



Reno/Sparks Association of REALTORS®

5650 Riggins Court, Suite 200, Reno, NV 89502

www.rsar.net • info@rsar.net

Phone: (775) 823-8800 • Fax: (775) 823-8805

December 8, 2014

Members of the Nevada Real Estate Commission
State of Nevada
2501 E Sahara Ave,
Las Vegas, NV 89104

Ladies and gentlemen:

Subject: Definition of Law & Legislative Designation

On behalf of the Reno/Sparks Association of REALTORS® Education Committee and Board of Directors, we request that the opinion as outlined in the Course Booklet, Reference Manual June 2012, which defines Law and Legislative Courses be re-examined by the Commission and revised. The Course Booklet language is as follows:

Section 1-4. Mandatory Designation, Law & Legislative (Legislative Update or LL): classes must include only the most current Nevada statutory and regulatory changes. A new course is required to be developed after each session of the Nevada Legislature, and updated between the sessions to add newly adopted regulations and the statutory code of new or revised provisions and/or other relevant changes in policy and mandated disclosures. Copies of the bill language, statutory and/or regulatory provisions must be included in the application packages with the instructor materials and as student handout.

We believe that this narrow definition does not correctly apply the Nevada Administrative Code on this subject.

NAC 645.450 2(b) states - 1. A course for continuing education must contain:
Legislative issues which concern the practice of real estate or licensees, including pending and recent legislation"

The NAC does not specifically say that courses must be limited to only state issues. We believe real estate agents would be better equipped to serve customers and clients by being thoroughly familiar with federal law as it applies to anti-trust, fair housing, the Real Estate Settlement Procedures Act, and regulations enacted recently by the Consumer Financial Protection Bureau, just to name a few. The current narrow definition prohibits consideration of these topics for the Law/Legislative designation.

We further believe that the interpretation by the Commission to limit these types of courses to only "pending and recent legislation" is also too narrow. The best example of this is in the Division's own caseload which often cites violations of NRS 645.310 regarding deposits, trust accounts and the commingling of funds. This section of the law has not changed since 1999 and yet, a majority of issues



Vision: We envision the Reno/Sparks Association of REALTORS® to be viewed as the premium REALTOR® organization delivering highly valued knowledge and benefits to our customer - the REALTOR® Community.

Mission: To proactively enhance our members' opportunity to be successful real estate professionals by providing superior advocacy, programs, products, and services.

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before the Real Estate Commission are trust account issues. It would appear that agents and brokers need refreshers on existing state, federal and local laws.

We request that the Course Booklet definition of Law & Legislative be revised as follows:

Section 1-4. Mandatory Designation, Law & Legislative (Legislative Update or LL): classes must include substantial content as it applies to federal law, state law and local ordinances.

All course submission for the designation of Law & Legislative must be include copies of all applicable bills, laws, or ordinance language; along with statutory and/or regulatory provisions, as applicable. This information must be included in the application packages with the instructor materials and as student handout. Courses developed after each session of the Nevada Legislature must be updated between the sessions to add newly adopted regulations and the statutory code of new or revised provisions and/or other relevant changes in policy and mandated disclosures.

We are willing to participate in any workshop that the Commission may set up to facilitate the discussion and assist in the development of appropriate language for the Course Booklet.

Thank you for your consideration.

Sincerely,



Cherie Williams
Chief Executive Officer