

SMALL BUSINESS IMPACT STATEMENT
LCB R052-13
NAC 116, 116A and 116B
Revised February 5, 2015

1. LCB File No. R052-13 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 agenda for the June 11, 2013 Commission for Common-Interest Communities and Condominium Hotels (Commission) meeting was posted on the Real Estate Division's (Division) website and distributed through the Division's posting list which includes industry associations and members who might be interested. The agenda indicated possible action by the Commission to discuss new language presented by the Commission regarding rehearing procedures. The draft of the proposed language was available as a handout for all in attendance to review. There was no public or small business representative input at that time. The Commission directed the Division to prepare proposed language for a workshop at the Commission's next meeting held on August 27-29, 2013. This regulation became LCB File No. R052-13.

Workshops were scheduled for August 28, 2013 and February 26, 2014 for LCB File No. R052-13. Notices of these workshops were posted on the Division's website and distributed through the Division's posting list which includes industry associations and members who might be interested.

There was no comment from members of small businesses but members of the public requested clarification on the proposed language.

Interested persons may obtain a copy of the Small Business Impact Statement or submit statements of impact to:

Teralyn Thompson, Administration Section Manager
Nevada Real Estate Division
2501 East Sahara Avenue, Suite 303
Las Vegas, NV 89104
tlthompson@red.state.nv.us
702-486-4036

(b) The manner in which the small business analysis was conducted for LCB File No. R052-13.

The Division posted the Small Business Impact Statement for LCB File No. R052-13 on the Division's website on August 13, 2013 and February 10, 2014. At these two meetings, the Commission has had discussion and sought public comment.

(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: No adverse effect on small businesses that are regulated.

(II) Beneficial effects: A party who has a basis for rehearing, reconsideration or any other motion requesting action or relief after the Commission hearing will be allowed to file a motion if newly discovered evidence of a material nature, an error in the hearing or decision that would be grounds for a reversal of decision, a change in substantive law or there is need in the public interest for further consideration.

(2) Both direct and indirect effects.

(I) Direct effect: A party who has a basis for rehearing, reconsideration or any other motion requesting action or relief after the Commission hearing will be allowed to file a motion if newly discovered evidence of a material nature, an error in the hearing or decision that would be grounds for a reversal of decision, a change in substantive law or there is need in the public interest for further consideration.

(II) Indirect effect: Establishes procedures for aggrieved parties and the Commission.

(d) A description of the methods that the Real Estate Division considered to reduce the impact of LCB File No. R052-13 on small businesses and a statement whether the Real Estate Division actually used any part of those methods.

LCB File No. R052-13 does not impact small businesses.

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

There is no cost for enforcement of the proposed regulation.

(f) If LCB File No. R052-13 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.

LCB File No. R052-13 does not provide a new fee or increase an existing fee.

(g) If LCB File No. R052-13 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.

LCB File No. R052-13 does not duplicate any existing federal, state or local standards regulating the same activity.

(h) The reasons for the conclusions of the Real Estate Division regarding the impact of LCB File No. R052-13 on small businesses.

Staff from the Real Estate Division have attended public meetings of the Commission, have listened to and observed discussions and public comments. No comments have been submitted concerning small business impact to the Commission or Division.

I certify that, to the best of my knowledge or belief, the information contained in the Small Business Impact Statement for LCB File No. R052-13 was prepared properly and is accurate.

Joseph (JD) Decker, Administrator
Department of Business & Industry
Real Estate Division

NRS 233B.0608(3) Statement

1. Identify the methods used by the agency in determining the impact of the proposed regulation on a small business.

The agenda for the June 11, 2013 Commission for Common-Interest Communities and Condominium Hotels (Commission) meeting was posted on the Real Estate Division's (Division) website and distributed through the Division's posting list which includes industry associations and members who might be interested. The agenda indicated possible action by the Commission to discuss new language presented by the Commission regarding rehearing procedures. The draft of the proposed language was available as a handout for all in attendance to review. There was no public or small business representative input at that time. The Commission directed the Division to prepare for a workshop at the Commission's next meeting held on August 27-29, 2013. This regulation became LCB File No. R052-13.

Workshops were scheduled for August 28, 2013 and February 26, 2014 for LCB File No. R052-13. Notices of these workshops were posted on the Division's website and distributed through the Division's posting list which includes industry associations and members who might be interested.

There was no comment from members of small business but members of the public requested clarification of the proposed language.

2. Identify the reasons for the conclusions of the agency concerning the impact of the proposed regulation on a small business.

Staffs from the Division have attended public meetings of the Commission and have listened to and observed discussions and public comments. No comments have been submitted concerning small business impact to the Commission or Division.

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))

Joseph (JD) Decker, Administrator
Department of Business & Industry
Real Estate Division