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NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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CICCH Commission meeting March 10, 2026

Public comment

Commissioner;

The following is a list of open issues creating confusion among owners and association boards I strongly suggest the Commission address. They are not new but ambiguity remains. Many have pending petitions filed seeking formal rulemakings (NRS 233B) that date back to July 2025:

1. Address the over broad use of “confidentiality” by the Division- make complaints and findings public with personal information redacted like other agencies.
2. Prohibit HOA boards from gathering in secret to discuss community business- using "workshops".
3. Set limits and requirements on virtual-only meetings. NRS 116.31083(5)
4. Address director eligibility and conflicts of interest ambiguities under NRS 116.31034 and NRS 116.31084. Directors who face a potential conflict should be required to recuse, but that should not make them ineligible to serve or justify removal from the board.
5. Address ambiguity related to NRS 116.31032, covering the period of declarant control for associations with lessor threshold termination percentages in their governing documents.
6. Address competitive bidding under NRS 116.31086.
7. Address boards using email approvals for material non-emergency contracts.
8. Prohibit an associations board from restricting a candidate's ability to provide campaign material (NRS 116.31034).
9. Adopt added rules related to association budget adoption.
10. Adopt rules to improve the Division's alternate dispute resolutions (ADR) program(s)- make referee program default absent mutual agreement.
11. Adopt rules prohibiting appointed boards or affiliated management company from hiring an affiliated contractor or immediate family member.
12. Adopt rules clarifying a declarant (developer) may not unilaterally remove a director elected by owners during the period of declarant control. (NRS 116.31032 & NRS 116.089).
13. Adopt rules on what constitutes allowable common expenses (NRS 116.019). Socials event spending?
14. Prohibit declarant controlled boards from contracting with the declarant's wholly owned management company leaving owners with no true fiduciary oversight of the community's governance. (see NRS 116.31086).
15. Adopt rules requiring HOAs provide a reasonable method for unit’s owners to communicate among themselves.
16. Address boards providing owners with an approved list of expenditures from the reserve account.
17. Adopt rules requiring a declarant in control of an HOA provide owners, at least annually, and to all prospective buyers, a good faith estimate when it's control of the association is anticipated to end.

18. Adopt rules limiting reserve special assessments a board can pass without an owner vote. Currently, none exists.
19. Adopt rules requiring (for all but very small associations, < 150 units) board meeting materials made available via electronic access (i.e via website, etc.).
20. Adopt rules to make it easier for owners to know when a declarant adds acreage to an association - to enforce limits on adding acreage in excess of the 10% maximum allowed under the statute. A simple fix is provided. (see NRS 116.2105).
21. Adopt rules that require owners be informed of changes enacted to NRS that directly impact them.
22. Adopt rules requiring HOA elections be conducted and/or overseen by an "independent reviewer".
23. Clarify NRS 116.2117(2) related to challenges of an amendment to the declaration. Does the 1-year repose established by this section apply to all amendments (i.e. those permitted by unilaterally declarant action) or just those adopted by the association?

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