

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 **January through April 2021**

NEWLY APPROVED COMMUNITY MANAGER CONTINUING EDUCATION COURSES (8)

1.

<p>Sponsor: The Law Office of Michael W. McKelleb, Esq. PLLC Course Title: <i>Responding to Ombudsman Investigations and Commission Complaints</i> Request: 1 Hour Nevada Law Classroom Objective: To educate community managers regarding administrative investigations pursuant to chapter 116 of law. 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(a) the ethics of managing a common-interest community; 2(c) licensing and enforcement; 2(e) insurance and risk management; and 2(f) administering the office of a community manager, including personnel management and recordkeeping. Instructors: Michael W. McKelleb, Esq. Determination: Approved – 1 Hour – Nevada Law – Classroom</p>	
Content:	Minutes:
I. Introduction <ul style="list-style-type: none"> a. Course objective b. What this course is not 	2
II. Statutes <ul style="list-style-type: none"> a. How it begins – jurisdiction <ul style="list-style-type: none"> i. NRS 116.750 ii. NRS 116A.200 iii. NRS 116.745 b. NRS 116.760 – the intervention affidavit c. NRS 116.757 – confidentiality of records d. Top tip #1 - NRS 116.31087 	10
III. Statement of Fact <ul style="list-style-type: none"> a. NAC 116A.350 b. NRS 116A.270 c. Form 514a d. Top tip #2 – NAC 116A.350 	10
IV. NRED letters <ul style="list-style-type: none"> a. Timing is everything – work things out early if possible b. Know your rights 	9
V. The result <ul style="list-style-type: none"> a. Closed – unsubstantiated b. Letter of instruction c. Compliance demand letter d. Referred to Administrator e. Escalated to Commission f. The hearing g. Penalties 	7

VI. Insurance	
<ul style="list-style-type: none"> a. For the Manager <ul style="list-style-type: none"> i. E&O (Company) ii. Professional Liability (Personal) b. For the HOA - E&O c. For the Board - D&O d. Claims Made - Provides coverage based on when a claim is made, regardless of when the alleged event occurred. e. Reservation of Rights - The carrier may later determine there is no coverage. f. Duty to Defend g. Damages h. Making a claim - Notice and tender letter 	7
VII. Contract protections	
<ul style="list-style-type: none"> a. Indemnity b. You cannot contract for indemnity for “intentional misconduct.” 	5
VIII. What this means to you – Q & A	10
TOTAL	60

2.

<p>Sponsor: Community Associations Institute – NV Chapter</p> <p>Course Title: <i>Declarant Transition 101</i></p> <p>Request: 3 Hours General Classroom/Distance</p> <p>Objective: To explain the process of transition from declarant control to homeowners, including the resale of units and key documents.</p> <p>Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 2(c) licensing and enforcement; 2(f) administering the office of a community manager, including personnel management and recordkeeping; 2(k) issues pertaining to declarants and developers of common-interest communities; and 2(m) the disclosures required in a transaction involving a unit in a common-interest community .</p> <p>Instructors: John Leach, Esq.; Cheri Hauer, Esq.; Gayle Kern, Esq.; Donna Zanetti, Esq.; Christine Greengrass, Dawn Osterode, Shaari Stark</p> <p>Determination: Approved – 3 Hours – General – Classroom/Distance</p>	
Content:	Minutes:
<ul style="list-style-type: none"> I. Introduction - Course objectives <ul style="list-style-type: none"> a. What is an HOA? b. What does a HOA provide? c. Creation of the CIC d. Plats 	20
<ul style="list-style-type: none"> II. Contents of declaration <ul style="list-style-type: none"> a. NRS 116.2105 b. NRS 116.2122 c. Declarant defined d. Special declarant’s rights 	10
<ul style="list-style-type: none"> III. Declarant turnover of property <ul style="list-style-type: none"> a. Transition of board to homeowners b. Declarant control ends c. Turnover of property list d. Transition committee e. Successor declarant rights f. Terminating contracts and leases 	50
Break	10
<ul style="list-style-type: none"> IV. Public offering statement <ul style="list-style-type: none"> a. Promotional material 	20

	b. Common declarant issues	
V.	Amending the declaration a. NRS 116.2117 b. Supermajority – NRS 116.21175	25
VI.	Terminating a CIC a. NRS 116.2118	10
VII.	Summary	5
	Break	10
VIII.	Resale package a. NRS 116.4109 b. Disclosures	20
TOTAL		180

3.

Sponsor: The Law Office of Michael W. McKelleb, Esq., PLLC Course Title: <i>Reading Plat Maps</i> Request: 1 Hour General Classroom Objective: To endow managers with the knowledge necessary to read community plat maps. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; and 2(n) parliamentary procedures. Instructors: Michael W. McKelleb, Esq. Determination: Approved – 1 Hour – General – Classroom		
Content:		Minutes:
I.	Introduction - Course objectives a. What this course is not b. Why learn to read plat maps? c. Cannot read a deed without reviewing the plat map	5
II.	Historical problems and perspectives a. Distorted Mercator Projection b. Visual examples c. Colonial deed descriptions i. Relying on compass directions ii. Hand drawn	10
III.	The solution a. The Public Land Survey System b. Examples	5
IV.	What a plat map can tell you a. Contemporary plat maps b. Legal descriptions c. Figuring out locations d. Easements e. Who owns the roads? f. Units/ common elements	15
V.	Reading a plat map a. Start with the legend b. Review the plat notes c. Examples of reading them together	15
VI.	GISMO a. When you have no plat map b. Examples from Gisgate Clark county	5
	Questions	5
TOTAL		60

4.

Sponsor: HOAMCO Course Title: <i>Financial Basic Training</i> Request: 2 Hours General Classroom Objective: To provide participants with a basic ability to read, understand, interpret, and explain financials to boards of directors and members of the community. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; and 2(g) accounting, including the preparation and monitoring of budgets, the monitoring of expenditures and reserves and the use of financial statements. Instructors: Brian DeLisle Determination: Approved – 2 Hours – General – Classroom	
Content:	Minutes:
I. Introduction <ul style="list-style-type: none"> a. Manager standards of practice b. Accounting methods <ul style="list-style-type: none"> i. Accrual ii. Cash iii. Definitions iv. Dating payments in Strongroom 	5
II. Income budgeting consideration <ul style="list-style-type: none"> a. Bad debt expense b. Reduction of income c. Deferred revenue d. Changing accounting methods 	15
III. Investments <ul style="list-style-type: none"> a. Safety b. Liquidity c. Yield d. NRS 116.311395(2) e. FDIC coverage 	20
IV. Financial reports <ul style="list-style-type: none"> a. Balance sheet b. Income/expense statement c. A/R aging report d. Prepaid report e. A/P aging report f. Check register report g. Samples 	25
Break	10
V. Audits, reviews, compilations <ul style="list-style-type: none"> a. Definitions b. Review vs. audit – NRS 116.31144(1) c. Exceptions <ul style="list-style-type: none"> i. Governing documents ii. Decision of the board iii. Decision of the membership 	25
VI. Other financial topics <ul style="list-style-type: none"> a. Collection policies b. Surplus operating funds c. Operating vs. reserve expenses d. Capitalizing and depreciating 	15
Questions	5
TOTAL	120

5.

Sponsor: EmpireWorks Reconstruction Course Title: <i>Beyond the Bid</i> Request: 2 Hours General Classroom Objective: To provide an overview of how community managers can effectively guide executive boards into choosing the best qualified vendor and contract after opening sealed bids for any project or service. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 2(e) insurance and risk management; and 2(p) contracts, including the preparation of requests for proposals and the obtaining of bids. Instructors: Kari Gorzny; June Heydarian Determination: Approved – 2 Hours – General – Classroom		
Content:	Minutes:	
I. Introduction and overview	5	
II. The bid process <ul style="list-style-type: none"> a. NRS 116.31086 b. Documentation of unfulfilled request c. RFP applies to apples? 	10	
III. Why the best decision may be to postpone <ul style="list-style-type: none"> a. Further discussion needed b. Significant price gaps or differences c. Bids not comparable – deviations from the RFP d. Need more information e. Meet with service providers 	15	
IV. Benefits of interviewing service providers <ul style="list-style-type: none"> a. Clarification on scope and work expectations b. Answers to questions c. Establishing a relationship d. Investment clarification e. Due diligence and decision ownership – NRS 116.3103 	15	
V. Questions to ask <ul style="list-style-type: none"> a. Examples b. Discussion 	10	
Break	10	
VI. License and insurance <ul style="list-style-type: none"> a. Websites to verify licenses 	10	
VII. How can managers help the board? <ul style="list-style-type: none"> a. Request copies of licenses and insurance with every RFP b. Research vendors c. Know the forms 	15	
VIII. Beyond the bid <ul style="list-style-type: none"> a. Value vs. price b. Benefits of an active board c. Communication 	15	
IX. After the decision <ul style="list-style-type: none"> a. Meeting with winning bidder b. Legal review and fine print c. Returning approved and signed contract in timely manner d. Vendor reports e. Board liaison f. Refresh contract annually 	10	
Questions	5	
TOTAL	120	

6.

Sponsor: Intention Consulting, LLC Course Title: <i>CAM Empowerment Series: Communication Shift</i> Request: 1 Hour General Classroom Objective: To provide community managers an opportunity to enhance their interpersonal communication skills by discussing some key activities. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; and 2(o) interpersonal communications. Instructors: June Heydarian Determination: Approved – 1 Hour – General – Classroom		
Content:	Minutes:	
I. Introduction and overview	5	
II. Main forms of communication <ul style="list-style-type: none"> a. Verbal b. Active listening c. Written d. Non-verbal 	5	
III. How do managers use communication? <ul style="list-style-type: none"> a. Examples of each of the four listed above 	5	
IV. The power of words <ul style="list-style-type: none"> a. The biochemical effect b. Making small shifts in words we use 	5	
V. Board and homeowner communications <ul style="list-style-type: none"> a. Homeowner perception of notifications from the association b. Board member communications and the rapid exchange of information c. Negative statements and checking in with yourself d. Reframing negative statements 	10	
VI. Standards of practice for community managers <ul style="list-style-type: none"> a. NRS 116A.630(1) b. NRS 116A.630(19) 	5	
VII. Changing the manager experience <ul style="list-style-type: none"> a. We can only control our perception and how we respond b. Thoughts create emotions c. Avoid the victim mentality, don't take anything personally d. Shifting to the positive <ul style="list-style-type: none"> i. Identifying the desired outcome ii. Taking action to respond effectively iii. Focus on the issue, not the person iv. Dig deeper into the issue 	10	
VIII. Active listening <ul style="list-style-type: none"> a. The purpose of listening b. 4 steps to active listening c. How to show you are listening 	5	
IX. Responding <ul style="list-style-type: none"> a. Perceived statement and intention response examples b. The Golden Rule 	5	
Questions	5	
TOTAL	60	

7.

Sponsor: The Clarkson Law Group, P.C. Course Title: <i>Everything I Needed to Know About Management I learned from Road House – Part 1</i> Request: 3 Hours Law Classroom/Distance Objective: To provide community managers an opportunity to learn a variety of laws specific to community associations, as well as general laws that affect day to day management and unique situations Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 1(b) information that relates to pertinent Nevada laws and regulations; 2(a) ethics; 2(c) licensing and enforcement; 2(e) insurance and risk management; 2(f) personnel management; 2(g) budgets and accounting; 2(h) community inspection; 2(i) federal laws; 2(j) health and safety issues; 2(o) interpersonal communications; 2(p) contracts and bids; 2(q) liens; 2(r) supervision; 2(s) and dispute resolution. Instructors: Adam H. Clarkson, Esq. Determination: Approved – 3 Hours – Law – Classroom/Distance	
Content:	Minutes:
I. Introduction and overview	5
II. Scene one a. NRS 116.3107 – upkeep of community b. Broken windows theory c. Professionalism	10
III. Scene two a. NRS 116A.630(19) – OSHA requirements b. NRS 116A.630(19) – Worker’s Compensation Law c. NRS 116A.620 – terms of agreement	10
IV. Scene four a. NRS 116.31031 – enforcement b. NRS 116.3102(3) – authority c. NRS 116.3103 – importance of reputation d. NRS 618.375 – safe work environment	20
V. Scene five a. NRS 116A.630 - difficulty in changing community expectations	5
Break	10
VI. Scene six a. NRS 116A.630 – a fiduciary properly prepares to address problems	5
VII. Scene seven a. NRS 116.340 – renting a room b. NRS 116.335 – tenant screening c. NRS 116.1108 – nuisances	15
VIII. Scene eight a. NRS 116A.620(1) – contract terms b. NRS 116A.620(1)(h) – at-will employment c. NRS 116.1113 – obligation of good faith d. NRS 116A.630 – obligation to consult with legal counsel	20
IX. Scene nine a. NRS 116A.610 – management disclosures b. NRS 116.3113(1)(b) – liability c. NRS 116A.630(6) – skimming the till d. NRS 116.31031 – reasonable enforcement	15
Break	10
X. Scene ten a. NRS 116A.640 – frivolous complaints meant to harass b. NRS 116.31065 – party house rules c. NRS 200.603 – peeping tom law	10
XI. Scene eleven	5

	a. NRS 116A.630 – obligation to follow the law	
XII.	Scene twelve a. NRS 116.31031 – reckless driving as HSW violation b. NRS 116.3107 – reputation related to upkeep of common elements	10
XIII.	Scene fourteen a. NRS 116.1112 & NRS 116.3105 – unconscionable agreements	5
XIV.	Scene fifteen a. NAC 116A.350 & NRS 116.31087 – allegations of misconduct b. NRS 116.4117 – evaluating the cost vs. the benefit of pursuing a legal action	10
XV.	Scene sixteen a. NRS 116.31184 – threats & harassment prohibited b. NRS 116.1108 – coercion & duress	10
	Questions	5
	TOTAL	180

8.

<p>Sponsor: The Clarkson Law Group, P.C. Course Title: <i>Everything I Needed to Know About Management I learned from Road House – Part 2</i> Request: 3 Hours Law Classroom/Distance Objective: To provide community managers with practical wisdom with respect to professionalism, management, and addressing homeowner issues. Standards: Complies with the following provisions of NAC 116A.232: 1(a) contains current information that will improve professional knowledge; 1(b) information that relates to pertinent Nevada laws and regulations; 2(a) ethics; 2(c) licensing and enforcement; 2(e) insurance and risk management; 2(f) personnel management; 2(g) budgets and accounting; 2(h) community inspection; 2(i) federal laws; 2(j) health and safety issues; 2(o) interpersonal communications; 2(p) contracts and bids; 2(q) liens; 2(r) supervision; 2(s) and dispute resolution. Instructors: Adam H. Clarkson, Esq. Determination: Approved – 3 Hours – Law – Classroom/Distance</p>		
Content:	Minutes:	
I.	Introduction and overview	3
II.	Scene seventeen a. NAC 116A.155 & 116A.165 – Importance and legal requirements of having a mentor	5
III.	Scene eighteen a. NRS 116.3107 – broken window theory b. NRS 116.31088 – injunctive relief c. NRS 116.3115(6) – willful misconduct d. NRS 116.31175 – prompt delivery of records	12
IV.	Scene nineteen a. NAC 116A.355 – disciplinary action, unprofessional conduct, and incompetence b. NRS 116A.620 – management fees	12
V.	Scene twenty a. NRS 33.018 – domestic violence b. NRS 116.31031 – health, safety, and welfare violation for habitual drunken driving c. NRS 116.31034, 116.31084, 116.31187- self-dealing transactions d. NRS 116.31185 – prohibition against bribes/gifts	13
VI.	Scene twenty-one a. NRS 116.3107 & NRS 116.31031 – association upkeep and enforcement b. NRS 116.31086 – solicitation of bids	10
	Break	10
VII.	Scene twenty-four a. NRS 116A.620 & NRS 116.310315 – sabotaging a vendor	8
VIII.	Scene twenty-five a. Exercise professionalism with your competition	12

	b. NRS 116.3113 – Justifiable homicide and association insurance	
IX.	Scene twenty-six a. NRS 116A.640(7) & NRS 41.500 – first response is for first responders b. NRS 116.31184 – sexual harassment c. NRS 116A.630(4) – obligation to recommend and utilize association attorney	16
X.	Scene twenty-seven a. NRS 116.3113-116.31135 – insurance for a total fire loss b. NRS 116.3115(6) – intentional acts generally excluded c. NRS 116.3103 – fiduciaries are not dictators	10
	Break	10
XI.	Scene twenty-eight a. NRS 116A.620 & NRS 116A.630 – terminating a bad client relationship	5
XII.	Scene twenty-nine a. NRS 116.31031 & NRS 116.3113 – firebombs, fleeing felons, and rebuilding reputation	15
XIII.	Scene thirty a. NRS 116A.620(1)(m) & NRS 116A.630(1) vs. NRS 116A.640(1)&(2) - navigating the impossible choice b. NRS 116.31183 - retaliation prohibited	14
XIV.	Scene thirty-one a. NRS 116.31036 – removal of directors and officers b. NRS 116.31184 & NRS 33.270 – protection against harassment in the workplace c. NRS 116.31031 – standard of proof for violations	15
XV.	Scene thirty-two a. NRS 116.3103 & NAC 116.405 – celebrate accomplishments	5
	Questions	5
	TOTAL	180