

During Public Comment on the Nov 16, 2017 Common Interest Commission Meeting, the Commission was made aware of a cost increase which affects NAC 116.470 cost limitations. Clark County has increased the cost of recording a lien for delinquent assessments and also the cost for releasing the lien. In both cases Clark County raised the fee from \$18 to \$40. NAC 116.470 caps the fee at \$30 which leaves a \$10 fee gap for recording and a \$10 fee gap for releasing a lien. (Total of \$20 which will probably be passed to associations who will have to write off the \$20 as bad debt.) After looking at NAC 116.470 I think an exception can be added in NAC 116.470, at the end of para 2, as follows; :
(Exception, any cost which exceeds the costs listed below, (a) thru (t), may be recovered by charging only the actual costs incurred without any increase or markup.) This will allow the cost cap to be increased if there is an increase by any State entity and the cost recovered by charging actual cost. There may be a better way or method. I'm not an expert on this subject, however I feel NAC 116.470 needs to be revised in some manner to protect associations from extraneous cost increases on which they have no control. Attached is an excerpt from NAC 116.470 with the suggested change.

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NAC 116.470 Fees and costs for collection of past due obligations of unit's owner.
(NRS 116.310313, 116.615)

1. Except as otherwise provided in subsection 5, to cover the costs of collecting any past due obligation of a unit's owner, an association or a person acting on behalf of an association to collect a past due obligation of a unit's owner may not charge the unit's owner fees in connection with a notice of delinquent assessment pursuant to paragraph (a) of subsection 1 of [NRS 116.31162](#) which exceed a total of \$1,950, plus the costs and fees described in subsections 3 and 4.

2. An association or a person acting on behalf of an association to collect a past due obligation of a unit's owner may not charge the unit's owner fees in connection with a notice of delinquent assessment pursuant to paragraph (a) of subsection 1 of [NRS 116.31162](#) which exceed the following amounts: **(Exception, any cost which exceeds the costs listed below, (a) thru (t), may be recovered by charging only the actual costs incurred without any increase or markup.)**

(a) Demand or intent to lien letter.....	\$150
(b) Notice of delinquent assessment lien.....	325
(c) Intent to notice of default letter.....	90
(d) Notice of default.....	400
(e) Intent to notice of sale letter.....	90
(f) Notice of sale.....	275
(g) Intent to conduct foreclosure sale.....	25
(h) Conduct foreclosure sale.....	125
(i) Prepare and record transfer deed.....	125
(j) Payment plan agreement - One-time set-up fee.....	30
(k) Payment plan breach letter.....	25
(l) Release of notice of delinquent assessment lien.....	30
(m) Notice of rescission fee.....	30
(n) Bankruptcy package preparation and monitoring.....	100
(o) Mailing fee per piece for demand or intent to lien letter, notice of delinquent assessment lien, notice of default and notice of sale.....	2
(p) Insufficient funds fee.....	20
(q) Escrow payoff demand fee.....	150
(r) Substitution of agent document fee.....	25
(s) Postponement fee.....	75
(t) Foreclosure fee.....	150