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NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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PublicComments@red.nv.gov
Shareece Bates, Administration Section Manager
Nevada Real Estate Division
3300 W. Sahara Avenue, Suite 350
Las Vegas, NV 89102

Re: Public Comment on Proposed Regulation LCB File No. R091-25 – Changes to NAC 116 and NAC 116A

Dear Ms. Bates and Members of the Commission:

I am writing as a sitting Director of the Meadows Condominium Unit Owners Association who currently has an active appeal before the Commission (File No. 2025-1100). I respectfully submit these comments regarding the proposed amendments to NAC 116 and NAC 116A.
I continue to support several of the proposed changes, particularly:

- **Section 3**, which requires a person filing an affidavit alleging a breach of fiduciary duty by a board member to specify the statute, regulation, or order violated. This remains a necessary improvement.
- **Section 13**, which establishes clear requirements for the transfer of books and records upon termination or assignment of a management agreement.
- **Section 6**, which eliminates the "baseline funding" option for reserve studies.

Based on my continuing experience as a sitting Director, I believe the proposed regulations still require strengthening in three areas:

1. **Transparency during and after investigations (Section 4)**

   While I support allowing the Division to provide remedial measures, the current language still does not require any meaningful public disclosure once an investigation is closed. Homeowners and Directors should be able to know, at a minimum, that an investigation occurred and what remedial measures were required.

2. **Definition of "Imminent Threat" (Section 2)**

   The proposed definition remains too narrow. Conduct such as secret email votes that exclude a sitting Director, alteration of approval records, and systematic denial of a

Director’s statutory right to inspect records under NRS 116.31175(3) can cause substantial harm to the governance and financial integrity of an association even when there is no immediate physical threat.

3. **Protection of sitting Directors**

   Boards and managers should not be permitted to treat sitting Directors solely as unit owners when those Directors are exercising oversight rights under NRS 116.31175(3). Clearer regulatory language protecting Directors who are simply performing their fiduciary duties would strengthen accountability.

Please include this written comment in the official record of the workshop and rule-making proceeding for LCB File No. R091-25.

I appreciate the Commission’s continued efforts to improve transparency and accountability in common-interest communities.

Thank you for the opportunity to comment.

Respectfully submitted,

Todd E. Joslin
Director
Meadows Condominium Unit Owners Association