

**SMALL BUSINESS IMPACT STATEMENT
CHANGES TO NAC 645
NOVEMBER 10, 2022**

Proposed changes to NAC 645 Small Business Impact Statement pursuant to NRS 233B.0608:

(a) A description of the manner in which comment was solicited from affected small business, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The Real Estate Division (Division) will post proposed changes to NAC 645 on the Division's website for the public to review and comment. The Division will also send proposed changes to licensees, organizations, businesses, associations and interested parties related to this profession. Along with the proposed changes to NAC 645, a survey will be posted for small businesses to complete regarding how the proposed changes may affect their business.

The Small Business Impact Statement is available on the Division's website at www.red.nv.gov.

Interested persons may obtain a copy of the small business impact statement or submit statements of impact to:

Shareece Bates
Administration Section Manager
Nevada Real Estate Division
3300 W. Sahara Avenue, Suite 350
Las Vegas, NV 89102
PublicComments@red.nv.gov
(702) 486-4036

(b) The manner in which the small business analysis was conducted for Changes to NAC 645.

The Real Estate Division (Division) will post proposed changes to NAC 645 for a period of thirty (30) days. At the end of 30 days, an analysis of the effect on small businesses will be done after a review of all the comments, survey results and statements received from small businesses and interested parties.

(c) The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(1) Both adverse and beneficial effects:

(I) Adverse effects:

The definition of Classroom is being expanded to include digital platforms and interactive media. The definition of Live instruction is also being

expanded to include digital platforms and hybrid teaching modes. There should be no adverse effect on small businesses as there is no additional cost to the business or a requirement to change their current practices. The regulations are also proposing an initial instructor registration and a biennial renewal of this registration. The initial registration is \$100 and the renewal once every 24 months is \$50. This allows the instructors to then teach courses offered by sponsors for Pre, Post and Continuing education. There should be little to no adverse effect on small businesses as there is no additional cost associated with business to register for instructor certification.

(II) Beneficial effects:

The changes to Classroom and Live instruction definitions will significantly benefit education sponsors as this allows them to take their existing courses and offer it in different live and classroom formats. Changes to the instructor registration enables the instructors to receive approved certification by the Division prior to submitted course applications. This will streamline the course approval process and reduce the paperwork submitted with each course approval for the sponsors.

(2) Both direct and indirect effects.

(I) Direct effect:

Based on the changes to Classroom and Live instruction definitions, the Division anticipates a significant increase in courses submitted for approval and an increase in the number of courses offered in Pre, Post and Continuing education. Changes to the instructor registration will also increase the number of instructors applying to register with the Division. This will allow a larger pool of qualified instructors of the Sponsor's to choose from. Additional effects on small businesses will be done after the 30-day comment period and an analysis of surveys received from small businesses.

(II) Indirect effect:

These proposed changes will potentially increase the different options for business to provide education to licensees. This should increase the number of businesses in the education space and also attract new business into the industry. Additional effects on small businesses will be done after the 30-day comment period and an analysis of surveys received from small businesses.

(d) A description of the methods that the Commission considered to reduce the impact of Changes to NAC 645 on small businesses and a statement whether the Real Estate Division actually used any part of those methods.

The Commission will consider methods to reduce the impact of the proposed regulation on small businesses based on comments, survey results and statements received after the 30-day comment period.

(e) The estimated cost to the agency for enforcement of the proposed regulation.

No additional estimated costs to the agency for enforcement of the proposed regulation.

(f) If Changes to NAC 645 provides a new fee or increases an existing fee, the total annual amount the Real Estate Division expects to collect and the manner in which the money will be used.

This proposed regulation adds a fee to the initial application and renewal application for instructors. The money will be used towards the cost of additional resources needed to create and print applicable materials.

(g) If Changes to NAC 645 includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

Changes to NAC 645 do not include any provisions that are duplicate or are more stringent than federal, state or local standards regulating the same activity.

(h) The reasons for the conclusions of the Real Estate Division regarding the impact of Changes to NAC on small businesses.

The Commission will come to a proper conclusion regarding the impact of the changes to NAC 645 after receipt of the surveys from small businesses, public comment and discussion.

I certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in this statement is accurate. (NRS 233B.0608(3))



Sharath Chandra, Administrator
Department of Business & Industry
Real Estate Division