

A Reference Guide for Notices Pertaining to Common-Interest Communities

NRS 116.31068 – Except as otherwise specified in bold below, an association shall deliver any notice required to be given by the association to any mailing or email address a unit's owner designates. If a unit's owner has not designated an address, the association may deliver notices by hand delivery or any other method reasonably calculated to provide notice to the unit's owner. The ineffectiveness of a good faith effort to deliver notice by an authorized means does not invalidate action taken.

GENERAL NOTICES

Type of Notice	Statute	Timeframe	Content and Method
CHANGES TO GOVERNING DOCUMENTS	NRS 116.12065	Within 30 days after the change is made	If any change is made to the governing documents of an association, the secretary or other officer specified in the bylaws shall prepare and cause to be delivered a copy of the change that was made.
INSURANCE – UNAVAILABILITY	NRS 116.3113(3)	Promptly	If the insurance required by law is not reasonably available, the association shall cause notice of that fact to be given to all units' owners.
INSURANCE – CANCELLATION	NRS 116.31133(3)	30 days prior to cancellation or nonrenewal	The insurer issuing the policy may not cancel or refuse to renew it until 30 days after notice of the proposed cancellation or nonrenewal has been mailed to the association, each unit's owner and each holder of a security interest to whom a certificate or memorandum of insurance has been issued at their respective last known addresses .
BUDGET	NRS 116.31151(1)	30 to 60 days before the beginning of the fiscal year of the association, unless the declaration imposes more stringent standards	The executive board shall prepare and distribute to each unit's owner a copy of the budget for the daily operation of the association and the budget to provide adequate funding for the reserves. In lieu of distributing copies of the budgets, the executive board may distribute to each unit's owner a summary of those budgets, accompanied by a written notice that the budgets are available for review and copies of the budgets will be provided upon request.

MEETING NOTICES

Type of Notice	Statute	Timeframe	Content
MEETING OF THE UNITS' OWNERS	NRS 116.3108(3)	Within 15 to 60 days before the meeting	The secretary or other officer specified in the bylaws shall cause notice of the units' owners meeting to be given to the units' owners stating the time and place of the meeting AND including: a copy of the agenda, notification of the right of a unit's owner to have a copy of the minutes or a summary of the minutes provided upon request (in electronic format at no charge to the unit's owner or, if the association is unable to provide the copy or summary in electronic format, in paper format at a cost not to exceed 25 cents per page for the first 10 pages, and 10 cents per page thereafter) and speak to the association or executive board, unless the executive board is meeting in executive session.
MEETING OF THE EXECUTIVE BOARD	NRS 116.31083(2)	Not less than 10 days before the meeting, unless the bylaws require a longer period of notice	The secretary or other officer specified in the bylaws shall cause notice of an executive board meeting to be given to the units' owners. Such notice can be published in a newsletter or other similar publication that is circulated to each unit's owner. The notice must state the time and place of the meeting and include a copy of the agenda, OR the date on which and the locations where copies of the agenda may be conveniently obtained, as well as notification of the right of a unit's owner to have a copy of the audio recording, the minutes or a summary of the minutes of the meeting provided to the unit's owner upon request (in electronic format at no charge to the unit's owner or, if the association is unable to provide the copy or summary in electronic format, in paper format at a cost not to exceed 25 cents per page for the first 10 pages, and 10 cents per page thereafter), and speak to the association or executive board, unless the executive board is meeting in executive session.
MEETING IN EXECUTIVE SESSION	NRS 116.31083(3)	Not less than 10 days before the meeting,	If the executive board holds a meeting limited exclusively to discussing a violation of the governing documents, including the failure to pay an assessment or the alleged failure of a unit's owner to adhere

		unless the bylaws require a longer period of notice, and if meeting to conduct hearings, providing enough time for the unit owner to prepare and attend	to a construction schedule, the secretary or other officer specified in the bylaws is required to give notice of the meeting ONLY to a person who may be subject to a hearing scheduled for that meeting. If the executive board holds a meeting limited exclusively to consulting with the attorney for the association on privileged matters relating to proposed or pending litigation, or discussing the character, alleged misconduct, professional competence, or physical or mental health of a community manager or an employee of the association, the secretary or other officer specified in the bylaws is required to POST notice of the executive session in one or more prominent places within the common elements of the association AND provide electronic notice of the executive session to all units' owners who have provided the association with an email address.
MEETING IN EMERGENCIES	NRS 116.31083(4)	Promptly, prior to the meeting	An emergency is defined as any occurrence that: could not have been reasonably foreseen; affects the health, welfare and safety of residents; requires the immediate attention of and possible action by the executive board; AND makes it impracticable to comply with notice and agenda requirements. In an emergency, the secretary or other officer specified in the bylaws shall, if practicable, cause notice of the meeting to be sent prepaid by United States mail to the mailing address of each unit within the common-interest community. If delivery of the notice in this manner is impracticable, the notice must be hand-delivered to each unit within the common-interest community OR posted in a prominent place or places within the common elements of the association.
MEETING REGARDING CIVIL ACTION	NRS 116.31088(1)	At least 21 calendar days before the date of the meeting	The association shall provide written notice to each unit's owner of a meeting at which the commencement of a civil action is to be considered. This does not apply to civil actions being commenced: to enforce the payment of an assessment; to enforce the declaration, bylaws or rules of the association; to enforce a contract with a vendor; to proceed with a counterclaim; or to protect the health, safety and welfare of the members of the association.
MEETING REGARDING AN ASSESSMENT FOR CAPITAL IMPROVEMENT	NRS 116.3115(9)	At least 21 calendar days before the meeting	The association shall provide written notice to each unit's owner of a meeting at which an assessment for a capital improvement is to be considered or action is to be taken on such an assessment.
MEETING FOR RATIFICATION OF THE BUDGET	NRS 116.31151(3)	Within 60 days after adoption of any proposed budget	The executive board shall provide a summary of the proposed budget to each unit's owner and shall set a date, not less than 14 days or more than 30 days after the mailing of the summaries, for a meeting of the units' owners to consider ratification of the proposed budget.
COMPLAINTS ON THE AGENDA	NRS 116.31087(2)	Within 10 business days after receiving a complaint	The executive board or an authorized representative of the association shall acknowledge receipt of a unit owner's complaint and notify the unit's owner that, if he or she submits a written request that the subject of the complaint be placed on the agenda of the next regularly scheduled meeting of the executive board, the subject of the complaint will be placed as such.

NON-COMPLIANCE NOTICES

Type of Notice	Statute	Timeframe	Content
COLLECTION POLICY	NRS 116.31151(4)	30 to 60 days before the beginning of the fiscal year of the association, unless the declaration imposes more stringent standards	The executive board shall, at the same time and in the same manner that it makes the budget available, make available to each unit's owner the policy established for the association concerning the collection of any fees, fines, assessments or costs imposed against a unit's owner.
TOWING	NRS 116.3102(1)(s) & NRS 487.038	At least 48 hours before the association may direct the	The association may direct the removal of vehicles improperly parked on property owned or leased by the association, or improperly parked on any road, street, alley or other thoroughfare within the CIC in violation of the governing documents, but it must first post written notice in a conspicuous place on

		removal of an improperly parked vehicle	the vehicle OR provide oral or written notice to the owner or operator of the vehicle. 48-hour notice must be provided UNLESS the vehicle is blocking a fire hydrant, fire lane or parking space designated for the handicapped, or poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the units' owners or residents of the common-interest community.
INTERRUPTION OF UTILITIES	NRS 116.345(4) & NRS 704	At least 10 days before the association interrupts any utility service	If an association decides to interrupt utility services for the nonpayment of utility charges when due, it shall in every case send a written notice of its intent to interrupt any utility service to the unit's owner or the tenant of the unit's owner at least 10 days before interruption. Other applicable statutes and local ordinances may apply.
FINE SCHEDULE	NRS 116.31031(3)	Promptly, once adopted, and before any fines can be imposed	If the association adopts a policy imposing fines for any violations of the governing documents of the association, the secretary or other officer specified in the bylaws shall prepare and cause to be hand-delivered or sent prepaid by United States mail to the mailing address of each unit or to any other mailing address designated in writing by the unit's owner , a schedule of the fines that may be imposed for those violations. The fine schedule should also then be included in any resale packages.
VIOLATION NOTICE	NRS 116.31031(4)	Within a reasonable time after discovery of the alleged violation and providing enough time to prepare for a hearing	The executive board may not impose a fine unless the person against whom the fine will be imposed has been provided with written notice specifying in detail: the alleged violation; the proposed action to cure the alleged violation; the amount of the fine; the date, time and location for a hearing on the alleged violation; and a clear and detailed photograph of the alleged violation when possible. A unit's owner shall not be deemed to have received written notice unless it is mailed to the address of the unit and, if different, to a mailing address specified by the unit's owner.
ABATEMENT – SINGLE FAMILY DWELLING	NRS 116.310312	Prior to abating, the association must mail a notice of its intent to maintain <i>the exterior of the unit</i> or abate a public nuisance by certified mail to each holder of a recorded security interest in the unit	After discovery of the alleged violation, the association must provide a unit's owner with notice and an opportunity for a hearing in the manner provided in NRS 116.31031 (see above). After a hearing, the association may, whether or not a unit is vacant, take any of the following actions if the unit's owner refuses or fails to: maintain the exterior of the unit in accordance with the standards set forth in the governing documents; remove or abate a public nuisance on the <u>exterior</u> of the unit which is visible from any common area of the community or public streets and threatens the health or safety of the residents of the common-interest community, results in blighting or deterioration of the unit or surrounding area AND adversely affects the use and enjoyment of nearby units.
ABATEMENT IN A BUILDING THAT CONTAINS UNITS DIVIDED BY HORIZONTAL BOUNDARIES DESCRIBED IN THE DECLARATION, OR VERTICAL BOUNDARIES THAT COMPRISE COMMON WALLS BETWEEN UNITS	NRS 116.310312(4)	After discovery of an alleged violation, the association must provide a unit's owner with notice and an opportunity for a hearing pursuant to NRS 116.31031 (above).	If the unit is vacant, and the unit's owner refuses or fails to abate a water or sewage leak, the association, including its employees, agents and community manager, may enter the grounds AND interior of the unit to abate the water or sewage leak and remove any water or sewage from the unit that is causing damage, or may cause damage to the common elements or another unit. The association may remove any furniture, fixtures, appliances and components of the unit, including, without limitation, flooring, baseboards and drywall, that were damaged as a result of water or mold because such damage threatens the health or safety of the residents of the common-interest community, results in blighting or deterioration of the unit or the surrounding area and adversely affects the use and enjoyment of nearby units.
NOTICE OF DELINQUENT ASSESSMENT	NRS 116.31162(4)	Not earlier than 60 days after the obligation (assessment) becomes past due	The association must mail to the address on file for the unit's owner or, if authorized by the parties , deliver by electronic transmission: a schedule of the fees that may be charged if the unit's owner fails to pay the past due obligation; a proposed repayment plan; a notice of the right to contest the past due obligation at a hearing before the executive board; and the procedures for requesting such a hearing.

NOTICE OF DEFAULT AND ELECTION TO SELL (RECORDED)	NRS 116.31162(1)(b)	Not less than 30 days after mailing or delivering by electronic transmission the Notice of Delinquent Assessment	This notice must contain the same information as the notice of delinquent assessment and also describe the total amount of the deficiency in payment, with a separate statement of: the amount of the association's lien that is prior to the first security interest on the unit as of the date of the notice; the amount of the lien that is attributable to assessments as of the date of the notice; the amount of the lien that is attributable to abatement as of the date of the notice; and the amount of the lien that is attributable to the costs of enforcing the association's lien as of the date of the notice (look to the law for additional inclusions). The notice of default and election to sell must be signed by the person designated in the declaration or by the association for that purpose. If no one is designated, by the president.
NOTICE OF SALE (RECORDED)	NRS 116.311635	After the expiration of the 90-day period in which the unit's owner or his or her successor in interest failed to pay the amount of the lien (90 days following the recording of the notice of default and election to sell), and before selling the unit	The association shall give notice of the time and place of the sale by recording the notice of sale and: posting a similar notice particularly describing the unit for 20 days consecutively in a public place in the county where the unit is situated; publishing a copy of the notice three times, once each week for 3 consecutive weeks, in a newspaper of general circulation in the county where the unit is situated; AND mailing a copy of the notice of sale, on or before the date of first publication or posting, by certified or registered mail, return receipt requested , to the unit's owner or his or her successor in interest at his or her address, if known, and to the address of the unit. A copy of the notice of sale must be served by a person who is 18 years of age or older and who is not a party to or interested in the sale by personally delivering a copy of the notice of sale to an occupant of the unit who is of suitable age or by posting a copy of the notice of sale in a conspicuous place on the unit . Any copy of the notice of sale required to be served pursuant to this section must include the amount necessary to satisfy the lien as of the date of the proposed sale and the warning included in NRS 116.311635(3)(b) .

ELECTION NOTICES

Type of Notice	Statute	Timeframe	Content
NOMINATION FORMS	NRS 116.31034(4)	Not less than 30 days before the preparation of a ballot	The secretary or other officer specified in the bylaws of the association shall cause notice to be given to each unit's owner of the unit's owner's eligibility to serve as a member of the executive board. In the event ballots are not prepared and mailed, the association shall distribute candidate disclosures to each member of the association in the next regular mailing of the association.
BALLOTS	NRS 116.31034(15)	At least 15 days prior to the opening and counting of ballots	If, at the closing period for nominations, the number of candidates is greater than the number of vacancies, the association shall prepare and mail ballots, with candidate disclosures, to each member of the association. The secretary or other officer specified in the bylaws shall cause a secret ballot and return envelope to be sent, prepaid by United States mail , to the mailing address of each unit within the common-interest community or to any other mailing address designated in writing by the unit's owner.
REMOVAL ELECTION	NRS 116.31036	Ballots must be sent not less than 15 or more than 60 days after the date on which the recall petition is received	The secretary or other officer specified in the bylaws shall cause a secret ballot and return envelope to be sent, prepaid by United States mail , to the mailing address of each unit within the common-interest community or to any other mailing address designated in writing by the unit's owner. The executive board shall set the date for the meeting to open and count the secret written ballots so that it is held not more than 15 days after the deadline for returning the secret written ballots and not later than 90 days after the date on which the petition was received.

This reference guide is not all-inclusive. Please utilize the hyperlinks provided to review complete language of the law.