

SMALL BUSINESS IMPACT STATEMENT
REVISED January 30, 2015
NAC 116A
LCB R152-13

1. R152-13 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.

Proposed regulation #R152-13 impacts community managers licensed by the Real Estate Division pursuant to Chapter 116A. It proposes a change to the minimum hours that a course for continuing education must consist of to be eligible to receive credit.

The Small Business Impact Statement for R152-13 was posted on the Division's website in February 2014 prior to a Workshop scheduled for February 27, 2014. The public was invited to submit written comment or to attend the Workshop and comment. The Division is present at Commission meetings where public comment is received both under the Public Comment periods of the meeting as well as at noticed Workshops on proposed regulation changes.

The Division received a comment that was for allowing community managers to receive an hour credit when attending a Commission meeting because length of time that the Commission meeting will last cannot be predicted. On the other hand, it would be difficult for education curriculum to be developed for a short period of time and Q&A portions of continuing education classes might be reduced.

Interested persons may obtain a copy of the summary of the Small Business Impact Statement on the Division's web site www.red.state.nv.us or by requesting of:

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 R152-13.

The Division posted on its website the small business impact solicitation for Proposed Regulation #R152-13. The Commission sought comment during the February 27, 2014

Workshop on the proposed regulation including any small business impact comments from community managers and management companies.

(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 effects on small business are anticipated. This regulation does not change the total number of 7 hours of continuing education required of a community manager to be taken in the licensure renewal period.

(II) Beneficial effects: The change from 3 to 1 hour in the minimum hours which can be approved by the Commission for community manager continuing education will give managers more options in topics for education. Education providers will be able to develop more specific course topics for credit opportunity.

(2) Both direct and indirect effects.

(I) Direct effect: The direct effect of the proposed regulation would allow programs on special topics to be developed, including possible luncheon meeting programs.

(II) Indirect effect: The indirect effect may be to increase professional participation in industry groups.

(d) A description of the methods that the Real Estate Division considered to reduce the impact of the R152-13 on small businesses and a statement whether the Real Estate Division actually used any part of those methods.

The Real Estate Division considers who will be impacted by the proposed change. In this instance, community managers will have more opportunity to receive continuing education credit for participating in Commission meetings or professional development sessions. The opportunity for more and varied sponsors to offer continuing education is one outcome with positive impact. The Division has not identified any aspect of negative impact for this proposed change.

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

There is no additional cost to the agency for the implementation of R152-13.

(f) If R152-13 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.

R152-13 does not contain new fees, require additional education, or an increase an existing fee.

(g) If R152-13 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.

R152-13 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 R152-13 on small businesses.

Officials from the Real Estate Division have attended the public meetings of the Commission for Common-Interest Communities and Condominium Hotels and have listened to and observed the Commissioner's discussions and public comments. No business impact comments have been submitted to the Division or stated in a public meeting of the Commission.

I certify that, to the best of my knowledge or belief, the information contained in the Small Business Impact Statement for R152-13 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 Real Estate Division posted the Small Business Impact Statement on its web site to invite community manager licensees and constituents of the common-interest communities program to respond. Division staff is present at Nevada Commission for Common-Interest Communities and Condominium Hotels (Commission) meetings where public comment is received both under the Public Comment periods of the meetings as well as at noticed Workshops and Adoption of the proposed regulation changes.

The Commission sought comment during the February 27, 2014 Noticed Workshop on the proposed regulation including any small business impact comments. Comments are invited in writing to the Division until August 25, 2014 and at the Adoption Hearing August 27, 2014 regarding business impact from persons affected by the change in regulation.

The Division received a comment that was for allowing community managers to receive an hour credit when attending a Commission meeting because length of time that the Commission meeting will last cannot be predicted. On the other hand, it would be difficult for education curriculum to be developed for a short period of time and Q&A portions of continuing education classes might be reduced.

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

The reasons for the conclusions of the agency concerning the impact of this regulation on small business are that no statement of concern or opposition has been submitted. The alternative to not adopting this regulation is to not amend the regulation and continue to require a minimum of 3 hours for a course to be eligible for continuing education credit for a community manager.

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