

CICCH - EDUCATION

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TO: Common-Interest Community and Condominium Hotels Commission
FROM: Charvez Foger - Ombudsman
Monique Williamson - Education and Information Officer
SUBJECT: Education Summary – approvals from **May through July 2021**

NEWLY APPROVED COMMUNITY MANAGER CONTINUING EDUCATION COURSES (8)

1.

<p>Sponsor: Community Association Solutions Course Title: <i>Dealing with a Pandemic and Crises in the CIC</i> Request: 1 Hour General Classroom Objective: To provide community managers with tools to best respond to future crises. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 2(c) the administration of laws and regulations concerning community managers and the management of a common-interest community; and 2(j) health and safety issues. Instructors: Cheri A. Hauer, Esq., Gayle A. Kern, Esq., Gregory Kerr, Esq., John E. Leach, Esq., Michael T. Schulman, Esq., Edward Song, Esq., Donna A. Zanetti, Esq. Determination: Approved – 1 Hour – General – Classroom</p>		
Content:	Minutes:	
I. Introduction		
II. Post-Pandemic Playbook a. Definition of pandemic b. Not out of the woods yet c. Don't just move on, thin about necessary changes d. Lessons learned? e. What's our playbook?	5	
III. Fiduciary Duty a. Why is it more important than ever? b. Scope of board's duties? c. Acting on an informed basis d. Business judgment rule	10	
IV. Board Authority a. How much control should be asserted over individual behavior? b. Exercising rules in a reasonable fashion c. Utilizing legal counsel d. How does NRS 116 apply?	5	
V. Governing Documents a. What have we learned? b. Most governing documents do not have sufficient language c. Creation of resolutions	5	
VI. Virtual Meetings a. Increased scheduling flexibility b. More participation c. More control over the meeting d. Cost savings, as no physical location is necessary e. Due to pandemic, wider understanding of these programs f. Dos and Don'ts i. Member sign-in and display	15	

	<ul style="list-style-type: none"> ii. Board member/manager roles iii. Distribute rules iv. Shut off chat v. Mute until acknowledged 	
VII.	<p>Keep the Community Informed</p> <ul style="list-style-type: none"> a. By email, mail, website, signage b. Communicate frequently c. Messages should be clear, consistent and uniform 	5
VIII.	<p>Budgets and Finances</p> <ul style="list-style-type: none"> a. Increased use of energy, sanitation, plumbing b. Insurance costs c. Collections and delinquencies d. Reserve costs/inflation 	5
IX.	<p>Conclusion</p> <ul style="list-style-type: none"> a. Inventory strengths and weaknesses while they are fresh in your mind b. Develop a plan to counter weaknesses c. Emergency preparedness plan d. Identify key players 	5
	Questions	5
	TOTAL	60

2.

<p>Sponsor: Community Association Solutions Course Title: <i>Rules, Fines and Enforcement Issues</i> Request: 3 Hours Law Classroom Objective: To discuss the importance of proper rules enforcement pursuant to NRS 116 and the association's governing documents for the benefit of the community. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 1(b) contains information that relates to pertinent Nevada laws and regulations; 2(c) the administration of laws and regulations concerning community managers; 2(h) inspecting a common-interest community for the purposes of maintenance; 2(j) health and safety issues; and 2(s) dispute resolution techniques and processes related to hearings concerning violations of the governing documents. Instructors: Sara Barry, Cheri A. Hauer, Esq., Gayle A. Kern, Esq., Gregory Kerr, Esq., John E. Leach, Esq., Michael T. Schulman, Esq., Edward Song, Esq., Donna A. Zanetti, Esq. Determination: Approved – 3 Hours – Law – Classroom</p>		
Content:	Minutes:	
I. Introduction	5	
II. Rule development <ul style="list-style-type: none"> a. What do the CC&Rs say? b. What does the law say? c. Retaliatory action prohibited d. Purpose <ul style="list-style-type: none"> i. Clarify ii. Further define iii. Let owners know what will happen iv. Let buyers know what they are buying in to 	25	
III. Issues <ul style="list-style-type: none"> a. Artificial turf b. Solar c. Parking d. Signs and flags e. Pets f. Transient use g. Landscaping 	25	

h. Recycling containers i. ARC approval	
IV. Sample rules a. Drafting language b. Reactive vs. proactive	15
Break	10
V. Enforcement a. Courtesy notice b. Violation notice c. Hearing d. Continuing fines e. Liens f. HSW g. Right to enter and repair	30
VI. Use of other entities a. Neighborhood Justice Center (SNV) or Neighborhood Mediation Services (NNV) b. City Fire/Police/Code enforcement c. County departments	20
VII. Mandatory mediation or arbitration and injunctions a. When to use b. How to use c. Problems d. Attorney fees	20
Break	10
VIII. Proactive preventable solutions a. Communications b. Phone calls (pros and cons)	10
Questions	10
TOTAL	180

3.

<p>Sponsor: The Clarkson Law Group P.C. Course Title: 2021 Legislative Update & Insurance Issues for Townhomes/Condos Request: 3 Hours Law Classroom Objective: To educate community managers on recent 2021 legislation and insurance issues concerning common-interest communities. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 1(b) contains information that relates to pertinent Nevada laws and regulations; 2(b) recent legislation; 2(c) the administration of laws and regulations concerning community managers; 2(e) insurance and risk management; 2(k) issues pertaining to declarants and developers; 2(m) disclosures required in a transaction involving a unit in a CIC; and 2(q) liens and collection procedures. Instructors: Adam H. Clarkson, Esq. Determination: Approved – 3 Hours – Law – Classroom</p>	
Content:	Minutes:
I. Introduction & Disclaimers	5
II. SB 4	15
III. SB 72	25
IV. SB 103	5
Break	10
V. SB 186	20
VI. SB 237	15
VII. AB 249	5
VIII. AB 356	10
Break	10

IX. Bills that didn't make it	5
X. Insurance issues a. Intro and background b. Common practices	10
XI. Insurance a. Interpretation consistent with Act and Nevada law b. Alternative interpretations of insurance provisions c. Recommendations for protecting associations	30
Questions	15
TOTAL	180

4.

<p>Sponsor: The Clarkson Law Group P.C. Course Title: 2021 Mini-Legislative Update Request: 1 Hour Law Classroom Objective: To educate community managers on recent 2021 legislation and insurance issues concerning common-interest communities. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 1(b) contains information that relates to pertinent Nevada laws and regulations; 2(b) recent legislation; 2(c) the administration of laws and regulations concerning community managers; 2(e) insurance and risk management; 2(k) issues pertaining to declarants and developers; 2(m) disclosures required in a transaction involving a unit in a CIC; and 2(q) liens and collection procedures. Instructors: Adam H. Clarkson, Esq. Determination: Approved – 1 Hour – Law – Classroom</p>	
Content:	Minutes:
I. Introduction & Disclaimers	3
II. SB 4	5
III. SB 72	15
IV. SB 186	12
V. SB 237	8
VI. AB 249	3
VII. AB 356	5
VIII. Bills that didn't make it	4
Questions	5
TOTAL	60

5.

<p>Sponsor: Office of the Ombudsman Course Title: 2021 Legislative Update Request: 2 Hours Law Classroom Objective: To update community managers on all recent legislative changes to NRS and NAC 116. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 1(b) contains information that relates to pertinent Nevada laws and regulations; 2(b) recent legislation; 2(j) health and safety issues; 2(l) planning and zoning for land use; 2(m) disclosures required in a transaction involving a unit; 2(o) interpersonal communications; 2(q) collections procedures; and 2(s) procedures related to hearings concerning violations of the governing documents. Instructors: Antonio Brown, Gary Little Determination: Approved – 2 Hours – Law – Classroom</p>	
Content:	Minutes:
I. Introduction a. About the legislative session b. Learning objectives	5
II. AB 237 a. NRS 116.2124 and nonresidential communities	

	<ul style="list-style-type: none"> b. Annual increase of opening or closing a file fee c. Increased cap on demand and intent to lien letter d. Resale package not required in certain instances e. Resale certificate fee capped by statute, not regulation f. Cap on resale fees g. New NRED complaint process for resale overcharges 	15
III.	AB 249 <ul style="list-style-type: none"> a. Limiting construction work hours b. Summer vs. winter 	5
IV.	AB 301 <ul style="list-style-type: none"> a. Towing prohibited for expired registration b. Application of NRS 706.4477 	15
V.	SB 72 <ul style="list-style-type: none"> a. Foreclosure provisions and LPAs b. Health, safety, welfare violations c. Continuing violations d. Executive session e. Due process rights 	25
VI.	SB 186 <ul style="list-style-type: none"> a. Secure internet website requirement b. Delivery of notices c. Restriction on who may purchase a foreclosed unit d. Prohibitions on collection agent relationship 	25
VII.	AB 356 <ul style="list-style-type: none"> a. Prohibition on using water for nonfunctional turf b. Advisory committee 	15
VIII.	Conclusion	5
	Questions	10
	TOTAL	120

6.

<p>Sponsor: Community Association Solutions</p> <p>Course Title: <i>Stalking, Bullying, Harassment, Slander & Nuisances</i></p> <p>Request: 2 Hours General Classroom/Distance</p> <p>Objective: To help community managers learn how they can proactively ward of difficult situations and individuals.</p> <p>Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 1(b) contains information that relates to pertinent Nevada laws and regulations; 2(f) personnel management and recordkeeping; 2(j); health and safety issues; and 2(o) interpersonal communications.</p> <p>Instructors: Sara Barry, Gregory Kerr, Esq., Michael T. Schulman, Esq., Edward Song, Esq., Donna A. Zanetti, Esq. , Ed Boyack, Esq.</p> <p>Determination: Approved – 2 Hours – General – Classroom/Distance</p>		
Content:	Minutes:	
I. Introduction	5	
II. Stalking <ul style="list-style-type: none"> a. Definition b. Examples c. Proactive solutions 	20	
III. Bullying <ul style="list-style-type: none"> a. Definition b. Examples c. Proactive solutions 	20	
IV. Harassment	20	

a. Definition b. Examples c. Proactive solutions	
Break	10
V. Slander a. Definition b. Examples c. Proactive solutions	15
VI. Nuisances a. Definition b. Examples c. Proactive solutions	15
Questions	15
TOTAL	120

7.

<p>Sponsor: Community Association Solutions Course Title: <i>Governing Document Purpose in the CIC</i> Request: 2 Hours General Classroom/Distance Objective: To help new community managers understand the importance of the many different documents governing the CIC. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 2(k) issues pertaining to declarants and developers; and 2(m) the disclosures required in a transaction involving a unit in a CIC. Instructors: Sara Barry, Gregory Kerr, Esq., Michael T. Schulman, Esq., Edward Song, Esq., Donna A. Zanetti, Esq., Ed Boyack, Esq. Determination: Approved – 2 Hours – General – Classroom/Distance</p>	
Content:	Minutes:
I. Introduction	5
II. Governing document hierarchy a. Declaration b. Articles c. Bylaws d. Resolutions and rules e. Architectural guidelines	20
III. Other documents a. Public offering statements b. Annexation agreements c. Deeds d. Plans and maps	5
IV. Articles of incorporation a. Official documents that create the HOA and the date established b. Example of older documents c. Amending documents	15
V. Bylaws a. Adoption/amendment – NRS 116.3106 b. Conflicts with declaration – NRS 116.2103	15
Break	10
VI. CC&Rs a. Take precedence b. Illegal provisions conform by action c. Legally binding and recorded	15
VII. Rules a. Types – resolutions, policies, guidelines	15

b. By statute- collection policy, fine schedule, etc.	
VIII. Developer transition of documents	15
Questions	5
TOTAL	120

8.

<p>Sponsor: Community Association Solutions</p> <p>Course Title: <i>Large Scale Master Planned & 55+ Communities</i></p> <p>Request: 2 Hours General Classroom/Distance</p> <p>Objective: To help community managers understand the different types of master planned communities and their unique challenges.</p> <p>Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 2(h) inspecting a CIC for the purposes of maintenance, planning or enforcing the governing documents; 2(i) pertinent federal laws; and 2(m) for required disclosures.</p> <p>Instructors: Sara Barry, Gregory Kerr, Esq., Michael T. Schulman, Esq., Edward Song, Esq., Donna A. Zanetti, Esq. , Ed Boyack, Esq.</p> <p>Determination: Approved – 2 Hours – General – Classroom/Distance</p>	
Content:	Minutes:
I. Introduction	5
II. Large scale associations <ul style="list-style-type: none"> a. Cities and counties hoping to shift responsibility b. Must identify as a planned community and: provide municipal type service, contain at least 1,000 lots/units, have an operating budget of 2 mil. or more c. Defined by primary use 	20
III. Lifestyle theme categories <ul style="list-style-type: none"> a. Age restricted – HOPA b. Mixed use – residential with commercial c. Private club – members only d. Residential – mix of housing types with common areas e. Resort – amenities as part of the concept 	30
Break	10
IV. Overall issues <ul style="list-style-type: none"> a. Roving patrol b. Gate attendants c. Hired contractors d. Surveillance cameras e. Clickers f. Parking g. Playgrounds h. Bard code/license plate readers i. Disaster preparedness j. Strategic planning 	35
V. Specific issues <ul style="list-style-type: none"> a. Validation of qualifications to live in an age restricted community. What about a death? b. Renting amenities out to the public and insurance issues c. Clubs and charters d. Snow removal policy 	10
VI. Overall, could experience higher risk management and prevention based on increased amenities and human resource needs.	5
Questions	5
TOTAL	120