurance and Indemnification clauses	
5. Never use vendor contracts	
TOTAL: 50 min ÷ 50 class hr = 1 Hours	50

3. Angius & Terry, LLP.
“Parliamentary Procedure – A Matter of Order”

Request: 2 Hours General Classroom

Recommendation: Approve. Approve – 2 Hour – General – Classroom. The course meets the NAC 116 standards for general education credit.

Instructors: Paul Terry, Esq., Brad Epstein, Esq., Troy Dickerson, Esq., Aaron Yen, Esq., Scott Kelsey, Esq., David bray, Esq., John Stander, Esq., Norman Rosensteel

Objective: Upon completion of this course participants will have a better understanding of Parliamentary Procedure and its importance in conducting meetings. During the course we will be discussing what parliamentary procedure is, what the procedures are, where they came from and why they are important. Participants will go through each parliamentary procedure pertaining to Roberts Rules of Order for a knowledgeable understanding of the different procedures to use during board meetings.

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professional knowledge of a community manager and enable a community manager to give better service to his or her clients.

2(n) Parliamentary procedures.

Content:

1. Parliamentary Procedure a Matter of Order	
2. What is Parliamentary Procedure	1
A. Set of rules for conducting business at a meeting and public gatherings	
3. Parliamentary Procedure	2
A. Has a long history	
B. Originated in the early English Parliaments	
C. Came to America with the first European settlers	
D. Became uniform in 1876, when Henry M. Robert published his manual on Parliamentary Law	
E. Henry Robert created to keep order in church meetings	
4. Why is Parliamentary Procedure Important?	2
A. Parliamentary procedure means:	
1. Democratic Rule	
2. Flexibility	
3. Protection of Rights	
4. A Fair Hearing for Everyone	
5. Procedures and Basic Rules	2
A. Fixed Agenda – Order of Business	2
1. Call to Order - Chair “The meeting will come to order” if quorum present	2
a. Quorum – the number or percentage of members that must be present for business to be conducted legally.	
Number usually stated in bylaws	
2. Homeowner Comments	2
a. Not in Roberts Rules but required by NRS 116.31083(5) - Comments on agenda items only	
3. Minutes	2
a. Secretary reads a record of the previous meeting, or, more frequently a motion made, seconded, discussed and voted upon to approve the minute	
4. Officers Report	2
a. Officers and standing (permanent) committees report on their activities	
b. Some only report at annual meetings	
5. Report of Special Committees	2
6. Special Orders	2
a. Important business previously designated for consideration at meeting	
7. Unfinished Business	2
a. Business that has home over from the previous meeting, items must be listed with sufficient detail to understand any action being taken	
8. New Business	2
a. New topics are introduced	
9. Announcements	2
a. Inform the assembly of other subjects and events	
10. Homeowner Comments	2
a. May be on any item, not just agenda items. NRS 116	
11. Adjournment	2
a. Meeting ends by a vote or by general consent	

12. Please Note	2
a. Some assemblies hold electronic meetings, videoconference or tele-conference.	
B. How do members get their say?	2
1. They make motions – Motion is a proposal that the assembly take a stand or take action on some issue	
2. Members have a right to:	
a. Present Motions (make a proposal) – “I move that”	2
b. Second Motions (express support for others motion) – “I second”	2
c. Debate motions (give opinions) - “I think”	2
d. Vote on Motions (make a decision) – All in favor	2
C. Types of Motions	
1. Main Motion	2
a. introduce subjects, cannot be made when another motion is on the table	
b. yield to privileged, subsidiary and incidental motions	
c. “I move that we...”	
2. Subsidiary Motion	2
a. Change how main motion is handled (they are voted on before the main motion)	
b. “I move to amend the motion by striking out...”	
3. Privileged Motion	2
a. Special or important matter not relating to pending business	
b. Considered before other types of motions	
c. “I move we adjourn”	
4. Incidental Motion	2
a. Questions of procedure that arise out of other motions	
b. Must be considered before the other motion	
c. “I move to suspend the rules for the purpose of...”	
5. Motions that bring a question again before the assembly	2
a. Enable certain items to be reconsidered	
b. Brought up when no business is pending	
c. “I move to reconsider...”	
D. Questions relating to motions	
1. Is it in Order	2
2. May I interrupt the speaker	2
3. Do I need a second	2
4. Is it debatable	2
5. Can it be amended	2
a. Striking, out or inserting a word	
b. Must relate to the subject as presented by main motion	
6. What vote is needed	2
a. Most require majority vote -more than half the members present and voting	
b. Motions concerning the rights of the assembly or its members need 2/3 vote to be adopted	
7. Can it be reconsidered	2
a. Some can be debated again and re-voted upon	
b. Motions to reconsider must come from the winning side	
E. How do I Present my Motion	2
1. Obtain the floor	

a. Wait until previous speaker is finished – rise and address the chair	
Mr./Madam Chairperson/President – Give your name – chair recognizes you	
2. You make your motion	2
a. “I move that we do..” Stay on subject and no personal attacks	
3. Wait for a second – Another member will “I second the motion”	2
a. or the Chair will call for a second	
b. No second the motion will not be considered	
c. Motions made at the direction of a board or community don’t require 2nd	
4. The Chair states your motion	2
a. It is moved and seconded that we	
b. Debate and voting can occur	
c. Motion is now assembly property and you cannot change it without consent of the members	
5. You expand on your motion	2
a. Allowed to speak first as the person who made the motion	
b. Direct comments to the chair	
c. May speak again after other speakers are finished	
d. May speak a third time by a motion to suspend the rules with a 2/3 vote	
6. The chair puts the question to a vote	2
a. Chair announces the results	
F. Method of Voting on a Motion	2
1. Voice – Roll Call – Ballot - General Consent	8
a. Depends upon bylaws - voice say aye and no - roll call - all vote aloud	
b. Nevada requires the minutes to reflect how everyone voted	
c. General consent when a motion is not likely to be opposed “if there is no objection”	
d. Motion is pending when has been stated by the chair but not yet voted on	2
2. Motion to lay on the table - temporary	2
3. Postpone indefinitely – parliamentary strategy	2
G. Procedures	2
1. NRS 116 requires bylaws to contain procedural rules or adopt Roberts Rules	
2. Rules kept simple – Motion, second, discussion, vote	
3. Order of agents	
H. Questions	3
TOTAL: 100 min ÷ 50 class hr = 2 Hours	100

4. Angius & Terry, LLP.
“How to Conduct an Efficient Board Meeting”

Request: 2 Hours General Classroom

Recommendation: Approve – 2 hour – General – Classroom. The course content meets NAC 116 standards for general education credit.

Instructors: Paul Terry, Esq., Brad Epstein, Esq., Troy Dickerson, Esq., Aaron Yen, Esq., Scott Kelsey, Esq., David Bray, Esq., John Stander, Esq., Norman Rosensteel

Objective: This course will enable participants to develop the skills to conduct an efficient board meeting by discussing such topics as “Planning Ahead”. Planning ahead includes holding an annual board of directors’ workshop, creating a mission statement relevant to the community and setting specific short and long term goals for the BOD and the community. Attendees will gain knowledge regarding an efficient meeting agenda via discussions about collecting board input, planning the agenda ahead of time and making the most of the time with the board. We will also be discussing a sample timed agenda as well as tips for an outstanding director’s report. Finally we will be discussing staying efficient during the meeting.

Standards: NAC 116A.232

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2(f) Administering the office of a community manager, including, without limitation, personnel management and recordkeeping.

Content:

I. Introduction and Overview	3
II. Planning Ahead	10
a. Hold an annual Board of Directors workshop	
b. Create a mission statement that is relevant to the community	
c. Check board decisions against the mission statement to stay on track	
d. Set specific short and long term goals for the BOD and the community	
e. Develop an annual agenda to schedule goal completion	
III. Like I Said, Planning is the Key	10
a. Plan monthly agenda in advance	
b. Collect Board/Committee input early	
c. Include timely annual agenda items	
d. Only agendize items that need BOD input	
e. Make use of a timed agenda and practice sticking to it	
f. Business that can be conducted within an hour	
g. Make the most of the time with the board	
IV. Do Your Homework	10
a. Develop mutually respectful relationships with your BOD	
b. Let them know your expectations and what they can expect in return	
c. Create and develop comprehensive Director’s report 3-5 days before meeting	
V. Make Sure the Board does their Homework Too	10
a. Each member should attend board member education	
b. Contact Manager with agenda items in a timely manner	
c. Board members must read and digest Director’s report before the meeting	
d. Ask any questions in advance	
e. Attend prepared to make a decision on each item	
VI. Sample Timed Agenda	7
a. 7:00pm Call to order and roll call	

b. 7:02pm Homeowner forum (agenda item)	
c. 7:17pm Approval of prior meeting minutes	
d. 7:20pm Treasurer's report	
e. 7:25pm Presidents report/ Management report	
f. 7:30pm Landscaping bids	
g. 7:40pm Pool bids	
h. 7:40pm Open homeowner forum	
i. 8:00pm Adjourn	
VII. Tips for Outstanding Director's Report	15
a. Include final draft of prior meeting minutes for a quick approval	
b. Include final draft of written Treasurer's report for quick approval	
c. The Presidents report is the management report	
d. Include all information required to make a decision	
e. Include your written recommendation on each item	
f. There is no unfinished business	
g. There is no new business	
h. Keep the HO floor time at 3 minutes or less per speaker	
i. Back half of Directors report is index with written verification of all action items from prior meeting have been completed	
VIII. The Board Speaks with One Voice	5
a. Multiple heads are better than one and makes for a better decision	
b. Once the decision is made, each board member must support it	
c. Always remain calm and respectful of co-members and management	
d. No one board member has more power than another; each opinion is important	
e. Each board member has equal responsibility and accountability for success/failure	
IX. Set a Business Environment	3
a. Good lighting and comfortable setting and temperature	
b. Make timed agendas available to attendees	
c. If refreshments are offered keep them simple and tidy	
d. Check your ego at the door; it's not personal	
e. Try to participate and enjoy the process	
X. Beginning the Meeting	5
a. Use adopted Parliamentary Procedure resolution	
b. Keep discussion on track and succinct to topic	
c. President/Chair is the facilitator to keep it moving forward	
d. Speak when needed. Listen and be attentive for the balance of time	
e. Always stay calm with an open mind	
XI. During the Meeting	5
a. Stick to the timed agenda	
b. Keep things moving forward	
c. If the board gets stuck on an item, come back to it at the end	
d. Motions should be definite and clear	
e. Once an item is done: NEXT	
f. HO Forum – no input from the HO's during board meeting	
g. HO Forum – issues do not need immediate decisions	
XII. Concluding the Meeting	2
a. Thank everyone for their attendance and participation	
b. Have manager's business cards available to attendees	

c. When the meeting is over, clear the room and leave	
XIII. Questions	15
TOTAL: 100 min ÷ 50 class hr = 2 Hours	100

5. Angius & Terry, LLP.
 “Outstanding Customer Service Tactics for Community Managers”

Request: **1 Hour General Classroom**

Recommendation: **Approve – 1 hour – General – Classroom. The course content meets NAC 116 standards for general education credit.**

Instructors: **Paul Terry, Esq., Brad Epstein, Esq., Troy Dickerson, Esq., Aaron Yen, Esq., Scott Kelsey, Esq., David Bray, Esq., John Stander, Esq., Norman Rosensteel**

Objective: **Upon completion of this course, participants will have a better understanding of what customer service is and who their customers are. Attendees will also learn about anticipating the needs of their customers and how important clear communication is to good customer service as well as knowing their companies policies and procedures to be as helpful as possible to customers.**

Standards: **NAC 116A.232**
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Content:

1. Outstanding Customer Service for Managers	1
2. Introduction	3
A. What is Customer Service	3
a. Process of ensuring Customer satisfaction with a product or service	
b. The provision of service before, during and after a sale	
c. Part of maintaining ongoing client relationships that are key to continuing revenue	
d. Who are our customers?	
e. Board members	
f. Homeowners and residents	
g. What about Title companies, Realtors, Vendors?	
3. Where do we take care of our customers?	3
a. Board meetings	
b. Telephone conversations	
c. Emergency calls	
d. In person office visits	
e. Site visits	
f. Educational events	
g. Industry functions	

h. What about at the grocery store?	
i. Where else?	
4. How do we take care of our customers?	5
A. Anticipate and identify their needs	
a. Making sure normal maintenance is done timely and properly	
b. Frequent property inspections and violation follow-ups	
c. Be properly prepared for all meetings	
d. Go the extra step to satisfy the customer	
B. Under Promise and Over Deliver	5
a. Examples	
C. How to Answer When it's "Not Your Problem"	
a. Determine what the problem really is	
b. Guide the customer to the answer (I'm sorry Nevada Energy is responsible for maintaining the streetlights, but here is their contact information	
c. Always try to resolve the issue even if it is not yours	
d. Go above and beyond whenever possible	
5. Communications with Customers	5
A. Be Clear in you Communications	
a. Keep it simple	
b. Leave nothing to doubt or interpretation	
c. Repeat yourself repeatedly with the solution	
d. Follow up with an email outline with what you will do and when	
e. Stay positive	
B. Stay Calm No Matter What	
a. The faster and louder a customer speaks, the slower and quieter you should speak, this calms both of you down	
b. You may have to learn some acting skills	
1. It may be difficult to handle 3 or 4, or more, angry calls consecutively	
2. Do not take it personal	
3. Be empathetic	
4. Try to take a moment to meditate or take deep breaths to prepare for your next call	
C. Always Work to Diffuse an angry Homeowner	5
a. Follow through and do what you told them you would do in a timely manner	
b. Many complaints come from lack of follow through	
c. If you are being screamed at or profane language is being used, sometimes it is best to end the call and start over	
d. In ending a call, never hang up in anger	
e. It is best to hang up while you are speaking, but only if absolutely necessary, it gives a pause to the discussion. Call the customer back, say you must have been disconnected, and start over	
D. Communication Tactics	10
a. Get their name and use it	
b. Smile when you are talking	
c. Don't argue back	
d. Be patient	
e. Say I am sorry	
f. Actively listen	
g. Don't interrupt when you think you know the problem. Let them finish	

h. Repeat their concerns	
i. Hit the mute button and let them vent	
j. A meeting in person to look at the problem can go a long way	
k. Adjust your mindset to a customer service mindset	
l. The biggest thing you can do to resolve a situation is to say I'm sorry	
6. Know your product	5
A. What does your management company sell	
a. Peace of mind	
b. Security (not as in a security service)	
c. What else?	
Questions	5
TOTAL: 50 min ÷ 50 class hr = 1 Hours	50

6. NACM Educational Committee
 “Lobbying in the HOA Industry”

Request: 1 Hour General Classroom

Recommendation: Approve – 1 hour – General – Classroom. The course content meets NAC 116 standards for general education credit.

Instructors: Bryan Gresh

Objective: Upon completion, the student will be knowledgeable regarding what a lobbyist is, how the legislation process works and its outcomes.

Standards: NAC 116A.232

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- 1(b)** Contains information that relates to pertinent Nevada laws and regulations.
- 2(b)** Legislative issues concerning community managers and the management of a common-interest community or the association of a condominium hotel, including, without limitation, pending and recent legislation.
- 2(c)** The administration of laws and regulations concerning community managers and the management of a common-interest community or the association of a condominium hotel, including, without limitation, licensing and enforcement.

Content:

I. Introduction	1
II. Who I Represent and Why That is Important	4
III. Legislation 101	15
a. Division of Houses and their members	
b. Meetings and where they are held	
c. How a bill becomes a law	
d. Who is the LCB	
e. What is a BDR	
f. Who Sponsors a bill	
g. What a lobbyist is/does	
IV. Following a bill (AB141)	15

a. BRD vs. Bill and their meaning	
b. What you will find in a finished bill	
c. Where the BDR begins and ends	
d. Where a bill is introduced	
e. What happens after being introduced	
f. What the houses roles are	
g. What Committees it goes in front of	
h. What are the final steps of approving the bill	
i. What is bill enrollment	
j. What happens if a bill fails/ how it fails	
k. How to get involved in the process	
V. Legislative Terminology	5
VI. Closing and review of Process	5
VII. Questions	5
TOTAL: 50 min ÷ 50 class hr = 1 Hours	50

7. The Clarkson Law Group, P.C.
“2015 HOA Caselaw Series – Part 1 – Assessment Issues & CC&R Amendments”

Request: 1 Hours General Classroom

Recommendation: Approve – 1 hour – General – Classroom. The course content meets NAC 116 standards for general education credit.

Instructors: Adam H. Clarkson, Esq.

Objective: Upon completion of this course, managers will be educated on recent court decisions regarding community associations and the analogous/related provisions of NRS 116.

Standards: Standards: NAC 116A.232

- 1(a)** Contains current information on the management of a common-interest community or an association of a condominium hotel that will improve the professional knowledge of a community manager and enable a community manager to give better service to his or her clients.
- 1(b)** Contains information that relates to pertinent Nevada laws and regulations.
- 2(b)** Legislative issues concerning community managers and the management of a common-interest community or the association of a condominium hotel, including, without limitation, pending and recent legislation.
- 2(i)** Federal laws pertinent to the management of a common-interest community or the association of a condominium hotel, including, without limitation, the Fair Housing Act, 42 U.S.C. §§ 3601 et seq., and the Americans with Disabilities Act of 1990.
- 2(j)** Health and safety issues in common-interest communities and condominium hotels.
- 2(k)** Issues pertaining to declarants and developers of common-interest communities and condominium hotels.

Content:

1. Introduction and Overview	3
2. Assessment Issues (cases unrelated to super-priority liens)	20

a. Wells Fargo v. Country Place Condominium Association. NRS 11636116 Purchaser at a foreclosure sale owes association fees accruing retroactively starting at the date of sale, not starting at the end of redemption period	
b. Spanish Court Two Condominium Association v. Carlson – NRS 11633107, NRS 116.3116 – associations alleged failure to maintain common elements is not a legitimate defense for non-payment of assessments	
c. In re Kelly Makowka – NRS 116.3116 – Civil suit for money damages is not enforcement of association lien	
d. Huntington Continental Townhouse Association v. Miner – NRS 116A.640, NRS 116.31162(1)(d) – Association must accept partial payment towards assessment debt	
3. Assessment Issues – (Cases related to super-priority liens)	20
a. A to Z Properties v. Fairway Palms II Condominium Association – NRS 116.3116 - outstanding association assessments are extinguished by tax sale	
b. SFR Investment Pool 1, LLC v. US Bank, NA – NRS 116.3116 Non judicial Super-priority lien foreclosure extinguishes deed of trust	
c. Chase Plaza Condominium Association v. JP Morgan Chase – NRS 116.3116 - Super-priority lien foreclosure extinguishes deed of trust	
d. Washington & Sandhill HOA v. Bank of America – NRS 116.1104 – Supremacy Claus Bars Extinguishment of HUD/FHA Insured Mortgages; Association cannot waive NRS 116 rights	
4. CC&R Amendments	10
a. Club Envy of Spokane v. Ridpath Tower Condo. Asso. – NRS 116.2117 – One year limitation to challenge amendment does not apply to challenge to validity of an amendment not properly passed	
b. Ryan Ranch Community Asso. V. Kelley – NRS 116.2117, NRS 116.2105 - annexation of units requires reserved declarant rights for the annexation of the units in order for such units to be subject to annexation	
5. Questions	5
TOTAL: 53 min ÷ 50 class hr = 1 Hours	53

8. Ben C. Scheible
“Common-Interest Communities Law Update 2015”

Request: **3 Hours** **Legal** **Classroom**

Recommendation: **Approve – 3 hour – Legal – Classroom. The course content meets NAC 116 standards for legal education credit.**

Instructors: **Ben Scheible, Esq.**

Objective: **Participants will be able to identify, understand, and apply in practice recent CIC legislation.**

Standards: **Standards:** **NAC 116A.232**
1(a) Contains current information on the management of a common-interest community or an association of a condominium hotel that will improve the professional knowledge of a community manager and enable a community manager to give better service to his or her clients.
1(b) Contains information that relates to pertinent Nevada laws and regulations.

- 2(b) Legislative issues concerning community managers and the management of a common-interest community or the association of a condominium hotel, including, without limitation, pending and recent legislation
- 2(c) The administration of laws and regulations concerning community managers and the management of a common-interest community or the association of a condominium hotel, including, without limitation, licensing and enforcement
- 2(i) Federal laws pertinent to the management of a common-interest community or the association of a condominium hotel, including, without limitation, the Fair Housing Act, 42 U.S.C. §§ 3601 et seq., and the Americans with Disabilities Act of 1990
- 2(k) Issues pertaining to declarants and developers of common-interest communities and condominium hotels
- 2(m) The disclosures required in a transaction involving a unit in a common-interest community or condominium hotel
- 2(p) Contracts, including, without limitation, the preparation of requests for proposals and the obtaining of bids
- 2(s) Dispute resolution techniques and processes, including, without limitation, informal and formal mediation, arbitration and guidelines for internal association procedures related to hearings concerning violations of the governing documents and other dispute.

Content:

Introduction	5
I. MODULE ONE	
Renewal of CAM certificate	
A. Renewal of CAM Certificate SB 154	5
II. MODULE TWO	
Reserve Studies and Preparation of Financial Statements	
A. R050-13	15
III. MODULE THREE	
Foreclosure and Debt Collection.	
A. Debt/Lien Collection Including Super-Priority Lien SB 306 Background	5
a. Super-Priority lien and Supreme Court Decision	5
b. Revision to Foreclosure Process	10
c. New 60 day right of redemption	5
d. Bona Fide Purchaser Protection	5
e. Foreclosure mediation program and debt collection	5
B. Notice to Security Holders AB 141	10
C. Foreclosure Process SB 453	5
D. Foreclosure Mediation Program SB 512	5
E. Deed in Lieu of Foreclosure AB 183	5
IV. MODULE FOUR	
Homeowners' Associations	
A. Bids for Homeowners' Association Projects AB 238	10
B. Homeowners Executive Boards SB174	5
C. Homeowners Association Declarants Control AB 192	10
D. Display of Nevada Flag AB 301	5
E. Construction Defect Law AB 125	5
V. MODULE FIVE	
Property Taxes and Fees	
A. Property Tax of Common Areas SB 377	5

B. Increase in "Door Fee" AB 474	5
VI. MODULE SIX	
Miscellaneous	
A. Squatters AB 386	10
B. Service Animals	10
TOTAL: 150 min ÷ 50 class hr = 3 Hours	150