

STATE OF NEVADA



## **COURSE BOOKLET**

**A reference manual for real estate education providers on the requirements  
for education programs and the course application process.**

**Second Edition, 2015**

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## **COURSE BOOKLET**

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## **A: INTRODUCTION**

### **A1. PREAMBLE**

This course booklet has been prepared by the Nevada Real Estate Division (Division) as a source of reference for sponsors and instructors who develop and submit courses for approval by the Real Estate Commission (Commission).

The purpose of this booklet is to answer questions and address issues that education providers frequently encounter in complying with Nevada's real estate education requirements when applying for course approval. The minimum required education standards are set forth in NAC 645.435 and 645.437 for original license; NAC 645.4442 for first renewal; and NAC 645.450, 645.448 and NRS 645.575 for subsequent renewals and reinstatement of license.

The course booklet comprises 3 chapters, each of which deals with one of the 3 programs of real estate education – pre-licensing (PL), post-licensing (POST) and continuing education (CE) - and all aspects of these programs, as follows:

- Ch. I            Pre-licensing Education
- Ch. II          Post-licensing Education
- Ch. III        Continuing Education

### **A2. PROTECTING PUBLIC INTEREST THROUGH EDUCATION**

The mission of the Division is to safeguard and promote public interest in real estate transactions by developing an informed public and a professional real estate industry.

One of the ways the Division seeks to achieve its mission is through education. So, for example, in the case of pre-licensing education, a course will be approved if it satisfies the NRS/NAC 645 standards (discussed in Chapter I). When making the decision to approve a course for credits, the Commission looks closely at the course content to ensure that it provides the basic knowledge needed to enable new licensees to conduct real estate transactions in a way that protects the public interest.

With regard to an application for post-licensing education, the course will be approved if it satisfies the NRS/NAC 645.4442 standards (discussed in Chapter II). This means that the Commission must be satisfied that the content provides the start-up knowledge and skills needed by new licensees, who have little or no industry experience, to perform real estate agency properly and understand the need for broker guidance when it is required to prevent harm to the client.

The approval of an application for continuing education credits requires that the course content should meet the standards set forth in NAC 645.450. To grant continuing education credits, the Commission must be convinced that the course will advance the knowledge and skills of licensees and make them better practitioners so that they will function effectively within

acceptable industry standards and serve their clients' best interests.

### A3. THE NEVADA LAW AND REFERENCE GUIDE

Developed as an Education and Research project, the Nevada Law and Reference Guide (the Law Guide) is the Division's "blue book" on Nevada real estate law. The Law Guide's intended purpose is to provide an educational tool and a resource for the real estate education programs, and to be a source of reliable information regarding Nevada's real estate law as follows:

First: to provide a basic reference and annotation on Nevada real estate law to be used by real estate educators to ensure consistency in interpretation and application of Nevada real estate law to pre-licensing candidates, post-licensing (first year) licensees, and in continuing education courses which teach aspects of Nevada law; and

Second: to identify and compile the Division's interpretation and application of statutes and regulations which would be used by licensees, the Division compliance staff, and the public.

The two goals are compatible with general risk reduction activities for brokerages by helping the real estate licensees avoid the most common legal pitfalls.

The Law Guide comprises six chapters, each covering one of the six topical subjects for discussion:

- Nevada Law on Real Estate Agency
- Nevada Law on Fiduciary Duties
- Nevada Law on Brokerage Agreements
- Nevada Law on Offers and Purchase Agreements
- Nevada Law on Disclosures
- Nevada Law on Advertising

The Law Guide is available, by individual chapters, on the Division's website at <http://red.nv.gov> and may be reproduced for use in educational offerings by licensees and other industry professionals and the public without specific permission.

## **B: GENERAL INFORMATION**

### **APPLICABLE TO SOME OR ALL EDUCATION PROGRAMS**

#### **B1. USE OF CURRENT REVISIONS OF FORMS**

Unless sponsor is filling out the course application or related form online at <http://red.nv.gov> the Division recommends ensuring that the most current revision of the form is being used before completing any application form. Only the current revision is posted online and the revision date is given in the bottom left of the page.

#### **B2. INSTRUCTORS AND INSTRUCTOR APPLICATIONS**

##### **B2-1. Instructor Qualifications and Approvals**

Instructor qualifications are set forth in NAC 645.426, and all instructor applications are approved by the Division.

One of the essential components of a course application in the pre-licensing, post-licensing and continuing education programs is the requirement of at least one qualified instructor who is approved by the Division. If a new course application lacks an instructor application, or if there is only one instructor applicant who fails to meet the State qualifications and is denied approval by the Division, the course application is incomplete and will not be presented to the Commission. The sponsor will be notified and given the opportunity to submit another application for a suitable applicant prior to the next available meeting of the Commission. Failure to timely provide a replacement instructor application will result in the course being presented to the Commission with a recommendation to deny approval for lack of a qualified instructor.

It is the Sponsor's responsibility to submit instructor applications for each named instructor on new (and pre-licensing annual re-approval) applications, and for added instructors on renewal applications.

There are no blanket instructor approvals. The sponsor must submit a separate application for each course that an individual instructor will teach for the sponsor.

Instructor approvals terminate with the expiration or termination of a course. If the sponsor re-applies for approval of a terminated or expired course, instructor applications need to accompany the re-application for new approval of a previously approved course.

##### **B2-2. The Application Forms**

An interactive instructor application form is included in the new course application packages for all the programs and for each credential in the pre-licensing program. For subsequent instructors, a stand-alone instructor application form, number 635, also interactive, is available to add one or

more instructors to an already approved course during the course approval period or with the renewal application.

Each instructor application must be completed in full, with the name and other requested details of the applicant, the name and address of the sponsor, and instructor's signature as detailed below:

**Course title and Number:** these should be the same as the title and the Division-assigned course number (PL, POST or CE) provided under Course Information on page 1 of the course application form. If the instructor application is part of a new PL course application, insert "Pending" for course number.

**Proof of qualifications:** An instructor application must include a detailed resume giving dates (from-to) of schooling and work experience, with particular emphasis on experience in the field in which the applicant intends to instruct. If applicant is licensed in Nevada (and another state in real estate or any other field), a copy of the license(s) and certifications, if any, must accompany the application form and resume.

Once established, an instructor who is approved to teach 2 or more courses need not submit supporting documentation (resume, licenses, etc.) with new applications. However, the Division may periodically request a copy of an updated resume.

**Disclosure of discipline, license denial/revocation:** questions 5 to 7 on the instructor application require the applicant to disclose any incidents of discipline, or license denial, suspension or revocation by any governmental agency. All 3 questions must be answered by checking the "Yes" or "No" boxes. If a question is answered in the affirmative, a brief explanation of the incident with dates, the acting entity's name, the violation and the conduct resulting in the violation must be provided on a separate sheet attached to the form.

The Division will not process an application if questions 5 to 7 are not answered causing a delay in the review and approval or denial of the application. A refusal to provide the information *will* result in the denial of the instructor application.

**Instructor's Signature, Current Resume, Licenses, etc.:** the completed form must be executed with the applicant's original signature and date of signing, before the application is submitted to the Division. An electronic signature is acceptable as an original but not a photocopied signature.

### B3. DELIVERY METHODS

The regulations require the post-licensing and the property management pre-permit education to be provided only by live instruction. Pre-licensing education for all the other credentials and continuing education courses may be offered by either live instruction or by distance education.



The most commonly used delivery methods of distance education, in order of prevalence, include:

- *Internet*: web-based content requiring the use of a computer and network browser. Sponsor provides student with a login to access the course material electronically.
- *Correspondence*: usually refers to a printed workbook being provided to the student, and does not require the use of a PC/laptop or any other digital or electronic equipment.
- *Other*: this may include any of the following:
  - *CBT or computer based technology*: this refers to written or pre-recorded course content provided on a CD or DVD which may be played back on a computer or DVD-player without the need to go online.
  - *Video*: this would include pre-recorded audio/visual instruction to be viewed using conventional VHS/VCR-type equipment.
  - *Other*: live streaming, webinar, other emerging technologies.

Remember: All modules of post-licensing education and the property management pre-permit education must be offered by live instruction only.

## **B4. DISTANCE EDUCATION**

### **B4-1. Distance Education Certification**

Schools and sponsors offering distance education are encouraged to be certified by ARELLO (the Association of Real Estate License Law Officials), a nationally recognized body that certifies the design and delivery of distance education. ARELLO certification is granted after sponsor demonstrates compliance with the certifying body's requirements for a method of distance education delivery. ARELLO certified sponsors must submit a copy of the certificate with each course application for distance education.

### **B4-2. Distance Education Questionnaire**

Sponsors that do not have ARELLO certification are required to complete the Division's Distance Education Questionnaire with every course application for DE. All information requested in the questionnaire must be provided in the questionnaire, as explained below:

#### *I. What is your mission statement?*

Provide your school or company's mission statement on the questionnaire. A mission statement is a declaration of the purpose of an organization's existence.

*II. Describe the design of the course:*

Explain how the course has been developed to achieve the learning objectives and outcomes. For example, is it modular with quizzes at the end of each module; is it lecture-based or participative focusing on exercises such as contract writing; the audio/visual aids, if any, that are used in the presentation of the course, etc.

*III. What are your procedures for updating the course:*

Describe the methods (including timelines) to be used to: track and monitor developments at the industry, Division, and legislative level likely to affect the course content; incorporate the changes into the content; and notify the changes to the Division. This informs the Division how sponsor intends to keep the course current and timely, e.g., by updating the law content to include legislative and/or regulatory amendments; replacing forms and disclosures with new revisions as they occur, etc.

*IV. Describe the type and frequency of interactivity of the instruction with the students:*

Provide the methods of communication – email, phone, discussion board, office visit, other – by which a student can reach the sponsor or an approved instructor for assistance or discussion. Include the instructor's response time (e.g. immediate, within 24 or 48 hours) to a student's request for assistance.

*V. How does the instruction provided teach mastery of the material?*

Explain the steps taken in developing the presentation, audio and visual aids, student handouts and other information to ensure that the course structure enhances the student's ability to learn the material. Passing the quiz or test at the end of each unit before moving on to the next unit ensures mastery of the material.

*VI. What support services are available to students?*

This may include any one or more support services ranging from, e.g. supplemental live sessions with the instructor to periodic follow-up contact from sponsor or instructor to check student progress or to find out if assistance is needed.

*VII. How was a time study of the range of instructional hours for this course completed?:*

*Justify the number of hours requested to be approved for this course.*

Explain how a time study of the instructional hours requested was conducted **prior** to submitting the course for approval. This is usually attained by a small review group of licensees at various levels of experience taking the course without credits and reporting back on the level of difficulty or complexity of the content and the time taken to complete the course with quizzes (if any) and final exam.

*VIII. Describe and document how each module of instruction has:*

*a) At least one learning objective.*

Provide at least one course objective in the questionnaire. Statements such as: "See course objectives on page 1 of the application form" are not acceptable.

*b) A structured learning method to enable the student to achieve the learning objective.*

Explain how the self-paced study is designed to achieve the learning objective of each unit or module of the course.

*c) A method of assessment of the student's performance during instruction.*

State if student's performance is assessed by means of quizzes and/or exams, and the frequency at which these occur, e.g. at the end of each unit or chapter, or at completion of the course.

*d) A method of remediation if student is deficient in mastering the course material to repeat the course until the student understands.*

Explain the procedure, if any, for assisting student with additional course review needed as a result of failing the final exam or upon request.

*e) A complete syllabus or student instruction manual (or both) provided in written form which includes accurate and clearly stated information about admissions, progression, completion, criteria, dismissal and any applicable licensing requirements.*

See also B5 below: "Guidelines for Student Catalog". Provide a complete copy of the syllabus and/or instruction manual with the application package.

#### **B4-3. Application for Secure Electronic Testing**

Testing online by either a proctored or non-proctored method requires the completion of the form. Sponsor must state if the electronic testing will be proctored or not. If applying for non-proctored online testing, details of the steps and measures to be taken by sponsor to verify that the tester is the enrolled student, and the techniques used to properly assess student's mastery of the subject, including timing the exam, must be provided. If the online exam is to be proctored, the certificate of test proctor is required to be duly completed, notarized and submitted, regardless of any tester verification measures built into the electronic exam.

#### **B4-4. Certificate of Test Proctor**

The Certificate of Test Proctor is required prior to any testing of students at a location where the sponsor or sponsor's authorized staff cannot be present to proctor the examination, regardless of whether the exam is in a pen-and-paper format or digital. If proctoring is not required for an online exam, sponsor must provide all the information necessary to demonstrate that the exam is timed and contains satisfactory security measures to verify the test-takers identity by submitting an Application for Secure Electronic Testing with access codes for Division staff to take a review test, and obtain Commission approval.

The proctor verification certificate specifies proctor qualifications, provides instructions to the sponsor and the proctor regarding the exam to be administered, and is required upon completion to be signed by the proctor and notarized. The Division's form may be substituted for sponsor's own and must contain at least all the information in the Division's form, including notary acknowledgment. A copy of the sponsor-created proctor certificate must be submitted with the application package.

B4-5. The Division's DE course requirements are set forth in NAC 645.443 below.

**NAC 645.443 of distance education course.** ([NRS 645.190](#), [645.575](#))

1. A person who requests approval of a distance education course must demonstrate to the satisfaction of the Commission that the proposed distance education course satisfies the following requirements:

- (a) The course must be designed to ensure that students actively participate in the instructional process by utilizing techniques that require substantial interaction with the instructor, other students or a computer program. If the subject matter of the course is such that the learning objectives for the course cannot be reasonably accomplished without direct interaction between the instructor and the students, the course design must provide for such interaction.
- (b) If the course does not provide students with the opportunity for continuous audio and visual communication with the instructor during the presentation of the course, the course must utilize testing and remedial processes appropriate to ensure mastery of the subject matter of the course by the students.
- (c) If the course involves self-paced study, the course must be designed so that the time required for a student of average ability to complete the course is within the number of hours for which the course is approved, and the sponsor of the course shall utilize a system which ensures that students have actually performed all tasks designed to ensure participation and mastery of the subject matter of the course by the students.
- (d) The proposed methods of instruction used in the course must be appropriate to the proposed learning objectives of the course, and the scope and depth of the instructional materials must be consistent with the proposed learning objectives.
- (e) The sponsor of the course shall provide appropriate technical support to enable students to complete the course satisfactorily.
- (f) An approved instructor must be reasonably available to respond timely to questions asked by students concerning the subject matter of the course and to direct students to additional sources of information. For the purposes of this paragraph, a response by an approved instructor shall be deemed timely if the response is made within 2 business days after the question is submitted.
- (g) The sponsor of the course shall provide students with an orientation or information package which contains all information that the Division requires to be provided to students and all necessary information about the course, including, without limitation, information concerning fees and refund policies, subject matter and learning objectives, procedures and requirements for satisfactory completion, any special requirements with regard to computer hardware and software or other equipment, and instructor and technical support. The sponsor shall make available to students technical support relating to the use of any computer hardware or software, or other equipment or technology needed to complete the course.
- (h) The sponsor of the course shall utilize procedures which reasonably ensure that a student who receives continuing education credit for completing the course actually performed all the work required to complete the course. If the course involves independent study by students, such procedures must include, without limitation, the opportunity for direct contact by the sponsor with the student at the student's home or business via the telephone or electronic mail and a signed statement by the student certifying that he personally completed all course work. The sponsor shall retain such signed statements and records of student contact together with all other course records the sponsor must maintain.

2. A sponsor seeking approval of a computer-based distance education course must submit a complete copy of the course to the Division in the medium to be used and, if requested, must make available, at a date and time satisfactory to the Division and at the sponsor's expense, all equipment and software necessary to enable the Division to review the course. In the case of an Internet-based course, the sponsor shall provide the Division with access to the course via the Internet at no charge at a date and time satisfactory to the Division.

3. In determining whether to approve a distance education course pursuant to this section, the Commission will consider whether:

- (a) The course consists of at least 3 hours of instruction;
- (b) Students are required to complete a written examination proctored by a person acceptable to the Division or using a secure electronic method acceptable to the Division; and
- (c) The course is presented by an accredited college or university that offers distance education in other disciplines, or whether the course design and method of delivery has been accredited by an accrediting agency which accredits distance education and which is approved by the Commission. For an accrediting agency to be approved by the Commission for the purposes of this paragraph, the accrediting agency must use the following considerations when making its determination on whether to accredit a distance education course:
  - (1) The mission statement of the sponsor of the course;
  - (2) The minimum design of the course and the procedures for updating the course;
  - (3) The interactivity of the instruction with the students;
  - (4) Whether the instruction provided in the course teaches mastery of the course material;
  - (5) The support services that are available to students;
  - (6) The medium through which the course is delivered to students;
  - (7) A time study of the range of instructional hours for which a course should be approved or accredited;
  - (8) For each module of instruction, whether there is:
    - (I) At least one learning objective for the module of instruction;
    - (II) A structured learning method to enable the student to achieve each such learning objective;
    - (III) A method of assessment of the student's performance during the module of instruction; and
    - (IV) A method of remediation pursuant to which a student who, based on the assessment of his performance, is determined to be deficient in his mastery of the course material may repeat the module until the student understands the course material; and
  - (9) Whether a complete syllabus or student manual, or both, for all courses or programs is provided in written form and includes accurate and clearly stated information about admissions, progression, completion, criteria, dismissal and any applicable licensing requirements.

## **B5. SPONSOR INFORMATION IN RELATION TO DISTANCE EDUCATION**

The Guidelines for Student Catalog relate to distance education courses and are included here as part of the information on Distance Education for all programs to which DE applies.

## Guidelines for Student Catalog for Distance Education Courses

The **student catalog** must be included with all distance learning programs. It must contain the following information:

- Name, address, telephone number, web address (if applicable), name and/or email address of contact person, and business hours of school;
- Name and means of contact (telephone number, e-mail address) of approved instructor who can be reached for questions during the course of study, including "office hours" or times when the instructor can be reached by the student and the instructor's response time if he or she is not immediately available;
- Step-by-step instructions as to how the student should proceed with the distance education study;
- A list of the curriculum and materials included in the package: student catalog, textbook(s), student handbooks, supplemental laws, etc.;
- Suggested reading and quiz schedule by chapters/lessons;
- Procedure to take and submit quizzes (see program specific information for minimum number of quizzes required);
- Procedure to schedule, take and submit final exam, either proctored or administered by secure electronic testing, approved by the Commission (where applicable or required);
- Minimum time allowed to complete work;
- Maximum time allowed to complete work (include any extension options);
- Refund policy;
- Any added or supplemental features offered, such as review sessions, practice tests, remediation course reviews, etc.;
- A certificate of test proctor form to be submitted to the school when ready to take final exam and to be kept on file with student record.

*Common questions to be answered in the student catalog include: "What is in my package?" "What if all the materials are not here?" "What do I do first?" "How long do I have to complete the course?" "What if I have questions about the material?" "What if I don't pass the proctored final test for the course?"*

### B6. ATTENDANCE AND COMPLETION OF COURSE

#### B6-1. Attendance Verification

The Division-prescribed attendance verification report form (or sign-in sheet) is provided as a sample in the application package for courses to be offered by live instruction. Sponsor must create a sign-in sheet requesting all the information in the Division's sample form such as the student's name and license number, and the student's times of arrival to and departure from the class. A copy of the sponsor's sign-in form is required to be submitted with the application for a classroom course. NAC 645.404.

## **B6-2. Certificate of Attendance/Completion**

This sample certificate is also part of the application package. The Division's letter notifying the sponsor that an application has been approved by the Commission includes a sample certificate of attendance which gives the:

- Course title and Division-assigned course number;
- Delivery method by which the course was taken;
- Number of hours for which the course is approved;
- Name and address of sponsor; and
- Original signature of the sponsor's authorized signer of certificates.

Sponsor may then produce his or her own certificate of attendance or completion form which must contain all the information on the Division's sample certificate.

Certificates of attendance/completion may only be issued with the name of the Sponsor, regardless of the location or host facility where sponsor offers the course. So, for example, if sponsor Z Title Company offers its Commission-approved course at X Realty, the certificate of attendance must be issued by Z Title Company as the Sponsor, not X Realty.

## **B6-3. Student Evaluations**

Student evaluations are required for POST and CE courses. The regulations give licensees who take approved courses for credits the opportunity to assess and evaluate the course and the quality of instruction. The Division provides a prescribed Course and Instructor Evaluation Report form for this purpose.

The Division actively monitors and enforces the sponsor's duty to obtain student evaluations as required by NAC 645.444. Approved sponsors must:

- Fill-out all the information, from Course Title to Instructor (name), at the top of the evaluation form before distributing the form to students;
- Not require students to fill-out the information, from Course Title to Instructor (name), at the top of the evaluation form;
- Provide to students at each course offering either the Division-issued evaluation form, or the sponsor's form containing all the information in the Division form;
- Arrange for the collection of completed evaluations by an administrative staff, not the instructor;
- Submit copies of the completed evaluations to the Division within 10 days of completion of the course.

Separate, stand-alone, and interactive (top section only) evaluation forms, 612A and 612B, for, respectively, live instruction and distance education offerings, are available online.

## B7. ADDITIONAL INFORMATION RELATING TO COURSE APPLICATIONS

### B7-1. Checklist

The last page on all the course application forms is a checklist which provides 2 columns for verification of information included in the application. Sponsor must check off in the “Sponsor Checkbox” column all those items that have been completed, are included in, or applicable to the application before submitting it to the Division.

### B7-2. Course Materials and Other Information

**Course materials:** list, and provide with the application, all student handouts, audio or visual aids, presentations, instructor notes/manuals, and any other materials intended to be used in teaching the course. Printed copies of the listed course materials are required for all courses, including those to be offered by an electronic or digital delivery method. Additionally, for an internet course, an online access code is required to allow Division staff to review the online content. If the course is to be offered by computer-based technology (CBT), a CD must be provided with the printed copy of the content.

**Schedule of Classes:** for classroom courses, a proposed schedule of offerings for the course approval period is required to be submitted with all pre-licensing applications, and recommended for post-licensing and continuing education applications, even if class schedules may later be changed or cancelled for lack of sufficient enrollments.

Once a classroom course is approved and sponsor has firm dates scheduled, Division policy requires advance notice of those class schedules to be sent by email to [Realest@red.nv.gov](mailto:Realest@red.nv.gov) for posting on the Division’s online calendars which are updated weekly or every 2 weeks as sponsor notifications necessitate. If a posted class offering is cancelled for lack of enrolments, sponsor must immediately notify the Division by email to avoid receiving requests from Division staff for student evaluations for the class.



## **C: CHAPTER I – PRE-LICENSING EDUCATION**

### **C1. THE BASICS OF PRE-LICENSING EDUCATION**

#### **C1-1. Postsecondary Education Licensure**

Unless the pre-licensing education sponsor is part of the Nevada System of Higher Education or a “school” as defined by NAC 645.400, licensure by the Nevada Commission on Postsecondary Education (CPE) must be obtained prior to submitting the PL course application to the Real Estate Division. CPE is a state agency and a licensing authority with oversight of postsecondary educational institutions. For more information about obtaining CPE approval, contact (702) 486-7330 or visit [www.cpe.state.nv.us](http://www.cpe.state.nv.us).

**NAC 645.400 “School” defined.** ([NRS 645.190](#), [645.343](#), [645.575](#))

For the purposes of [NAC 645.400](#) to [645.467](#), inclusive, “school” includes:

1. Any university, school or community college which is a part of the Nevada System of Higher Education, or any other university or college bearing the same or an equivalent accreditation.
2. Any professional school or college licensed by the Nevada Commission on Postsecondary Education.
3. Any out-of-state professional school or college licensed or accredited by a real estate commission, a department of education or an equivalent agency of any other state.

See also NRS Chapter 394, sections 383-560 (as well as the corresponding sections of NAC 394) for more information regarding the CPE and the requirements for CPE licensure.

A copy of the CPE license, or CPE’s letter of conditional grant of an initial postsecondary education licensure application, must accompany the PL course application to the Real Estate Division.

#### **C1-2. NAC Provisions Relating to Pre-licensing Education**

**NAC 645.403 Approval of school: Application.** ([NRS 645.190](#), [645.343](#))

A school that wishes to offer courses to meet the educational requirements for licensure under [chapter 645](#) of NRS must apply to the Commission annually for approval on a form prescribed by the Division and pay the appropriate fees. The application must include, without limitation:

1. The name and address of the school;
2. The type of school and a description of its facilities;
3. Information concerning the ownership of the school, including the business organization and the names and addresses of all directors, principals, officers and others having interests as owners;
4. A list of the instructors;
5. A list of the courses to be offered and a topical syllabus for each;
6. The allotment of time for each subject;
7. A proposed schedule of courses for 1 year;
8. The titles, authors and publishers of all required textbooks;
9. A copy of each examination to be used and the correct answer for each question;

10. A statement of:
  - (a) The purpose of the school;
  - (b) The fees to be charged;
  - (c) The days, times and locations of classes;
  - (d) The number of quizzes and examinations;
  - (e) The grading systems, including the methods of testing and standards of grading;
  - (f) The requirements for attendance; and
  - (g) The location of the students' records;
11. A statement as to whether the school or any instructor employed by the school has been disciplined by any governmental agency in this or any other state; and
12. A statement that to pass a course, a student must earn at least 75 percent of the points possible for the entire course.

**NAC 645.404 Approval of school: Conditions of approval; evidence of licensure required from certain schools. (NRS 645.190, 645.343)**

1. If a school has applied for and received the Commission's approval to offer courses to meet requirements for licensure under chapter 645 of NRS, the school shall, as a condition of the approval:
  - (a) Maintain a record of each student's attendance and certification in any of those courses for 7 years after his enrollment and shall have such records open to inspection by the Division, upon its request, during the school's business hours.
  - (b) Upon a transferring student's request, furnish the school to which he is transferring a copy of his attendance record and certification for each of those courses which he has completed.
  - (c) Upon a student's request, furnish the Division a transcript of the record of his grades and attendance.
2. A school that does not meet the definition of a "school" set forth in either subsection 1 or 3 of NAC 645.400 must provide evidence to the Division that the school is licensed to operate by the Commission on Postsecondary Education.

**NAC 645.410 Approved schools: General requirements for certification of students. (NRS 645.190, 645.343)**

1. Except as otherwise provided in NAC 645.412, a school which the Commission has approved to give a course fulfilling the educational requirements for original licensing shall require each student to attend the required number of hours of instruction and take at least two examinations in the course as a condition of receiving certification for the course.
2. The school may certify only the number of hours for which the course has been approved by the Commission.
3. The entire course must be completed by the applicant or licensee to satisfy the licensing requirements.
4. For the purposes of this section:
  - (a) An "hour of instruction" means 50 minutes or more; and
  - (b) One semester credit is equal to 15 hours of instruction.

**NAC 645.412 Approved schools: Certification of students taking courses by correspondence. (NRS 645.190, 645.343)** If the Commission approves a school to give a course of study which fulfills the educational requirements for an original license and the school offers the course by correspondence, the school shall:

1. Require each student to:

- (a) Take a closed-book final examination with a proctor present at a location designated by the school in its application for approval filed with the Commission;
  - (b) Take two progress examinations or quizzes in addition to the final examination;
  - (c) Prove his identity before he is allowed to take any examination; and
  - (d) Complete each course within an established minimum and maximum time.
2. Certify the completion of only the number of hours for which the course has been approved by the Commission. A portion of a course does not satisfy the requirements for a license.

### **C1-3. Pre-licensing Education Standards**

Pre-licensing education, and passing the Division-approved examination with a 75% or higher score, is required to obtain the initial salesman, broker-salesman or broker license. Licensees who wish to add the property management permit or business broker permit to their repertoire of licensed activities must also obtain pre-permit education in these areas and pass the final examination. A course of pre-licensing education must meet the curriculum requirements set forth in NAC 645.435, 645.437, 645.800 and 645.913 for each license and permit type (see the NAC 645 provisions below). The curriculum is a required minimum standard that the Commission looks for when considering a course for pre-licensing education credits.

#### **NAC 645.435 Course required to obtain original license as salesman. ([NRS 645.190](#), [645.343](#))**

1. A course of instruction in real estate principles, practices, procedures, law and ethics which is designed to meet the educational requirements of an applicant for an original license as a salesman must consist of:
  - (a) At least 90 hours of classroom lectures; or
  - (b) The equivalent in a correspondence or extension course.
2. The content of the course must be divided among subjects listed in [NAC 645.210](#), including:
  - (a) At least 45 hours on the principles and practices of real estate, which must include:
    - (1) Brokerage and laws of agency, 21 hours.
    - (2) Valuation and economics, 12 hours.
    - (3) Finance, 12 hours.
  - (b) At least 45 hours on the law of property and the regulation of brokers and salesmen and the ethics of selling real estate, which must include:
    - (1) Ownership, transfer and use of property, 25 hours.
    - (2) [Chapters 113, 116, 119, 119A, 645, 645C and 645D](#) of NRS and the regulations adopted pursuant thereto, 18 hours.
    - (3) Applied practice and statutory disclosures, 2 hours.

#### **NAC 645.437 Approval of course in broker management required to obtain original license as broker or broker-salesman. ([NRS 645.190](#), [645.343](#))**

1. A course of instruction in broker management that is designed to fulfill the educational requirements for issuance of an original license which are described in paragraph (d) of subsection 2 of [NRS 645.343](#) must be approved by the Commission.
2. To be approved by the Commission, a course in broker management must include, without limitation:

- (a) Six hours of instruction relating to office policy and procedure, risk management, errors and omissions, controlled business arrangements, compensation, employee-employer relationships and the status of independent contractors;
- (b) Three hours of instruction relating to creating business plans;
- (c) Three hours of instruction on forms used by real estate brokerages for real estate transactions;
- (d) Six hours of instruction that provides an overview of programs for financing real estate transactions, including, without limitation, terminology relating to such programs, the cost of transactions, customary transaction closing costs, and transaction cost and net sheets;
- (e) Six hours of instruction in state and local laws;
- (f) Six hours of instruction on federal laws governing real estate transactions;
- (g) Six hours of instruction on professional relationships between agents and their clients;
- (h) Three hours of instruction on valuation of real estate and general principles of economics; and
- (i) Six hours of instruction on emerging trends and practices.

**NAC 645.800 Permit to engage in property management:** ([NRS 645.190](#), [645.6052](#))

2. The 24 classroom hours of instruction in property management required pursuant to paragraph (a) of subsection 2 of [NRS 645.6052](#) must include, without limitation:

- (a) Four hours of instruction relating to:
  - (1) Contracts for management services;
  - (2) Leases of real property;
  - (3) Applications to rent real property;
  - (4) The Fair Credit Reporting Act, 15 U.S.C. §§ 1681 et seq.; and
  - (5) The Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 to 1692o, inclusive;
- (b) Two hours of instruction relating to the maintenance of records of money deposited in trust accounts and the requirements for reporting to the Division set forth in [chapter 645](#) of NRS;
- (c) One hour of instruction relating to the use of a computerized system for bookkeeping;
- (d) Two hours of instruction relating to the laws of this State governing property management;
- (e) Two hours of instruction relating to the disclosure of required information in real estate transactions, including, without limitation:
  - (1) Disclosures required pursuant to [NRS 645.252](#); and
  - (2) Disclosures related to environmental issues as governed by state and federal law;
- (f) Five hours of instruction relating to:
  - (1) The Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.;
  - (2) The Residential Landlord and Tenant Act as set forth in [chapter 118A](#) of NRS;
  - (3) The Nevada Fair Housing Law as set forth in [chapter 118](#) of NRS; and
  - (4) State and federal law governing unlawful discrimination based on sex, including, without limitation, sexual harassment;
- (g) Three hours of instruction relating to property management for a common-interest community as set forth in [chapter 116](#) of NRS;
- (h) One hour of instruction relating to the duties and responsibilities of a real estate broker, including the supervision of employees and real estate salesmen and real estate broker-salesmen associated with the real estate broker;
- (i) Two hours of instruction relating to risk management, including, without limitation:
  - (1) The maintenance of real property;
  - (2) The health and safety of a tenant;

- (3) Fire insurance;
- (4) Rental insurance; and
- (5) Disability insurance; and
- (j) Two hours relating to the management of commercial property.

**NAC 645.913 Permit to engage in business as a business broker. ([NRS 645.190, 645.863](#))**

2. The 24 hours of classroom instruction relating to business brokerage required by paragraph (a) of subsection 2 of [NRS 645.863](#) must include, without limitation:

(a) Eight hours of instruction relating to financial statements, including, without limitation:

- (1) Income statements, balance sheets and cash flow statements;
- (2) Reformatting and recasting income statements and balance sheets; and
- (3) Terms and concepts used in financial statements;

(b) Six hours of instruction relating to the valuation of a business, including, without limitation:

- (1) Business value and alternative purchase offers;
- (2) Cash equivalent value;
- (3) Business purchase price and seller carry-back notes;
- (4) Investment value and fair market value;
- (5) Determining the value of goodwill;
- (6) The significance of a business's assets in creating market value;
- (7) The market value of a franchised business; and
- (8) The rules of thumb of business valuation;

(c) Six hours of instruction relating to purchase offer and sale considerations, including, without limitation:

- (1) Structuring the transaction;
- (2) Describing the business;
- (3) Asset sales and stock sales;
- (4) Describing the tangible assets being acquired;
- (5) Describing the goodwill being acquired;
- (6) Including real property in the transaction;
- (7) Describing the assets included in the purchase;
- (8) Describing the assets excluded from the purchase;
- (9) Cash on hand;
- (10) Method and terms of payment;
- (11) Assumption by the buyer of liabilities of the seller;
- (12) Notification of creditors of the seller;
- (13) Method for the calculation of the purchase price of a business when the buyer of the business assumes the liabilities of the seller;
- (14) Adjustments at the close of escrow to the liabilities of the seller assumed by the buyer; and
- (15) Summarizing the structure of the transaction; and

(d) Four hours of instruction relating to business brokerage and professional practices, including, without limitation:

- (1) Business opportunity contracts, agreements and disclosure forms;
- (2) Marketing, preparing a business for sale and advertising a business for sale;
- (3) Understanding the significance of the "potential" of a business;
- (4) Offering prospectus and confidentiality agreement;
- (5) Issues of business brokerage compensation;

- (6) Purchase offer and acceptance forms used for business opportunities; and
- (7) Business broker and business appraiser associations.

#### **C1-4. Credit Hour and Semester Credit**

A course of pre-licensing education for an original salesperson's license must consist of at least the required 90 hours of distance education or classroom instruction. Breaks of 10 minutes or less may be written in every 60 minutes of approved instructional time. However, in order for required credit hours to be issued, the curriculum and course outline must cover at a minimum the physical hours for which credit is approved and breaks must be written into the timed outline. NAC 645.445.

#### **C1-5. Attendance, Examination and Grading**

As a condition of issuing a pre-licensing certificate of completion, sponsor must ensure that the student has attended the required number of hours of instruction, taken at least 2 examinations in the course and earned a minimum 75% points for the entire course. NAC 645.410, 645.403.

### **C2. THE COURSE APPLICATION AND ITS PREPARATION**

#### **C2-1. The Application Forms**

For convenience, there is one course application form for each pre-licensing or pre-permit credential that comprises all the information-gathering items and copies of Division-prescribed documentation for courses of live instruction, as well as the courses to be offered by distance education, where applicable. Pre-licensing education course application forms include:

- Form 560 for a course to meet the educational requirements for an original Salesperson's license;
- Form 560A for a course to meet the educational requirements for a Broker and Broker-Salesperson's license;
- Form 560B for a course to meet the educational requirements for a Business Broker permit;
- Form 560C for a course to meet the educational requirements for a Property Management permit.

All the forms are available to be filled out online or downloadable from the Division's website at <http://red.nv.gov>.

The forms listed above must be used for new and annual re-approval applications of PL courses.

Forms 560 to 560C all comprise:

1. Pages 1 and 2: Sponsor Information, Course Information, Retention of pre-licensing records, and Regulatory Compliance - to be completed in full, with "NA" inserted where information

- requested is not applicable;
2. Page 3: Course Module Sheet to be completed in full, with a breakdown of the topics in Forms 560 and 560A, and the required hours of instruction;
  3. Page 4: Instructor Application – a separate instructor application is required for each instructor named in item 11, page 1.

Forms 560, 560A and 560B only (for DE course applications):

4. Pages 5 and 6: Distance Education Questionnaire – to be completed in full if course is by distance education delivery and the delivery method for the course is not ARELLO certified;
5. Page 7: Application for Secure Electronic Method of Administering Final Examination for Distance Education Course – required if the final examination is to be provided online;
6. Page 8: Certificate of Test Proctor: required prior to any testing of student at a location where the sponsor or sponsor's authorized staff cannot be present to proctor the examination.

Composition of Forms 560 to 560C continued:

7. Page 9 (page 5 in Form 560C): sample Attendance Verification Report for classroom courses and sample Certificate of Attendance/Completion;
8. Page 10 (page 6 in Form 560C): checklist – to be completed by sponsor prior to submitting application.

## C2-2. **Completing the Application Form**

All sections on pages 1 and 2 of the form must be completed. If any information requested is not applicable, insert "NA" in the blank space.

Below are some useful tips on how to complete the forms correctly:

### i. Sponsor Information

**Sponsor:** is the school, company, organization, or individual that will be responsible for complying with the duties and requirements of an approved sponsor per NAC 645.4432 and other relevant provisions of NAC 645.

### ii. Course Information

**Course Title and PL Number:** course title is the sponsor's title for the course and the title by which the course will be approved or has been approved, if application is for annual re-approval. The PL number is the course number to be assigned, or already assigned, by the Division at initial approval by the Commission. For a new course application, state the course title and insert "Pending" for PL number.

**Instructor Names and Locations of Offerings:** list all instructors and the locations at which the course will or may be offered.

**Hours of Self-Paced Study:** refers to the time established by the sponsor prior to submitting a DE course for credits. The time is determined by setting up a review group to take the course and report back on the level of difficulty or complexity of the content, and the time taken to complete the course with quizzes and the final exam. This is recommended for all new DE courses to determine the time it would take a student of average reading ability to complete the course.

**Course Fee:** is the fee sponsor will charge the student to attend the course.

**Exams and Answer Keys:** state the number of quizzes and/or exams which must be completed by the student and provide copies of all exams and/or quizzes with answer keys, including for electronic tests. Additionally, for online exams, an access code must also be provided.

**Required Texts and Other Readings for Course:** list all textbooks and publications, including those written and/or published by the sponsor, with the author's name, the publisher and date of publication.

**Course Objectives/Learning Outcomes:** these are one or more statements of the measurable outcomes the course developer or sponsor seeks to achieve, i.e. *what applicable knowledge and/or skills students will gain from the course* that will prepare them to perform competently as real estate licensees and in a manner that will protect the public interest.

**Delivery Method:** check either "live instruction" or "distance education". If DE, then select only one of the listed delivery methods.

**Retention of Pre-licensing Education Records:** provide the location address at which the sponsor's education records will be maintained, with the printed name and signature of the sponsor's representative responsible for records. By execution of this item, sponsor undertakes to retain and maintain records for the time specified in NAC 645.404 for pre-licensing education, at a location where they can be available for Division inspection and audit.

**Regulatory Compliance:** an application form submitted without a signature is incomplete and will not be processed by Division staff for review and recommendation to the Commission. To avoid delays or the need to re-submit an application, ensure that the form is properly signed, with the printed name of the signer and the date of execution.

### iii. Course Module Sheet

The module sheet lists the curriculum topics with spaces below each subject for sponsor to fill out a timed breakdown of content per subject. This sheet must be completed in addition to, not in place of, the separately requested timed content outline with the 2-3 level breakdown in increments of approximately 20 minutes.



**Timed Content Outline:** is a brief overview or summary (1 or 2 sentences) of the learning objective and course content to be covered in segments of 20 minutes or less of classroom instruction or distance education study.

Where the law is discussed in the content, it is highly recommended to reference the specific NRS/NAC (or federal) provision in the outline (and in the content) so that students are aware of the source of a transactional obligation or practice. For example, if the topic of discussion is how to advertise a listing correctly, the content outline should read: “How to advertise a listing: NAC 645.610-615 inclusive”; and in a detailed discussion about restrictions in advertising - e.g. the use of “for sale by owner” in an advertisement by a licensee pursuant to a listing agreement - the main body of the course should specifically reference the relevant provision: “NAC 645.610(1)(b).”

### C3. ANNUAL RE-APPROVAL OF PRE-LICENSING COURSES

Approvals of all PL courses expire on June 30<sup>th</sup>, regardless of when initial Commission approval was obtained. If sponsor wishes to continue offering the PL course in the next approval period, a re-approval application must be submitted on the appropriate forms 560 to 560C as detailed below:

- To obtain re-approval, a new course application must be completed and submitted to the Division, including all course-books, textbooks, timed content outline, student handouts, exam and quizzes with answers, and applicable audios, videos or CD's;
- If textbook is a Dearborn or another primary sponsor publication, and sponsor is using the same edition that had been provided the previous year, sponsor must provide a written statement to that fact and need not send another copy of the textbook;
- Course re-approval notices are sent by the Division 6 weeks prior to course expiration, giving a date by which re-approval applications are due;
- Re-approval notices are sent as courtesy reminders;
- The regulations place the duty to ensure timely submission of re-approval applications on the sponsor;
- Failure to timely apply for re-approval results in termination of the course and re-application for new Commission approval.

## **D: CHAPTER II - POST-LICENSING EDUCATION**

### **D1. THE BASICS OF POST-LICENSING EDUCATION**

#### **D1-1. Post-licensing Education Standards**

Post-licensing education is required for the first renewal of a salesman and broker-salesman license. A course of POST education for real estate licensees must meet the curriculum requirements set forth in NAC 645.4442 below. The curriculum is a required minimum standard that the Commission looks for when considering a course for approval for POST credits. The 30 hours of POST education, covering topics specified in NAC 645.4442(3) must be offered in modules (a) to (o), with particular focus on the practical applications of real estate transactions.

#### **NAC 645.4442 Courses required for first-year licensees; exempt licensees; standards for courses. ([NRS 645.190](#), [645.575](#))**

3. The postlicensing course may include material that has not previously been approved or allowed for continuing education credit. Courses approved for postlicensing education will not be accepted or approved as a course for continuing education.
4. The curriculum for postlicensing education must contain at least 15 modules that include, without limitation:
  - (a) Real estate contracts, including the writing and presenting of a purchase agreement and qualifying prospects;
  - (b) The listing process, market analysis and inspections;
  - (c) Communication, technology and records management, including time management, goal setting and devising a plan of action;
  - (d) Buyer representation, including the buyer's brokerage contract, fiduciary duties, disclosures, cooperation between agents and new-home tracts;
  - (e) Professional conduct, etiquette and ethics;
  - (f) Advertising, including Regulation Z of the Truth in Lending Act of the Federal Trade Commission issued by the Board of Governors of the Federal Reserve System, 12 C.F.R. Part 226, fair housing, the multiple-listing service, Internet websites and electronic mail;
  - (g) Proceeds of sale, costs of sale and cost sheets;
  - (h) Agency relationships;
  - (i) Land;
  - (j) Regulatory disclosures, including disclosures required by federal, state and local governments;
  - (k) Property management and the management of common-interest communities;
  - (l) Escrow, title and closing processes;
  - (m) Financing;
  - (n) Negotiation; and
  - (o) Tax opportunities and liabilities related to the client.

#### **D1-2. Live Instruction Only**

By regulation it is mandatory for POST education to be provided through live instruction in which licensee and instructor are in the same room. An exception to this requirement exists for original licensees in rural areas who may, with prior written approval of the Division, take the

POST course with the aid of technology that allows licensees in one or more rural locations to interact with the instructor and other students in another location. NAC 645.4442.

### **D1-3. Credit Hour**

A course of POST education must consist of at least 30 hours of classroom instruction. Breaks of 10 minutes or less may be written into every 60 minutes of approved instructional time. However, in order for 30 credit hours to be issued the curriculum and course outline must cover 30 physical hours and breaks must be written into the timed outline.

### **D1-4. Attendance, Examination and Grading**

Before issuing a certificate of attendance, the sponsor of a course of POST education is responsible for ensuring that the student has attended the required number of hours of instruction, taken a final closed-book, proctored examination in the course and earned a minimum 75% points for the course. NAC 645.4444.

## **D2. THE COURSE APPLICATION AND ITS PREPARATION**

### **D2-1. The Application Form 613**

The application form for a course of POST education is 613, the most current revision of which is interactive and available online at <http://red.nv.gov>.

Form 613 comprises:

1. Pages 1 and 2: Sponsor Information, Course Information, Retention of post-licensing records, and Regulatory Compliance – to be completed in full, with “NA” inserted where information requested is not applicable;
2. Pages 3 and 4: Course Module Sheet to be completed in full, with a breakdown of the topics and the required hours of instruction;
3. Page 5: Instructor Application – a separate instructor application is required for each instructor named in item 12 on page 1;
4. Page 6: the Division-prescribed course and instructor evaluation form;
5. Page 7: sample Attendance Verification Report and sample Certificate of Attendance/Completion;
6. Page 8 (last page): checklist – to be completed by sponsor prior to submitting application.

### **D2-2. Completing the Application Form**

Below are some useful tips on how to complete the form correctly:

#### **i. Sponsor Information**

**Sponsor:** is the school, organization, or individual that will be responsible for complying with the duties and requirements of an approved sponsor per NAC 645.4432 and other relevant provisions of NAC 645.

ii. Course Information

**Course Title:** course title is the sponsor's title for the course and the title by which the course will be approved.

**Requested Module(s):** depending on the content, the course module or modules must be selected from the 15 (A to O) listed in NAC 645.4442. The subject matter of the course must fit the module topics. For example, if a course covers buyer representation - the agreement, disclosure and agency duties relating to it - then module D should be selected. If the course is a discussion of real estate contracts and the escrow process, then modules A and L should be selected. Sponsor may choose to give each POST module a chapter or module number (1, 2, 3 or I, II, III, etc.) in the course content, however, the modules must be referenced by the letters A to O, per NAC 645.4442, in the title and the content outline for ease of Division review.

No individual module or combination of modules may be less than 3 hours, and the full POST course covering modules A through O may not be less than 30 hours in duration.

**Course Objectives/Learning Outcomes:** these are one or more statements of the measurable outcomes the course developer or sponsor seeks to achieve, i.e. *what applicable knowledge and/or skills students will gain from the course* that will prepare them to perform competently as real estate licensees and in a manner that will protect the public interest.

**Instructor Names and Locations of Offerings:** list all instructors and the locations at which course will or may be offered.

**Course Fee:** is the fee sponsor will charge licensee to attend the course.

**Exams and Answer Keys:** state the number of quizzes and/or exams which must be completed by the student and provide copies of all exams and/or quizzes with answer keys, including for electronic tests. Additionally, for online exams, an access code must also be provided.

**Required Texts and Other Readings for Course:** list all textbooks and publications, including those written and/or published by the sponsor, with the author's name, the publisher and date of publication.

**Retention of Post-licensing Education Records:** provide the location address at which the sponsor's education records will be maintained, with the printed name and signature of the sponsor's representative responsible for records. By execution of this item, sponsor undertakes to retain and maintain records for the time specified in NAC 645.4444 for post-

licensing education, at a location where they can be available for Division inspection and audit.

**Regulatory Compliance:** an application form submitted without a signature is incomplete and will not be processed for review and recommendation to the Commission by Division staff. To avoid any delays or the need to re-submit an application, ensure that the form is properly signed, with the printed name of the signer and the date of execution.

### iii. Course Module Sheet

The module sheet lists the curriculum topics with spaces below each subject for sponsor to fill out a timed breakdown of content per subject. This sheet must be completed in addition to, not in place of, the separately requested timed content outline with the 2-3 level breakdown in increments of approximately 20 minutes.

**Timed Content Outline:** is a brief overview or summary (1 or 2 sentences) of the learning objective and course content/instruction to be covered in segments of 20 minutes or less of classroom instruction or distance education study.

Where the law is discussed in the content, it is highly recommended to reference the specific NRS/NAC (or federal) provision in the outline (and in the content) so that licensees are aware of the source of a transactional obligation or practice. For example, if the topic of discussion is how to advertise a listing correctly, the content outline should read: “How to advertise a listing: NAC 645.610-615 inclusive”; and in a detailed discussion about restrictions in advertising - e.g. the use of “for sale by owner” in an advertisement by a licensee pursuant to a listing agreement - the main body of the course should specifically reference the relevant provision: “NAC 645.610(1)(b).”

## D3. ANNUAL POST-LICENSING RENEWAL

Approval of POST courses is annual, with courses scheduled to expire at the end of the first anniversary month in which Commission approval was granted. The POST renewal application form, 640, is may be completed online at <http://red.nv.gov>.

Sponsor should note that:

- Course renewal notices are mailed to the sponsor 6 weeks prior to course expiration;
- Renewal notices specify a cut-off date for submission of renewal applications;
- Renewal notices are sent as courtesy reminders;
- It is the sponsor’s duty to ensure timely submission of renewal applications;
- Failure to timely apply for renewal results in expiration of the course and the need to re-apply for Commission approval.

## **E: CHAPTER III – CONTINUING EDUCATION**

### **E1. THE BASICS OF CONTINUING EDUCATION**

#### **E1-1. Continuing Education Standards**

A course of continuing education for real estate licensees must meet the curriculum requirements specified in NAC 645.450. The curriculum is a required minimum standard which provides the basis for Commission review in considering the merits of a course for CE credits. Education sponsors may, and are encouraged by the Commission to, develop courses that go above and beyond the minimum standards while ensuring that the subject matter of the course is real estate or real estate-related and pertinent to the knowledge, activities and expertise of real estate licensees.

#### **NAC 645.450 for courses. ([NRS 645.190](#), [645.575](#))**

1. A course for continuing education must contain:

- (a) Current information on real estate which will improve the professional knowledge of the licensee and enable him to give better service to the public.
- (b) Information that relates to pertinent Nevada laws and regulations.

2. Commission considers courses in the following areas to be acceptable for continuing education:

- (a) Ethics of selling real estate;
- (b) Legislative issues which concern the practice of real estate or licensees, including pending and recent legislation;
- (c) The administration of real estate law and regulations, including licensing and enforcement;
- (d) Real estate financing, including mortgages and other techniques;
- (e) The measurement and evaluation of the market for real estate, including evaluations of sites, market data and studies of feasibility;
- (f) The administration of real estate brokerage, including the management of the office, trust accounts and employees' contracts;
- (g) Real estate mathematics;
- (h) The management of real property, including leasing agreements, procedures for accounting and contracts for management;
- (i) The exchange of real property;
- (j) Planning and zoning for land use;
- (k) Real estate securities and syndications;
- (l) Accounting and taxation as applied to real property;
- (m) The development of land;
- (n) Agency and subjects related to agency;
- (o) The use of calculators and other technologies as applied to the practice of real estate;
- (p) The preparation of real estate contracts; and
- (q) Personal development courses.

3. If the sponsor agrees to comply with the provisions of subsections 3 and 4 of [NAC 645.455](#), [NAC 645.457](#) and [645.463](#) and subsection 1 of [NAC 645.4432](#), the Administrator may accept the following courses as meeting standards for continuing education without application or specific approval:

- (a) Any course in real estate or a directly related subject if the course has been previously approved by the Commission.

(b) Any course in real estate or a directly related subject if the course is offered by an accredited university or community college for college credit.

4. Commission may, upon application, approve a course conducted by any other school, professional society or organization if the Commission finds that the course meets the standards for continuing education.

5. following kinds of courses and activities do not meet the standards for continuing education:

(a) A course designed to prepare students for examination.

(b) A course designed to develop or improve clerical, office or business skills that are not related to the activities described in [NRS 645.030](#), [645.035](#) and [645.040](#), such as typing, shorthand, the operation of business machines, the use of computers, the use of computer software, speed-reading, the improvement of memory, and writing letters and reports.

(c) A meeting for the promotion of sales, a program of office training, or other activity which is held as part of the general business of the licensee.

(d) A course for the orientation of licensees, such as a course offered for that purpose through local real estate boards.

(e) A course for the development of instructors.

The second and subsequent renewal of a salesman, broker/salesman and broker license requires the completion of at least 48 hours of continuing education not less than 24 of which must be in the mandatory designated categories, per NAC 645.448.

**NAC 645.448 requirements for renewal of license other than initial license and for reinstatement of license. ([NRS 645.190](#), [645.575](#))**

1. Except as otherwise provided in subsection 3, a real estate salesman who wishes to renew his license must complete at least 48 hours of continuing education at approved educational courses, seminars or conferences during the license renewal period. Twenty-four of the hours must be completed before the end of each 2-year period. Each licensee must the Division with proof of completion before the end of each 2-year period. Not less than 12 of the hours in each 2-year period must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(a) Three hours in the area of agency relationships;

(b) Three hours in the area of Nevada law with an emphasis on recent statutory and regulatory changes;

(c) Three hours in the area of contracts; and

(d) Three hours in the area of ethics.

2. Except as otherwise provided in subsection 3, a real estate broker or real estate broker-salesman who wishes to renew his license must complete at least 48 hours of continuing education at approved educational courses, seminars or conferences during the license renewal period. Twenty-four of the hours must be completed before the end of each 2-year period. Each licensee must provide the Division with proof of completion before the end of the 2-year period. Not less than 15 of the hours in each 2-year period must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(a) Three hours in the area of agency relationships;

(b) Three hours in the area of Nevada law with an emphasis on recent statutory and regulatory changes;

(c) Three hours in the area of contracts;

(d) Three hours in the area of ethics; and

(e) Three hours in the area of broker management.

3. The requirements for continuing education set forth in subsections 1 and 2 do not apply to the renewal of a license upon the expiration of the initial license.

4. If a license has been placed on inactive status and the licensee wishes to have the license reinstated, the licensee must comply with the following requirements:(a) If the license was on inactive status for 1 year or less, all of which was during the period of the initial license, the licensee must complete the postlicensing course described in [NAC 645.4442](#).

(b) If the license was on inactive status for more than 1 year but less than 2 years, any part of which was the period of the initial license, the licensee must complete at approved educational courses, seminars or conferences:

(1) The postlicensing course described in [NAC 645.4442](#); and

(2) At least 18 hours of continuing education. Not less than 12 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(I) Three hours in the area of agency relationships;

(II) Three hours in the area of Nevada law with an emphasis on recent statutory and regulatory changes;

(III) Three hours in the area of contracts; and

(IV) Three hours in the area of ethics.

(c) If the license was on inactive status for 2 years or less, no part of which was during the period of the initial license, the licensee must complete at least 24 hours of continuing education at approved educational courses, seminars or conferences. Not less than 12 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(1) Three hours in the area of agency relationships;

(2) Three hours in the area of current Nevada law with an emphasis on recent statutory and regulatory changes;

(3) Three hours in the area of contracts; and

(4) Three hours in the area of ethics.

(d) If the license was on inactive status for more than 2 years, any part of which was during the period of the initial license, the licensee must complete at approved educational courses, seminars or conferences:

(1) The postlicensing course described in [NAC 645.4442](#); and

(2) At least 24 hours of continuing education. Not less than 12 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(I) Three hours in the area of agency relationships;

(II) Three hours in the area of current Nevada law with an emphasis on recent statutory and regulatory changes;

(III) Three hours in the area of contracts; and

(IV) Three hours in the area of ethics.

(e) If the license was on inactive status for more than 2 years, no part of which was during the period of the initial license, the licensee must complete at least 48 hours of continuing education at approved educational courses, seminars or conferences. Not less than 24 of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(1) Six hours in the area of agency relationships;

(2) Six hours in the area of current Nevada law with an emphasis on recent statutory and regulatory changes;

(3) Six hours in the area of contracts; and

(4) Six hours in the area of ethics.



5. Not more than 3 hours of any of the required hours in each 2-year period set forth in this section for continuing education may be taken in courses for personal development.
6. At least 50 percent of the total hours of required continuing education set forth in this section must be taken through live instruction by a licensee.
7. A licensee who fails to comply with the requirements for continuing education set forth in this section is subject to immediate involuntary inactivation of the license by the Division and an administrative fine in the amount set forth in subsection 1 of NAC 645.695.
8. As used in this section, "initial license" means the license of a licensee who:
  - (a) Did not hold a real estate license issued by another state or territory of the United States, or the District of Columbia, on the date on which the licensee obtained a real estate license issued by the State of Nevada;
  - (b) Had not held a license as a real estate broker, real estate broker-salesman or real estate salesman issued by the State of Nevada within the 5 years immediately preceding the date on which the licensee obtained a license as a real estate salesman; or
  - (c) Is licensed as a real estate broker-salesman and obtained the qualifications for licensure as a real estate broker-salesman pursuant to the provisions of subsection 2 of [NRS 645.343](#).

#### **E1-2. Credit Hour**

A course of continuing education must consist of at least 3 hours of distance education or classroom instruction. Breaks of 10 minutes or less may be written in every 60 minutes of approved instructional time. However, in order for 3 credit hours to be issued the curriculum and course outline must cover 3 physical hours and breaks must be written into the timed outline. NAC 645.445.

#### **E1-3. Credit Hours Per Day and Final Exam**

A maximum 7 hours of live instruction per day may be approved without the need for a final exam. All requests for approval of 8 or more credit hours per day must include at least one hour-long final exam.

Per NAC 645.450:

6. Commission will not approve more than:
  - (a) Seven full hours of credit per day of instruction in a course for continuing education if a final examination is not given; or
  - (b) Eight full hours of credit per day of instruction in a course for continuing education if a final examination is given.

All distance education courses require a written final exam.

#### **E1-4. Mandatory Designations**

The designations have been defined by the Commission as follows:

**AGENCY (A):** classes relating to agency relationships – buyer representation, seller representation, multiple representation, assigned agency, brokerage agreements and other agency

relationships that occur in the real estate industry. To be approved for credits, agency classes must teach Nevada-specific law. Areas of focus may include the current revision of the Duties Owed form, the Consent to Act form, the Nevada Law and Reference Guide: Chapter I concerning agency in Nevada, Informational Bulletin#5 – FAQ's, and other relevant agency disclosures. Wherever applicable, copies of the agency forms, disclosure forms, the Division's policy statements, Informational Bulletins, and NRS/NAC provisions must be provided in the application package as instructor materials and/or student handouts.

**LAW & LEGISLATION (LL):** classes must include the most current Nevada legislative material with one or more of the topics listed below to meet the standards for the 3-hour content:

1. Existing laws directly or indirectly affected by legislative amendments;
2. Federal provisions/amendments that affect the practice of real estate;
3. Adopted regulations – new and amended;
4. Publications, including Advisory Opinions, Informational Bulletins and Position Statements, issued by the Division that relate to the practice of real estate;
5. Laws most frequently violated as evidenced from disciplinary cases.

Where relevant, a discussion of the application of the laws and regulations is strongly recommended.

The referencing of the NRS or NAC chapter and section is required. Also required is an update from bill number and section to NRS chapter and section as soon as a new statutory and regulatory provision is encoded in NRS or NAC.

The Division does not encourage including “pending” legislation in your law course. If a course does contain discussion of a bill that has not yet passed at the time the course is submitted for approval, the content must clearly identify it as such, encourage students to follow the status of the bill through the Legislature to ensure its passage and effective date before adjusting their practice, and update the course content to reflect the outcome.

Note: The Law & Legislation content defined above meets the CE standards set forth in NAC 645.450 below:

1. A course for continuing education must contain:
  - (a) Current information on real estate which will improve the professional knowledge of the licensee and enable him or her to give better service to the public.
  - (b) Information that relates to pertinent Nevada laws and regulations.
2. The Commission considers courses in the following areas to be acceptable for continuing education:
  - (b) Legislative issues which concern the practice of real estate or licensees, including pending and recent legislation;

**CONTRACTS (C):** classes relating to real estate contracts. These may cover any range of content on agreements from a discussion of the components, purpose, consideration and

execution of contracts generally, or the legal aspects of a contract, to a detailed discourse of a specific type of contract, e.g. a buyer's brokerage agreement, and may include disclosures. Wherever sample forms such as offers and acceptances, leases, escrow agreements, options, listings, contract clauses, addendums, etc. are to be used as instructor and/or student materials, copies of the forms must be provided with the application. Sample forms used must be applicable to real estate transactions in Nevada, and may even be northern- or southern-Nevada specific if local customs are applicable. Unless the contract forms are made publicly available to anyone who wants to use them, where copyrighted forms (e.g. Realtor Association contract forms) are used as sample contracts or for classroom exercises, permission from the copyright owner must be obtained in writing and provided to the Division with the course application.

**ETHICS (E):** classes relating to ethical behavior –morals, principles, rules and standards of conduct, fiduciary relationships, Fair Housing, and RESPA requirements. The Commission considers subject matter relating to fair housing (state and federal), compliance with RESPA provisions, and disciplinary action case studies, as ethics-based and, therefore, will give it an “Ethics” designation. To a limited extent, courses dealing with diversity – cultural, ethnic, generational, socio-economic, etc. – may qualify for “Ethics” designation depending on the tone and perspective of the content and discussion.

**BROKER MANAGEMENT (BM):** for classes dealing with the responsibilities and liabilities of a broker. This designation may include risk management, responsibilities of a broker regarding associated licensees and employees, trust accounting, operation of a brokerage business and office policies and procedures. Sponsors are required to include NAC 645.600 in some manner.

Property Management and Business Broker permit holders must obtain a minimum of 3 credits in each 2-year period in, respectively, property management or business broker designated courses. These designations are defined as:

**PROPERTY MANAGEMENT (PM):** classes relating to the management of rental properties – management contracts, leases, trust and custodial accounting. It does not include the management of Home Owners' Association communities.

**BUSINESS BROKER (BUSB):** classes relating to the sale and purchase of the tangible assets and goodwill of an existing business as defined in NAC 645.911. Subject matter for this designation may include an advanced understanding of financial statements, valuation, purchase and sale considerations such as structuring a transaction, describing goodwill and assets, etc.

### **E1-5. Elective Credits**

Credits over and above the required 3 in any mandatory designation obtained during each 2-year period may be applied towards the elective credits.

**PERSONAL DEVELOPMENT (PD):** per NAC 645.450.2.(q), PD is an approved standard and designation for continuing education that may include classes relating to developing a licensee's expertise and competence – e.g. negotiating skills, marketing skills, closing strategies, personal safety, time management, etc. Specifically excluded as PD are the skill types listed in NAC

645.450(5).

The Commission will not approve PD courses for more than 3 credit hours since the allowed maximum PD credits per 2-year period is 3 hours. These 3 elective credits may be applied toward the 12 elective hours of “General” CE credits required in each 2-year period.

## E2. THE COURSE APPLICATION AND ITS PREPARATION

### E2-1. The Application Form 526

Available and interactive online, Form 526 is the continuing education course application form for classroom and distance education courses.

Form 526 comprises:

1. Pages 1 and 2: Sponsor Information, Course Information, Retention of continuing education records, and Regulatory Compliance – to be completed in full, with “NA” inserted where information requested is not applicable;
2. Page 3: Instructor Application – a separate instructor application is required for each instructor named in item 14 on page 2;
3. Pages 4 and 5: Distance Education Questionnaire – to be completed in full if course is by distance education delivery and the delivery method for the course is not ARELLO certified;
4. Page 6: Application for Secure Electronic Method of Administering Final Examination for Distance Education Course – required if the final examination is to be provided online;
5. Page 7: Certificate of Test Proctor - required prior to any testing of student at a location where the sponsor or sponsor’s authorized staff cannot be present to proctor the examination;
6. Page 8: the Division-prescribed course and instructor evaluation forms 612A for classroom or 612B for DE courses, whichever is applicable;
7. Page 9: sample Attendance Verification Report and sample Certificate of Attendance/Completion;
6. Page 10 (last page): checklist – to be completed by sponsor prior to submitting application.

### E2-2. Completing the Application Form

All sections on pages 1 and 2 of the form must be completed. If any information requested is not applicable, insert “NA” in the blank space.

Below are some useful tips on how to complete the forms correctly:

#### i. Sponsor Information

**Sponsor:** is the school, organization, or individual that will be responsible for complying with the duties and requirements of an approved sponsor per NAC 645.4432 and other relevant provisions of NAC 645.

ii. Course Information

**Course Title:** course title is the sponsor's title for the course and the title by which the course will be approved.

**Hours of Self-Paced Study:** refers to the time established by the sponsor prior to submitting a DE course for credits. The time is determined by setting up a review group of licensees with various levels of experience to take the course and report back on the level of difficulty or complexity of the content, and the time taken to complete the course with quizzes and the final exam. This is recommended for all new DE courses to determine the time it would take a student of average reading ability to complete the course.

**Course Objectives/Learning Outcomes:** these are one or more statements of the measurable outcomes the course developer or sponsor seeks to achieve, i.e. *what applicable knowledge and/or skills students will gain from the course* that will prepare them to perform competently as real estate licensees and in a manner that will protect the public interest.

**Course Fee:** is the fee sponsor will charge licensee to attend the course.

**Qualifying Standards:** come from NAC 645.450, the standards for continuing education. Select one or more, as appropriate to the subject matter of the course.

**Requested Designation:** the subject matter of the entire course, or a significant portion it, will determine the mandatory or elective designation that may be requested, and whether the Commission will grant approval for the requested or some other designation. For example, the "Law and Legislation" designation will be granted only for a course relating to *recent amendments to Nevada's real estate laws* but not to a course about real estate laws generally, state and federal, that apply to real estate or any aspect of it. The latter type of course may fit into an "ethics", "agency", or "contracts" designation if a significant portion of the content falls into one of these specified areas, and the Commission determines that it does. If it does not, the course will be approved for the elective "General" designation. ***Select no more than one designation that most closely defines your course content.***

**Instructor Names:** list all instructors who sponsor would like to teach the course, and submit a separate instructor application for each named instructor.

**Retention of Pre-licensing Education Records:** provide the location address at which the sponsor's education records will be maintained, with the printed name and signature of the sponsor's representative responsible for records. By execution of this item, sponsor undertakes to retain and maintain records for the time specified in NAC 645.455 for continuing education, at a location where they can be available for Division inspection and audit.

**Regulatory Compliance:** an application form submitted without a signature is incomplete and will not be processed for review and recommendation to the Commission by Division

staff. To avoid any delays or the need to re-submit an application, ensure that the form is properly signed, with the printed name of the signer and the date of execution.

### iii. Timed Content Outline

This is a brief overview or summary (1 or 2 sentences) of the learning objective and course content/instruction to be covered in segments of 20 minutes or less of classroom instruction or distance education study.

Where the law is discussed in the content, it is highly recommended to reference the specific NRS/NAC (or federal) provision in the outline (and in the content) so that licensees are aware of the source of a transactional obligation or practice. For example, if the topic of discussion is how to advertise a listing correctly, the content outline should read: “How to advertise a listing: NAC 645.610-615 inclusive”; and in a detailed discussion about restrictions in advertising - e.g. the use of “for sale by owner” in an advertisement by a licensee pursuant to a listing agreement - the main body of the course should specifically reference the relevant provision: “NAC 645.610(1)(b).”

## E3. ANNUAL CONTINUING EDUCATION RENEWAL

Approval of CE courses is annual, with courses scheduled to expire at the end of the first anniversary month in which Commission approval was granted. The CE renewal application form, 641, may be completed online at <http://red.nv.gov>.

Sponsor should note that:

- Course renewal notices are mailed to the sponsor 6 weeks prior to course expiration;
- Renewal notices specify a cut-off date for submission of renewal applications;
- Renewal notices are sent as courtesy reminders;
- It is the sponsor’s duty to ensure timely submission of renewal applications;
- Failure to timely apply for renewal results in expiration of the course and the need to re-apply for Commission approval.

## **F: DUTIES OF ALL APPROVED SPONSOR**

All sponsors whose courses have been approved by the Real Estate Commission must comply with the regulatory responsibilities that occur in various provisions of NAC 645.400 to 645.463, including the duties of a sponsor stated in NAC 645.4432.

Some of the frequently encountered issues regarding sponsor duties are discussed below.

### **F1. SCHEDULE OF OFFERINGS**

- A proposed schedule of offerings of classroom courses is required to be submitted with the application for original approval;
- Division policy requires advance notice of class schedules to be sent by email to [Realest@red.nv.gov](mailto:Realest@red.nv.gov) for posting on the Division's online calendars which are updated weekly or every 2 weeks as sponsor notifications necessitate;
- For courses hosted by a "co-sponsor" or a "facilitator", the sponsor remains responsible for sending calendar dates to the Division;
- Cancellations of scheduled offerings must be immediately notified to the Division.

### **F2. APPROVED INSTRUCTORS**

Per regulations:

- An approved instructor must have written approval from the Division before teaching an approved course;
- Instructor approval is course-specific and the sponsor is responsible for ensuring compliance with this requirement;
- Allowing a non-approved individual to instruct an approved course constitutes grounds for the Commission to withdraw, or refuse to renew, approval of a course.

The Division recommends:

- Scheduling a stand-by approved instructor to cover in situations of unforeseen cancellation by a scheduled instructor; or alternatively,
- Submitting an emergency instructor application for Division's consideration and approval.

### **F3. GUEST SPEAKERS**

- Sponsor may invite one or more guest speakers to instruct or speak about one or more topics;
- A guest speaker/instructor may instruct for no more than 10% of the class time;
- Names of guest speakers, the topics and the amount of time they will instruct must be

disclosed to the Division.

#### F4. MATERIAL CHANGES TO COURSE CONTENT

- Must be notified to the Division within 15 days of making the changes;
- A copy of the revised course content with the revised timed outline must be submitted;
- Changes may include updates to the content and any revisions that are substantive and major but do not change the course objectives and/or learning outcomes.

Do not wait until renewal of the course to submit the material changes.

#### F5. COURSE AS APPROVED

- Courses for credits are approved by the Real Estate Commission for content, credit-hours and delivery method;
- A course approved for classroom delivery may only be taught by live instruction;
- To offer the same content electronically, a separate approval by the Commission must be obtained for an Internet delivery;
- An approved classroom course may not be taught by a “virtual classroom” method, and a course approved for internet delivery may not be offered by live instruction.



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