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**Senate Committee on Judiciary**

This measure may be considered for action during today's work session.

**ASSEMBLY BILL 237 (R1)**

**Revises various provisions relating to real property. (BDR 10-22)**

**Sponsored By:** Assemblywoman Jauregui  
**Date Heard:** April 27, 2021  
**Fiscal Notes:** Effect on Local Government: No.  
Effect on the State: Yes.

Assembly Bill 237 revises various provisions concerning common-interest communities. Provisions governing the creation, alteration, and termination of common-interest communities are expanded to include all common-interest communities, including those created before January 1, 1992, and nonresidential condominiums or nonresidential planned communities. The bill also:

- Revises certain fees that a unit-owners' association may charge;
- Authorizes the increase in certain fees, on an annual basis, in accordance with the Consumer Price Index, but no more than 3 percent each year;
- Prohibits an association from imposing or charging certain fees other than or in excess of those that the association is expressly authorized or required by statute to impose or charge;
- Establishes a procedure for the Commission for Common-Interest Communities and Condominium Hotels to investigate complaints alleging violations of the fee provisions;
- Provides that a public offering statement and the entire resale package do not need to be prepared or delivered in certain dispositions of a unit;
- Revises the notification requirements in the case of a foreclosure sale;
- Requires a court, to the extent necessary to grant appropriate relief, to ascertain the state of the title to the property to be partitioned pursuant to the report of a title company;
- Removes obsolete provisions regarding certain mortgages of personal property or crops from the provisions of law relating to the recording of assignments of mortgages and the subordination or waiver of priority of mortgages and other interests in real property; and
- Makes other technical changes.

**Amendments:** Assemblywoman Jauregui proposes to amend the bill as follows: As it stands, Section 1.5 is inconsistent with the authority of the Commission, as the Real Estate Division of the Department of Business and Industry, not the Commission, investigates violations of law. Therefore, revise Section 1.5 to state that the Division may issue any necessary fines, and the Commission may hear any appeals.

Page 9 Line 29

Sec 5.5 Sub 2- O - 2

Must not exceed \$350. *Beginning on January 1, 2022, 29 the monetary amount in this subparagraph ~~must~~ may be adjusted for each calendar year by adding to each amount the product of the amount multiplied by the percentage increase in the Consumer Price Index (All Items) published by the United States Department of Labor from December 2020 to the December preceding the calendar year for which the adjustment is calculated, but must not increase by more than 3 percent each year.*

Page 11 Line 26

Sec 5.5 Sub 6 – A

*6. In providing any service or performing any act set forth in paragraph (n) or (o) of subsection 1, an association, or entity related to or acting on behalf of an association, shall not impose on a unit's owner, the authorized agent of a unit's owner, a purchaser or, pursuant to subsection 7 of NRS 116.4109, the holder of a security interest on a unit, a fee:*

*(a) Not ~~enumerated~~ required in paragraph (n) or (o), as applicable, of subsection 1; or*

*(b) In an amount which exceeds any limitation provided or set forth in paragraph (n) or (o), as applicable, of subsection 1.*

Page 19 Line 3

Sec 7.2 Sub 8

*In preparing, copying, furnishing or expediting or otherwise providing any document or other item pursuant to this section, an association, or entity related to or acting on behalf of an association, shall not charge a unit's owner, the authorized agent of a unit's owner, a purchaser or, pursuant to subsection 7, the holder of a security interest on a unit, any fee:*

*(a) Not ~~enumerated~~ required in this section; or*

*(b) In an amount which exceeds any limit set forth in this section.*

**Section 7.2, sub 4(b), becomes effective upon passage and approval**