

SMALL BUSINESS IMPACT STATEMENT
LCB FILE NO. R176-18
JULY 10, 2019

LCB File No. R176-18 Small Business Impact Statement pursuant to NRS 233B.0608:

(a) A description of the manner in which comment was solicited from affected small business, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The Commission of Appraisers of Real Estate (Commission) will post the notice of workshop and proposed changes to NAC 645C on the Division's website and send the notice and proposed changes to interest parties at organizations, associations and businesses relating to this profession. Along with the notice of workshop and proposed changes, a survey will be posted for small businesses to complete regarding how the proposed changes will affect their business.

Interested persons may obtain a copy of the small business impact statement or submit statements of impact to:

Teralyn Lewis
Administration Section Manager
Nevada Real Estate Division
3300 W. Sahara Avenue, Suite 350
Las Vegas, NV 89102
Teralyn.Lewis@red.nv.gov
702-486-4036

(b) The manner in which the small business analysis was conducted for LCB File No. R176-18.

An analysis of the effect on small businesses will be done after the August 27, 2019 workshop and the Commission reviews received surveys from small businesses.

(c) The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(1) Both adverse and beneficial effects:

(I) Adverse effects:

Effects on small businesses will be determined after the August 27, 2019 workshop and the Commission analyses surveys received from small businesses.

(II) Beneficial effects:

Effects on small businesses will be determined after the August 27, 2019 workshop and the Commission analyses surveys received from small businesses.

(2) Both direct and indirect effects.

(I) Direct effect:

Effects on small businesses will be done after the August 27, 2019 workshop and the Commission analyses surveys received from small businesses.

(II) Indirect effect:

Effects on small businesses will be done after the August 27, 2019 workshop and the Commission analyses surveys received from small businesses.

(d) A description of the methods that the Commission considered to reduce the impact of LCB File No. R176-18 on small businesses and a statement whether the Real Estate Division actually used any part of those methods.

The Commission will consider methods to reduce the impact of the proposed regulation on small businesses based on responses from the survey and comments from the August 27, 2019 workshop.

(e) The estimated cost to the agency for enforcement of the proposed regulation.

No additional estimated costs to the agency for enforcement of the proposed regulation.

(f) If LCB File No. R176-18 provides a new fee or increases an existing fee, the total annual amount the Real Estate Division expects to collect and the manner in which the money will be used.

This proposed regulation to comply with Title XI of the Financial Institution Reform, Recovery, and Enforcement Act of 1989 made by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, requires per the final rule promulgated by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council (ASC) Appraisal Management Companies (AMC) registry fees to be collected and transmitted to the ASC on an annual basis by States that elect to register and supervise AMCs. These fees are not retained by the State. The fees are used by the ASC to maintain a “registry” of AMC’s. The total amount of fees cannot be determined at this time as it will vary based on several factors including but not limited to the number of AMC’s, the number of appraisers on the AMC panel and whether the AMC is federally regulated. This regulation also lists the fees that are currently in NRS 645C. The Commission would like to move these fees into regulation and repeal the same fees from statute during the next legislative session. There are no additional fees being added at this time. The fees will continue to be collected and used in the manner that they are currently being collected and used.

(g) If LCB File No. R176-18 includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

Some provisions duplicate the Dodd-Frank Wall Street Reform and Consumer Protection Act Section 1473 which amends various sections of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 as it related to Appraisal Subcommittee of the Federal Financial Institutions Examination Council. The provisions are not more stringent.

(h) The reasons for the conclusions of the Real Estate Division regarding the impact of LCB File No. R176-18 on small businesses.

The Commission will come to a proper conclusion regarding the impact of LCB File No. R176-18 after receipt of the surveys from small businesses, public comment and discussion at the August 27, 2019 workshop.

I certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in this statement is accurate. (NRS 233B.0608(3))

Sharath Chandra, Administrator
Department of Business & Industry
Real Estate Division