

Open House

A newsletter for Nevada Real Estate Licensees

January / February / March / April 2021



The Mission of the Nevada Real Estate Division:

To protect the public and Nevada's real estate sectors by fairly and effectively regulating real estate professionals through licensure, registration, education and enforcement.



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*Compiled by Erica Arnold,
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DID YOU KNOW . . . ?

Brokerage Name and License Number Required on All Ads

As of July 2019, licensees are required to include their license number on all advertisements, regardless of whether those ads are printed, broadcast, emailed, or posted on social media. Whichever medium you use, the same rules apply. You must include your license designation – the prefix that denotes Salesperson, Broker-Salesperson, or Broker status – and the number, though you can exclude any leading zeros as well as suffixes after the number such as INDV, LLC, etc.

While there are no specific requirements for font, size, or location, your license number must be placed somewhere conspicuous where it is easily identifiable. If it takes an extensive search to locate your license number, you have not satisfied the intent of the regulation.

Be advised that this addition does not change existing requirements to disclose the name of the brokerage, which must be displayed “prominently.”

When you use your social media page to share any information

that requires a real estate license, remember that the advertising laws and regulations immediately come into play, and the brokerage name is required to be displayed in each post related to real estate. Your license number, on the other hand, does not need to be included on each post as long it is included somewhere on your main page such as the name itself or in the “About” section.

To ensure compliance with advertising laws and regulations, the Division recommends the following:

1. Save your brokerage name where it can be easily pulled in with each real estate or related post.
2. Name or rename your social media page or timeline to include your brokerage name.
3. Refrain from using your personal social media page or timeline to promote your real estate business. Instead, maintain a separate real estate business page. While not required, it generally makes for good business practice to keep personal and business matters separate.

FAQS

ADVERTISING REQUIREMENTS

DO LICENSEES HAVE TO PUT THE FULL NUMBER?

Licensees need to include the license designation letter (S., B. or BS., etc.), but they do not need to include any zeros at the beginning of the number. They also do not need to include letters after the license number such as INDV, LLC, etc.

DOES LICENSE NUMBER NEED TO BE ON ALL SIGNS?

If a licensee's name is on the sign, then their license number should be on it. If it is a generic "open house" sign with no specific agent or brokerage identified, then no. If it is a sign advertising the brokerage (but no specific agent), then the broker's number should be included.

DO I NEED TO INCLUDE MY LICENSE NUMBER ON ALL SOCIAL MEDIA ADS/ POSTS?

If you add/post links back to your main page and your main page has your license number somewhere on it (either in the page name itself or on the "About" section), then that is sufficient. We just need to be able to locate the number.

ARE THERE DIFFERENCES IN REQUIREMENTS BASED ON MEDIA ONE ADVERTISES ON?

Advertising real estate on billboards, television, bus stops, shopping carts, websites, social media, radio etc. Whichever medium you use, **the same rules apply** (NRS 645.315 and NAC 645.610).



New Pre-licensing, Continuing Education Requirements Coming October 2021

Effective October 2021, changes are coming to real estate pre-licensing and continuing education requirements. There will be an increase in the required hours for each program, as well as new subject matter to be completed during each renewal period. As you review the changes below, please pay close attention to the effective dates.

PRE-LICENSING

The pre-licensing education requirement has been increased from 90 hours to 120 hours. Beginning October 1, 2021, the Nevada Real Estate Division will require applicants to submit 120 hours of education to meet this requirement.

The additional 30 hours of education are to be comprised of:

- 15 hours of contracts in real estate transactions to the extent allowed in the capacity of a licensee.
- 15 hours of agency which must include 3 hours of foundation of relationship between broker and agents and 3 hours of risk reduction (including but not limited to property management, leasing, and information security).

Please note that this increase in hours does not affect licensed out-of-state applicants, who will still be required to complete 90 hours of pre-licensing.

CONTINUING EDUCATION

The continuing education required every two years upon renewal has been increased from 24

hours to 36 hours. Licensees whose license expires on or after October 31, 2021, will be required to submit a total of 36 hours.

SALESPERSONS

- 3 hours Agency
- 6 hours Contracts
- 3 hours Ethics
- 3 hours Law and Legislation
- 3 hours Risk Reduction (NEW)
- 18 hours General (any designated areas of CE)

BROKERS / BROKER-SALESPERSONS

- 3 hours Agency
- 6 hours Contracts
- 3 hours Ethics
- 3 hours Law and Legislation
- 3 hours Risk Reduction (NEW)
- 6 hours Broker Management
- 12 hours General (any designated areas of CE)

Additionally, the number of continuing education hours required for renewal of a property management permit has increased from three hours to nine hours, while the requirement for renewal of a business broker permit remains three hours. Be advised that the hours required for permit renewal are not in addition to the 36 hours prescribed above. Instead, these hours are included and ultimately reduce the number of general hours due.

FAQs

NEW PRE-LICENSING REQUIREMENTS

IF I APPLY ON OR AFTER OCTOBER 1, 2021, WILL I BE REQUIRED TO SUBMIT THE ADDITIONAL 30 HOURS?

Yes.

IF I APPLY PRIOR TO OCTOBER 1, 2021, WILL I BE REQUIRED TO SUBMIT THE ADDITIONAL 30 HOURS?

If a complete application is received by the Division prior to October 1, 2021, the applicant will only be required to submit 90 hours.

IF I SUBMIT MY APPLICATION PRIOR TO OCTOBER 1, 2021, AND THE DIVISION NOTIFIES ME THAT THERE IS A DEFICIENCY, WILL I BE REQUIRED TO SUBMIT THE ADDITIONAL 30 HOURS?

Any deficiency or additional documents must be submitted before October 1, 2021 to avoid the requirement of the additional 30 hours.

WHEN SHOULD SCHOOLS BEGIN SUBMITTING THE 30 ADDITIONAL HOURS OF PRE-LICENSING TO THE DIVISION FOR APPROVAL?

Schools may begin submitting the 30 additional hours of pre-licensing education to the Division for approval.

FAQs

NEW CONTINUING EDUCATION REQUIREMENTS

WHEN DOES THE 36-HOUR CE REQUIREMENT TAKE EFFECT?

Licensees whose license expiration date is on or after October 31, 2021 must submit 36 hours of continuing education.

IF MY LICENSE EXPIRES ON OR AFTER OCTOBER 31, 2021 AND I SUBMIT MY RENEWAL 45 DAYS PRIOR, WILL I BE REQUIRED TO SUBMIT 36 HOURS OF CE?

Yes. All licensees whose **license expiration date** is on or after October 31, 2021 must submit 36 hours of continuing education.

IF MY LICENSE EXPIRES ON OR BEFORE SEPTEMBER 30, 2021, WILL I BE REQUIRED TO SUBMIT 36 HOURS OF CE?

No.

IF MY LICENSE EXPIRES ON OR AFTER OCTOBER 31, 2021, CAN I RENEW WITH 24 HOURS TAKEN IN THE PREVIOUS 2 YEARS?

You can use the 24 hours previously taken, but you will need to take an additional 12 hours and make sure that those hours cover the designated areas amended in regulation.

IF I AM REINSTATING MY LICENSE ON OR AFTER OCTOBER 1, 2021, WILL I BE REQUIRED TO SUBMIT 36 HOURS OF CE?

Yes. Regardless of your license expiration date, if you reinstate on or after October 1, 2021 you will be required to submit 36 hours of CE.

Things to Remember



1

Licensees who are 65 or older and have been licensed **in Nevada** in good standing for 30 years or more may apply for an exemption to complete a reduced number of CE credits for renewal. Qualifying Salespersons must complete three hours each in Agency, Contracts, Ethics, and Law. Brokers and Broker-salespersons must complete an additional three hours of Broker Management, and permit holders must complete the additional hours required for each permit.



2

If you hold a Property Management permit expiring on or after October 31, 2021, then you will be required to submit nine hours of CE in property management with your renewal. If your Property Management permit expires September 30, 2021 or prior, then you will be required to submit three hours. **Please note:** If your permit expires October 31, 2021 and you choose to renew 45 days early, you will still be required to submit nine hours of CE with your renewal.



3

Per NAC 645.448(6), licensees are required to complete at least 50 percent of their CE through live instruction.

Due to COVID-19, the Division has temporarily expanded the classroom delivery method to include live-streaming courses. Live-streaming courses will qualify as live instruction for all licensees, regardless of when their license expires. A list of [approved live-streaming sponsors](#) is available on the Division's website.

DISCIPLINARY ACTIONS / STIPULATIONS

ACTIONS/DECISIONS

Real Estate Commission actions are not published in this newsletter until the 30-day period allowed for filing for Judicial Review has passed. A Respondent's license is automatically suspended for failure to comply with a Commission Order, and the Division may institute debt collection proceedings to recover fines and costs.

ALLEGATIONS/STIPULATIONS

Stipulations occur when both the Respondent and Division have agreed to settlement conditions. A stipulation may or may not be an admission of guilt. Stipulations are presented to the Commission for final approval.



Disciplines that are the subject of a judicial review are in *italics*. A Respondent's license is automatically suspended for failure to comply with a Commission Order, and the Division may institute debt collection proceedings to recover fines and costs.

NAME	EFFECTIVE DATE	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
Hollister, Charles M. 2019-320 S.56329 (Active)	December 2020	Violated NAC 645.650(2) by not timely producing all Duties Owed forms to the Broker and, as a result, the forms were not included in the complete transaction file copy submitted to the Division; NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) by not providing the Duties Owed forms timely, Respondent impeded an investigation of the Division; NAC 645.605(1) by not doing his utmost to protect the public against fraud, misrepresentation or unethical practices related to real estate; NAC 645.605(6) by not dealing fairly with all parties to the real estate transaction; NRS 645.633(1)(i) pursuant to NAC 645.605(1) & (6) by not disclosing to the Hamps his intent to submit his own bid or a bid for his buyer client prior to Respondent actually submitting the bid to purchase.	\$10,000 fine \$3,375.66 in Division costs and fees 3 Hours Agency 3 Hours Ethics 3 Hours Law
Levy, James 2018-1056 BS.51166 (Active)	December 2020	Violated NRS 645.633(1)(h) or (i) by arranging for buyers to enter into a transaction in which respondent knew or should have known buyers would not receive proper title.	\$10,000 restitution \$2,000 fine \$987.44 in Division costs and fees
Peterson, Erik 2018-208 S.30396 (Closed)	December 2020	Violated NRS 645.633(1)(i) pursuant to NAC 645.605(11)(c) , by falsely telling the Division, through Glidden, that check was for money Bender owed him; NRS 645.633(1)(i) pursuant to NAC 645.605(11)(c) by falsely telling the Division that Bender's complaint had nothing to do with real estate; NRS 645.310(2) by failing to pay over to the broker fund which he received in the name of the brokerage; and NRS 645.630(1)(f) by failing, within a reasonable time, to remit to Bender the refund owed him.	\$1,417.90 in Division costs and fees

NAME	EFFECTIVE DATE	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
Peterson, Erik 2018-208 S.30396 (Closed)	December 2020	Violated NRS 645.633(1)(i) pursuant to NAC 645.605(11)(c) , by falsely telling the Division, through Glidden, that check was for money Bender owed him; NRS 645.633(1)(i) pursuant to NAC 645.605(11)(c) by falsely telling the Division that Bender's complaint had nothing to do with real estate; NRS 645.310(2) by failing to pay over to the broker fund which he received in the name of the brokerage; and NRS 645.630(1)(f) by failing, within a reasonable time, to remit to Bender the refund owed him.	\$1,417.90 in Division costs and fees
Topete, Veronica 2018-1039 S.77117 (Inactive)	December 2020	Violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) on four separate occasions by engaging in deceitful, fraudulent, or dishonest dealings when she had another individual appear, sign in, and/or enroll on her behalf to take CE classes.	\$5,000 fine \$758.08 in Division costs and fees 12 Hours Live CE
Williams, Blake 2018-48 S.177312 (Active)	December 2020	Violated NRS 645.254(6) by failing to advise his clients, the buyers of Cascade Falls, to obtain advice from an expert relating to all options available to the second lien holder; NRS 645.633(1)(i) pursuant to NAC 645.605(1) and/or NRS 645.3205 for dealing with a party to a real estate transaction in a manner which is deceitful, fraudulent or dishonest, by suggesting the Complainant settle with the second lien holder of Cascade Falls outside of the transaction; NRS 645.633(1)(h) pursuant to NAC 645.605(1) for gross negligence or incompetence when he duplicated a key to Cascade Falls and provided it to the buyers prior to the closing of escrow; and NRS 645.633(1)(i) pursuant to NAC 645.605(11)(c) for supplying false information to a Division investigator in his affidavit response dated January 26, 2018.	\$3,500 fine \$4,241.82 in Division costs and fees \$1,628.75 restitution 6 Hours Agency 3 Hours Contracts 6 Hours Ethics
Goldsmith, Robert 2018-819 S.75862 (Revoked)	January 2021	Violated NRS 645.633(1)(i) pursuant to NAC 645.605(6) by failing to disclose to Dwight White or his agent the lis pendens recorded against the Property despite his knowledge of the lis pendens; NAC 645.640(1) by failing to disclose in writing that Jeff Goldsmith was his brother. Granted rehearing at the March 2021 Real Estate Commission Meeting.	\$20,000 fine \$1,729.24 in Division costs License revoked
Hernandez, Ernest T. 2018-1475 B.20815 (Active) PM.164601 (Active)	January 2021	Violated NAC 645.806(3) by failing to submit his Affidavit In Lieu of Form 546A to the Division.	\$250 fine \$528.72 in Division costs



Since our last newsletter (September 2020), the following number of new real estate licenses have been added in the Division system:

BROKERS / **94**

BROKER-SALESPERSONS / **132**

SALESPERSONS / **1,614**

Real Estate Statistics Through March 2021

	Brokers		Broker-Salespersons		Salespersons		Totals	
County	Active	Inactive	Active	Inactive	Active	Inactive	Active	Inactive
Unknown	17	2	24	2	107	21	148	25
Carson City	39	28	38	11	202	29	279	68
Churchill	12	8	3	3	46	13	61	24
Clark	1,849	338	2,279	304	15,520	1,479	19,648	2,121
Douglas	64	10	64	10	291	27	419	47
Elko	16	3	20	6	108	14	144	23
Esmeralda	0	0	0	0	0	0	0	0
Eureka	0	1	0	0	0	0	0	1
Humboldt	5	4	4	4	31	2	40	10
Lander	2	1	2	0	4	0	8	1
Lincoln	2	0	0	0	5	0	7	0
Lyon	22	9	21	5	127	22	170	36
Mineral	0	0	0	0	2	1	2	1
Nye	30	8	18	5	154	14	202	27
Out Of State	378	74	286	94	892	244	1,556	412
Pershing	3	0	0	0	7	0	10	0
Storey	1	0	2	0	2	2	5	2
Washoe	408	171	444	97	2,701	234	3,553	502
White Pine	3	0	3	1	3	2	9	3
Total	2,851	657	3,208	542	20,202	2,104	26,261	3,303

**PROPERTY
MANAGERS**

ACTIVE
3,205

INACTIVE
437

**BUSINESS
BROKERS**

ACTIVE
353

INACTIVE
61



Division Seeks Advisory Committee Members

The Real Estate Division is seeking to increase membership of the Real Estate Advisory Committee and is inviting applications from interested licensees in northern and southern Nevada who meet the criteria listed below.

Once appointed to the Committee by the Real Estate Commission, the Advisory Committee member will assist the Administrator on a recurring basis to conduct education course audits, and may be called upon by the Administrator or the Commission, as needed, to assist with other matters.

To qualify, applicant must be a

U.S. citizen, resident in Nevada for at least five years, have no record of Commission discipline in the last five years, and have been:

- a. An active broker for at least two years; or
- b. An active broker-salesperson for at least five years.

Appointment to the Advisory Committee is at the discretion of the Commission. [The application and additional details are available on the Division's website.](#)

DIVISION UPDATES

The Nevada Real Estate Division remains closed to the public until further notice.

Licensees are encouraged to take advantage of [online renewals](#) during this time.

Essential services are being provided online, via telephone and by mail and email.

Official publication of the

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Production of Open House
is funded by the Real Estate
Education and Research Fund.

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