

# R157-08

GAIL/SUSAN REVISIONS 2/24/12

REVISION FROM 2/16/12 R093-10 ADOPTION-Page 5

REVISIONS FROM 11/16/11 R093-10 WORKSHOP

REVISIONS FROM 9/21/11 r093-10 WORKSHOP

**Sec. 1.** NAC 645.445 is hereby amended to read as follows:

645.445 1. To renew an active license, the licensee must provide the Division with proof that he has met the requirements set forth in ~~{paragraph (a) of subsection 1 of NRS 645.575.}~~ *NAC 645.448.*

2. To reinstate a license which has been placed on inactive status, a person must provide the Division with proof that he has met the requirements set forth in ~~{paragraph (b) of subsection 1 of NRS 645.575.}~~ *NAC 645.448.*

3. For the purpose of compliance with this section, 50 or more minutes of actual instruction constitutes a clock hour and initial licensing refers to the first issuance of a real estate license of any kind in Nevada.

~~{4. A licensee may petition the Administrator for an extension of time in which to comply with the requirements for continuing education. The Administrator may grant such an extension if he finds the licensee has a severe hardship resulting from circumstances beyond his control which has prevented him from meeting the requirements.}~~

**Sec. 2.** NAC 645.448 is hereby amended to read as follows:

645.448 1. Except as otherwise provided in subsection 3, a real estate ~~[salesman]~~ **salesperson** who wishes to renew his license must complete at least ~~{24}~~ **48** hours of continuing education at approved educational courses, seminars or conferences during the license *renewal* period . ~~{for the license.}~~ *Twenty-four of the hours must be completed before the end of each 2-year period. Each licensee must provide the Division with ~~[a copy of the certificate]~~ 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]~~ **salesperson** who wishes to renew his license must complete at least ~~{24}~~ **48** hours of continuing education at approved educational courses, seminars or conferences during the license *renewal* period . ~~{for the license.}~~ *Twenty-four of the hours must be completed before the end of each 2-year period. Each licensee must provide the Division with ~~[a copy of the certificate]~~ proof of completion before the end of each 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 ~~{30-hour} [postlicensing]~~ ~~[requirements]~~ described in NAC 645. ~~[ ]~~ 445.

(b) ~~The education must have been completed within two years of reinstatement application date.~~

~~If the license was on inactive status for more than 1 year but less 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 [30-hour] 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 *the requirement set forth in NAC 645.448:* [REDACTED]

(1) The ~~{30-hour}~~ 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 ~~{12}~~ **24** of the hours must be devoted to ethics, professional conduct or the legal aspects of real estate, including:

(1) ~~{Three}~~ **Six** hours in the area of agency relationships;

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

(3) ~~{Three}~~ **Six** hours in the area of contracts; and

(4) ~~{Three}~~ **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. As used in this section, “initial license” means the license of a ~~{person who is a first-year}~~ licensee ~~{and}~~ 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 ~~{first-year}~~ 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}~~ **salesperson** or real estate~~{salesman}~~ **salesperson** issued by the State of Nevada within the 5 years immediately preceding the date on which the ~~{first-year}~~ licensee obtained a license as a real estate~~{salesman}~~ **salesperson**; or

(c) Is licensed as a real estate broker-~~{salesman}~~ **salesperson** and obtained the qualifications for licensure as a real estate broker-~~{salesman}~~ **salesperson** pursuant to the provisions of subsection 2 of NRS 645.343.

7. *Not less than 50 percent of the total hours of required continuing education set forth in this section ~~may~~ must be taken through live instruction by a licensee.*

8. *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.*

9. *The requirements set forth in NAC 645.448 as amended in Section 3 of LCB File No. R093-10 shall be effective for licensees due to renew after June 30, 2013.*