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STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION
COMMON-INTEREST COMMUNITIES AND
CONDOMINIUM HOTELS PROGRAM
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To: Owners in Common-Interest Communities and Condominium Hotels

Nevada Real Estate Division - Updated Guidance on Senate Bill 186

In September 2021, guidance was disseminated by the Division regarding the implementation of a temporary pause on enforcement of section 1.7 of S.B. 186.

The Legislative Commission on Monday, February 28, 2022, by a unanimous vote approved the correction to SB186.

Pursuant to this correction, final incorporated language in the NRS reprint will read as follows:

NRS 116.31068 Notice to units' owners.

1. Except as otherwise provided in subsection 3 and unless a unit's owner opts out of receiving electronic communications or has not designated an electronic mail address, an association shall deliver any notice required to be given by the association under this chapter and any communication from or other information provided by the association to the **mailing or electronic mail addresses** a unit's owner designates. Except as otherwise provided in subsection 3, if a unit's owner has opted out of receiving electronic communications or has not designated an electronic mail address to which a notice, communication or other information can be delivered, the association may deliver notices, communications and other information by:
 - (a) Hand delivery to each unit's owner;
 - (b) Hand delivery, United States mail, postage paid, or commercially reasonable delivery service to the mailing address of each unit; or
 - (c) Any other method reasonably calculated to provide notice to the unit's owner.
2. The ineffectiveness of a good faith effort to deliver notice by an authorized means does not invalidate action taken at or without a meeting.
3. The provisions of this section do not apply:
 - (a) To a notice required to be given pursuant to NRS 116.3116 to 116.31168, inclusive; or
 - (b) If any other provision of this chapter specifies the manner in which a notice, communication or other information must be given by an association.

As of March 1, 2022, unless any other provision specifies the way in which a notice, communication or other information must be provided, associations shall send communications or other information to *either* the mailing or email address designated by the unit's owner. If a unit's owner has opted out of receiving electronic communications or has not designated an email address, the association may further deliver notices pursuant to the other methods specified in paragraphs (a), (b) or (c) of subsection 1.

Sharath Chandra
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