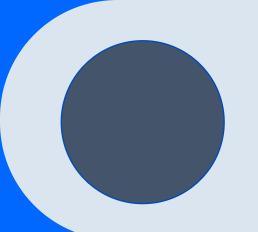


# Understanding the Office of the Ombudsman



Roles, Responsibilities, and Processes for Conflict Resolution



### Creation of the Office of the Ombudsman





### **Legislative Establishment**

- The Office of the Ombudsman for Owners in Common-Interest Communities and Condominium Hotels (CICCH) was created by the Nevada State Legislature in 1997.
- It was established to assist homeowners and board members in understanding their rights and obligations under Nevada law.

### **Scope Expansion**

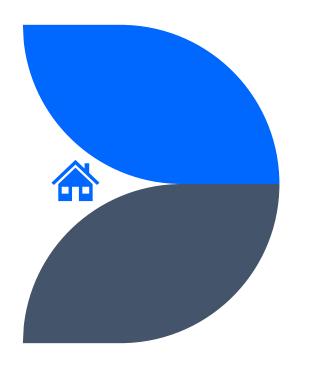
 In 1999, the scope of the Office was expanded to include the maintenance of a database regarding the registration of associations.

### Mission of the Office



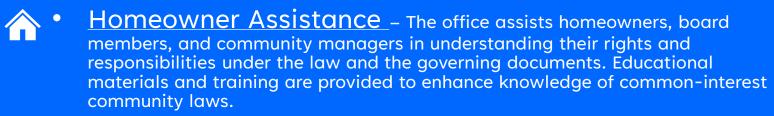


The mission of the Office of the Ombudsman for Owners in Common Interest Communities and Condominium Hotels is to provide a neutral and fair venue to assist homeowners in handling issues that may arise while living in a commoninterest community (CIC).



### **Duties of the Office**





- Claims Processing Claims submitted for mediation are processed through the Alternative Dispute Resolution (ADR) process. The office administers the mediation process to help resolve disputes before the matter can be filed in court.
- <u>Initial Investigations</u> The office investigates allegations of violation of Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) 116.
- Forms Management The office processes various required forms related to CIC registration and compliance.



# **Educational Training**



**Educational materials** 

The office provides free educational materials to help homeowners and board members.
Resources include online and in person classes, brochures, and additional learning tools available on the website.



Flowcharts & guides

Informative
flowcharts and
quick reference
guides are created
to simplify
complex concepts
related to CICs.
These materials
are designed to
facilitate better
understanding and
compliance with
the law.



**Virtual Training Sessions** 

Free virtual
training sessions
and some in
person classes are
to provide
educational
assistance.
Additionally,
outreach services
are available upon
request.

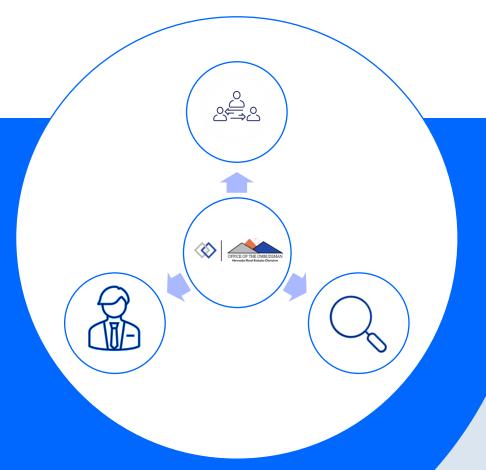






# Which process should be utilized?

The office of the Ombudsman offers several individual complaint processes based on the nature of the allegations. Understanding which process to use will assist homeowners with choosing an appropriate pathway for their concerns.





### Alternative Dispute Resolution (ADR) Program



### Understanding ADR

The Alternative Dispute
 Resolution (ADR) program
 helps resolve disputes
 between homeowners and
 their Common Interest
 Communities(CICs). ADR is a
 key component of this
 program, providing a
 structured environment for
 discussion.

 During mediation, a neutral third party facilitates discussions between the disputing parties. This process aims to help reach a mutually agreeable solution.





### Finalizing Agreements

 If both parties agree after mediation, they can sign a written agreement. This agreement may be enforced in court.  Referees render a decision based on the evidence presented. They guide the process and ensure fairness among the parties involved. The referee will then provide their written decision.



Role of Referees





## **Investigative Process**

Form 530 / NRS 116 – Intervention Affidavit (Board member, unit owner or declarant)





Complaints can be filed using form 530 for general complaints, within 1 year of discovering an alleged violation. The complaint can be submitted by an aggrieved party involved in a common-interest community.

#### Initial Investigation

Upon receiving a complaint, the Ombudsman's office will conduct an initial investigation to assess the allegations. This step determines whether the dispute should proceed to an informal conference or require further investigation.

#### Informal Conference

If appropriate,
both parties are
invited to an
informal
conference with a
Program Officer
from the
Ombudsman's
office. The goal is
to facilitate a
resolution
between the
parties involved in
the dispute.

# Referral to Compliance

If the allegations warrant further investigation, it will be reviewed by the Compliance Section for potential violations of law.

#### Disciplinary Action

In cases involving
egregious
matters, the
matter may be
referred to the
CIC Commission
for disciplinary
action.



### Statement of Fact

Form 514a - NRS 116A / NRS 116B (Community Manager)
Form 514b - NAC 116 / NAC 116A (Reserve Study Specialist)

Unlike form 530 which is used for allegations pertaining to a board member, unit owner or declarant, a Statement of Fact form should be utilized for allegations pertaining to community managers (514a), or allegations pertaining to a reserve study specialist (Form 514b).





# Conclusion (I)



#### **Office Creation**

 Established by the Nevada State Legislature in 1997 to assist homeowners and board members in understanding their rights and obligations under Nevada law.



#### **Educational Training**

 Free education materials and training are provided to help individuals understand their rights and responsibilities within common-interest communities.



#### **Mission Statement**

 To provide a neutral and fair venue for homeowners to address matters or disputes related to living in common-interest communities.



#### **Complaint Processes**

- Alternative Dispute Resolution
- Intervention Affidavit (Form 530)
- Statement of Fact (Form 514a/514b)



#### **Duties of the Office**

• The office assists with understanding rights, processes claims through mediation, investigates alleged violations, and maintains required forms.



