

From: [Laura Chapman](#)
To: [NRED Administration](#)
Cc: [Laura Chapman](#)
Subject: Written Testimony for Public Comment NEVADA COMMON-INTEREST COMMUNITIES TASK FORCE December 2, 2025
Date: Monday, December 1, 2025 4:57:22 PM
Attachments: [Untitled document.pdf](#)
[2025-12-01 16-29.pdf](#)

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Hello, Please see attached letter and response from Sharath Chandra for the Public comment written testimony to the task force. Thank you.

Laura Chapman



My name is **Laura Chapman**, and I am a local Realtor and consumer advocate. Several years ago, I partnered with Senator Pat Spearman to address concerns before the Legislature regarding fees charged to homeowners by community management companies. At that time, **NRS 116.4109** set the maximum allowable fees at **\$150 for a demand**, **\$160 for a resale certificate**, and **\$350 for closing out or opening a new file**.

Despite these statutory limits, numerous management companies were disregarding or misinterpreting the “maximum” language and charging homeowners **\$180 to \$280** for these services. The only consequence for overcharging was an individual refund—issued only if a homeowner identified and reported the violation. There were no broader enforcement mechanisms or industry-wide accountability.

Following subsequent legislative changes—heavily influenced by industry lobbying—the statute now allows an **automatic 3% annual increase** to these fees. As a result, in **2026**, homeowners will legally be charged **\$811.45**, *plus* credit card surcharges and third-party processing fees. This is occurring despite the law’s explicit prohibition on charging:

8. In preparing, copying, furnishing, expediting, or otherwise providing any document or item pursuant to this section, an association or any entity acting on its behalf **shall not charge any fee:**
 - (a) Not authorized in this section; or
 - (b) In excess of any limit set forth in this section.

I have attached the Ombudsman’s written response to my request for an advisory opinion. The office states that its authority is limited, yet I see many other advisory opinions in which the Ombudsman has interpreted statutory language. If the office can determine that certain fees are permissible—even when the statute plainly states otherwise—why is it unable to issue an interpretation affirming the clear protections written into the law?

At the current rate of increase, consumers will be paying **over \$900 by 2029** for what amounts to two documents requiring approximately **10–12 minutes of work**. By **2035**, these fees will exceed **\$1,000**, and for homeowners with two associations, the cost will surpass **\$2,000**. The **resale certificate** and **demand** contain essentially the same information with only formatting differences. The management software generates these documents in **2–3 minutes**, and the data entry required for file transition takes approximately **five minutes**, as the necessary information is already uploaded by Realtors and title companies.

This equates to a rate of roughly **\$67 per minute**, or **\$4,057.45 per hour**—for services that were originally intended to be cost-recovery only.

If the Ombudsman cannot assist homeowners, **which agency or authority can?** Why are consumers consistently directed to the Ombudsman’s office only to be told that no action can be taken?

I appreciate your time and consideration as this issue continues to impact homeowners across Nevada.

STATE OF NEVADA

JOE LOMBARDO
Governor



DR. KRISTOPHER SANCHEZ
Director

SHARATH CHANDRA
Administrator

CHARVEZ FOGER
Deputy Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

September 15, 2025

Via U.S. Mail

Laura Chapman
6988 Comiskey Park Street
Las Vegas, NV 89166

Re: Advisory Opinion Request per NRS 116.326(2), Received August 14, 2025

Dear Ms. Chapman:

The Nevada Real Estate Division ("Division") is in receipt of your request for an advisory opinion regarding NRS 116.4109.

Pursuant to NRS 116.623(5)(a), the Division provides this timely response. Upon review of the details provided in your letter, it has been determined that an advisory opinion would not be appropriate to address this issue.

We also acknowledge receipt of your prior correspondence to both the Governor's Office and the Division. On July 17, 2025, the Division provided you with a detailed response intended to clarify this matter. You are correct that NRS 116.4109 establishes statutory caps on fees that may be charged. In addition, NRS 116.3102(6) prohibits associations and their agents from imposing unauthorized or excessive fees for these documents. As noted, the Division provides a complaint form for homeowners who believe they have been charged more than the law allows.

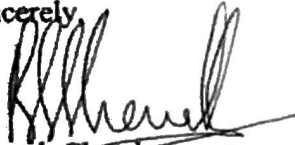
With respect to optional credit card processing fees, these are commonly described as pass-through charges covering merchant transaction costs imposed by credit card issuers. The Division considers such optional processing fees permissible provided that:

- The purchaser is clearly informed that the fee is optional and applies only to credit card payments.
- An alternative, fee-free payment method is made available (e.g., ACH, check); and
- The fee is charged by the third-party platform solely to cover transaction costs and not retained by the association or its agent as profit.

While the Division understands your concerns and values your continued engagement, its authority is limited to the provisions of NRS and NAC 116. The Division cannot opine on potential violations of other state or federal laws regarding credit card fees. For those concerns, the Nevada Attorney General's Office would be the more appropriate agency to contact. They can be reached through their Consumer Protection Hotline at (702) 486-3132 or via their online complaint form.

Thank you for presenting your concerns to the Division.

Sincerely,



Sharath Chandra
Administrator

cc: Charvez Foger, Deputy Administrator
Sonya Meriweather, Ombudsman
Terry Wheaton, Chief Compliance Investigator