

[Rev. 11/22/2013 10:15:53 AM--2013]

[NAC-645D Revised Date: 5-08]

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GENERAL PROVISIONS

NAC 645D.010 Definitions. ([NRS 645D.120](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NAC 645D.020](#) to [645D.060](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002)

NAC 645D.020 "Administrator" defined. ([NRS 645D.120](#)) "Administrator" means the Real Estate Administrator.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.030 "Certificate" defined. ([NRS 645D.120](#)) "Certificate" means a certificate issued to an inspector pursuant to [chapter 645D](#) of NRS.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.040 "Certified inspector" defined. ([NRS 645D.120](#)) "Certified inspector" means an inspector to whom a certificate has been issued pursuant to [chapter 645D](#) of NRS, including, but not limited to:

1. A certified residential inspector;
2. A certified general inspector; and
3. A certified master inspector.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.045 "Distance education course" defined. ([NRS 645D.120](#)) "Distance education course" means a course of instruction in which the student receives instruction at a location at which the instructor is not physically present. Such a course may include, without limitation, instruction provided via CD-ROM, the Internet or videoconference.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.050 "Division" defined. ([NRS 645D.120](#)) "Division" means the Real Estate Division of the Department of Business and Industry.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.055 "Inspection report" defined. ([NRS 645D.120](#)) "Inspection report" has the meaning ascribed to it in [NRS 645D.070](#).

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.060 "Readily accessible" defined. ([NRS 645D.120](#)) "Readily accessible" means that the item being inspected is accessible without the certified inspector having to:

1. Move furniture or stored items;
2. Damage paint finishes;
3. Fit into an area or opening less than 18 inches by 24 inches; or
4. Use a ladder that extends to more than 12 feet tall to reach the item.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002)

NAC 645D.065 Hours of instruction and semester hours of credit interpreted. (NRS 645D.120) For the purposes of this chapter:

1. An hour of instruction must consist of at least 50 minutes but not more than 60 minutes of actual instruction.

2. One semester hour of credit is equivalent to 15 hours of instruction. The credit must be earned at a university, state college or community college within the Nevada System of Higher Education or any other university or college with the same or an equivalent accreditation or a professional school or college licensed by the Commission on Postsecondary Education.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.070 Petitions to adopt, file, amend or repeal regulation. (NRS 645D.120) Any person may, by petition, request the Administrator to adopt, file, amend or repeal a regulation. The petition must clearly identify, in writing, the change requested of the regulation and must contain all relevant data, views and arguments regarding the change.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.075 Advisory committee: Authority and duties of Administrator; qualifications and rights of members. (NRS 645D.120)

1. The Administrator may establish an advisory committee to assist him with any matter that he determines is appropriate for submission to an advisory committee.

2. The Administrator shall create and maintain a list of the persons he approves to serve on an advisory committee. A person approved to serve on an advisory committee must:

(a) Be a certificate holder on active status and in good standing with the Division;

(b) Have been actively engaged in business as a certified inspector in this State for at least the 3 years immediately preceding the date of his approval; and

(c) Have been a resident of this State for not less than 5 years.

3. If the Administrator determines to establish an advisory committee, he shall appoint three persons to serve on the committee from the list of approved persons. At least one member of the advisory committee must be a certified master inspector. The Administrator shall appoint one member of the advisory committee to serve as its chairman.

4. A member of an advisory committee serves:

(a) At the pleasure of the Administrator;

(b) Without compensation; and

(c) Is entitled to receive the per diem allowance and travel expenses provided by law for state officers and employees generally for the period during which the member was engaged in the discharge of his duties.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.080 Severability. (NRS 645D.120) If any provision of this chapter or the application thereof to any person, thing or circumstance is held invalid, such invalidity does not affect the provisions or application of this chapter that can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are declared to be severable.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.090 Applicability of chapter. (NRS 645D.120)

1. Except as otherwise provided in subsection 2, this chapter applies to any person who:

(a) Performs inspections of residential or commercial property; and

(b) Signs a document regarding the inspection in a way that designates the person as a "certified inspector."

2. This chapter does not apply to any person exempted from the provisions of [chapter 645D](#) of NRS pursuant to [NRS 645D.100](#).

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002)

NAC 645D.093 Form of required records. (NRS 645D.120) Any person required to maintain records pursuant to this chapter may maintain the records in any permanent form, including, without limitation, electronic form.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.095 Check or draft returned for lack of payment. (NRS 645D.120, 645D.703)

1. If a person submits a check or draft to the Division to obtain a certificate, approval, accreditation or other type of authorization to engage in an activity for which authorization is required pursuant to this chapter, or [chapter 645D](#) of NRS, and the check or draft is returned to the Division because the person had insufficient

money or credit with the drawee to pay the check or draft or because the person stopped payment on the check or draft:

(a) The certificate, approval, accreditation or other type of authorization obtained by the person from the Division is automatically invalidated; or

(b) If the person has not obtained the certificate, approval, accreditation or other type of authorization from the Division, the Division may refuse to issue or reinstate the authorization.

2. In accordance with [NRS 353C.115](#) and [NAC 353C.400](#), the Division will charge a person, for each check or draft returned to the Division because the person had insufficient money or credit with the drawee to pay the check or draft or because the person stopped payment on the check or draft, a fee of \$25 or such other amount as may subsequently be required by [NRS 353C.115](#) and [NAC 353C.400](#).

(Added to NAC by Real Estate Div. by R012-04, eff. 4-6-2004)

CERTIFICATION

Types and Scope of Certificates

NAC 645D.100 Types of certificates. ([NRS 645D.120](#)) An inspector may obtain from the Division a certificate as a:

1. Certified residential inspector;
2. Certified general inspector; or
3. Certified master inspector.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.110 Scope of performance: Certified residential inspector. ([NRS 645D.120](#)) A certified residential inspector may:

1. Perform an inspection of:

(a) A residential structure consisting of not more than four units; and

(b) A commercial structure that measures not more than 10,000 square feet.

2. Assist in the preparation and communication of an inspection of a structure that consists of more than four residential units under the direct, on-site supervision of a certified general inspector or a certified master inspector.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.120 Scope of performance: Certified general inspector. ([NRS 645D.120](#)) A certified general inspector may:

1. Provide training for and the evaluation of certified residential inspectors only.

2. Perform an inspection of any residential or commercial structure.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002)

NAC 645D.130 Scope of performance: Certified master inspector. ([NRS 645D.120](#)) A certified master inspector may:

1. Provide training for and the evaluation of a certified residential inspector or a certified general inspector.

2. Perform an inspection of any residential or commercial structure.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

Application

NAC 645D.150 Information required. ([NRS 645D.120](#), [645D.170](#), [645D.180](#), [645D.190](#)) In addition to the information required by [NRS 645D.170](#), an application for a certificate must include the following information:

1. Two completed fingerprint cards of the applicant;
2. One recent photograph of the applicant; and
3. A document which proves that the applicant has:
 - (a) Error and omissions insurance of at least \$100,000; and
 - (b) Liability insurance of at least \$100,000.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R012-04, 4-6-2004)

NAC 645D.160 Fee for application nonrefundable. ([NRS 645D.120](#), [645D.240](#)) The fee for an application for a certificate is nonrefundable.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R012-04, 4-6-2004)

NAC 645D.165 Fee for investigation of applicant's background. ([NRS 645D.120](#), [645D.240](#))

1. The Division will charge and collect, from each person who applies for a certificate, a fee for any investigation of the person's background undertaken pursuant to [NRS 645D.180](#).
2. The fee will not exceed the actual cost to conduct the investigation.
(Added to NAC by Real Estate Div. by R012-04, eff. 4-6-2004)

NAC 645D.170 Personal completion required. ([NRS 645D.120](#), [645D.170](#)) Each application for a certificate as an inspector must be completed personally by the applicant. Employees of the Division shall not help a person prepare his application.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.180 Minimum age. ([NRS 645D.120](#)) The Administrator shall not:

1. Accept an application for a certificate as an inspector from a person under 17 years of age; or
2. Issue a certificate to a person under 18 years of age.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

Qualifications for Certificate**NAC 645D.210 Requirements for certificate as certified residential inspector. ([NRS 645D.120](#))**

1. Except as otherwise provided in subsection 3, an applicant for a certificate as a certified residential inspector:

(a) Must furnish proof satisfactory to the Division that he has successfully completed:

(1) Not less than 40 hours of classroom instruction in subjects related to structural inspections in courses approved by the Division.

(2) An examination approved by the Division.

(3) The observation of at least 25 inspections performed by:

(I) A certified general inspector or a certified master inspector for a fee; or

(II) An instructor approved by the Administrator.

(b) Must possess a high school diploma or its equivalent.

(c) Must demonstrate his ability to produce a complete and credible inspection report according to the standards and requirements set forth in [NAC 645D.460](#) to [645D.580](#), inclusive.

2. An applicant must submit to the Division a log of the inspections he observed on a form supplied by the Division.

3. An applicant who has held a certificate as a residential inspector, or the equivalent, issued by another state may submit 25 inspection reports that he completed during the 2 years immediately preceding his application. If the Division determines that the inspection reports are

complete and credible according to the standards and requirements set forth in [NAC 645D.460](#) to [645D.580](#), inclusive, the Division may accept the reports in lieu of the 25 observations of inspections required by subsection 1.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002; R177-01, 5-20-2002; R144-06, 9-18-2007)

NAC 645D.220 Requirements for certificate as certified general inspector. ([NRS 645D.120](#))

1. An applicant for a certificate as a certified general inspector:

(a) Must furnish proof satisfactory to the Division that he has successfully completed:

(1) Not less than 50 hours of classroom instruction in subjects related to structural inspections in courses approved by the Division.

(2) An examination approved by the Division.

(3) As a certified residential inspector, at least 200 inspections for a fee, of which not less than 25 must be inspections of commercial structures or structures consisting of more than four residential units.

(4) At least three inspections of commercial structures under the supervision of a certified master inspector. The inspections must be evaluated by the supervising certified master inspector and recorded on a form provided by the Division.

(b) Must possess a high school diploma or its equivalent.

(c) Must demonstrate his ability to produce a complete and credible inspection report according to the standards and requirements set forth in [NAC 645D.460](#) to [645D.580](#), inclusive.

2. An applicant must submit to the Division a log of the inspections he performed for a fee on a form supplied by the Division.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R214-97, 5-11-98, eff. 7-1-98; R214-97, 5-11-98, eff. 1-1-99; R177-01, 5-20-2002; R144-06, 9-18-2007)

NAC 645D.230 Requirements for certificate as certified master inspector. ([NRS 645D.120](#))

1. An applicant for a certificate as a certified master inspector:
 - (a) Must furnish proof satisfactory to the Division that he has successfully completed:
 - (1) Not less than 60 hours of classroom instruction in subjects related to structural inspections in courses approved by the Division;
 - (2) An examination approved by the Division; and
 - (3) As a certified residential inspector or certified general inspector, at least 400 inspections for a fee. Not less than 50 of the inspections must be of commercial structures or structures consisting of more than four residential units that were occupied before or during the inspection.
 - (b) Must possess a high school diploma or its equivalent.
 - (c) Must submit to the Division at least two inspection reports which demonstrate his ability to produce a complete and credible inspection report according to the standards and requirements set forth in [NAC 645D.460](#) to [645D.580](#), inclusive. Each inspection report must document the applicant's inspection of a commercial structure that uses at least five of the following:
 - (1) Structural steel framing.
 - (2) Concrete tilt-up panels.
 - (3) Roofing that uses a single-ply membrane.
 - (4) A system of commercial storefront windows and doors.
 - (5) A system of fire suppression that uses:
 - (I) Water dispersed by sprinklers; or
 - (II) A gas, including, without limitation, an inert gas, Halon, as defined in 40 C.F.R. § 82.260, or other gaseous compound.
 - (6) A boiler.
 - (7) A system of climate control that uses:
 - (I) A chiller; or
 - (II) An air-conditioning unit that has a cooling capacity of more than 5 tons.
 - (8) A system of refrigeration other than a system of conventional heating, ventilating and air-conditioning.
 - (9) A three-phase electrical system.
 - (10) An elevator or escalator.
2. An applicant must submit to the Division a log of the inspections he performed for a fee on a form supplied by the Division.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002; R144-06, 9-18-2007)

Education for Original Certification

NAC 645D.231 Definitions. ([NRS 645D.120](#)) As used in [NAC 645D.231](#) to [645D.248](#), inclusive, unless the context otherwise requires, the words and terms defined in [NAC 645D.2315](#), [645D.2317](#) and [645D.232](#) have the meanings ascribed to them in those sections.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.2315 "Approved course" defined. ([NRS 645D.120](#)) "Approved course" means a course of instruction offered in preparation for an original certificate that has been approved by the Division.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.2317 "Approved school" defined. ([NRS 645D.120](#)) "Approved school" means a school that has been approved by the Division to offer and conduct an approved course.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.232 "School" defined. ([NRS 645D.120](#)) "School" means:

1. A university, state college or community college within the Nevada System of Higher Education or any other university or college with the same or an equivalent accreditation.
2. Any professional school or college licensed by the Commission on Postsecondary Education.
3. A nationally recognized organization of inspectors.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.234 Approval of school required; application for approval. ([NRS 645D.120](#)) Before any school offers or conducts a course of instruction in preparation for an original certificate, the school must be approved by the Division. The application for approval must be made on a form prescribed by the Division. The application must include the following information for determining the eligibility of the school for approval:

1. The name and address of the school;
2. The type of school and a description of its facilities;
3. The names of the owners of the school, including, if applicable, the name of the business organization that owns the school and the names and addresses of all directors, principals, officers and other persons having interests as owners;
4. A list of the instructors and evidence of their qualifications;
5. A list of the courses to be offered and a topical syllabus for each course;
6. The allotment of time for each subject taught;
7. A proposed schedule of courses for 1 year;
8. The titles, authors and publishers of all required textbooks;
9. A copy of an examination and the correct answer for each question;
10. A statement of the:
 - (a) Purpose of the school;
 - (b) Fees to be charged;
 - (c) Days, times and locations of classes;
 - (d) Number of quizzes and examinations;
 - (e) Grading systems, including the methods of testing and standards of grading;
 - (f) Requirements for attendance; and
 - (g) Location of the students' records;
11. Confirmation that the school administers a final examination for each class that is conducted in the presence of a proctor; and
12. Any other information that the Division finds necessary to determine the suitability of the school to offer and conduct a course of instruction in preparation for an original certificate.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.235 Approved schools: Notice of material change; annual renewal of approval. ([NRS 645D.120](#))

1. Within 15 days after the occurrence of any material change in an approved school which would affect its approval by the Division, the school shall give the Division written notice of that change.
2. To qualify for annual renewal of approval by the Division, an approved school must submit to the Division before July 1:
 - (a) A written certification, in a form prescribed by the Division, declaring that the school meets all applicable requirements of this chapter; and
 - (b) A sworn statement, in a form prescribed by the Division, declaring that the information contained in the original application is current or, if it is not current, a list of all material changes.
3. The Division may deny renewal of approval to any school that does not meet the standards required by this chapter.
4. Within 60 days after a decision is made to deny renewal of approval, the Division will send written notice of the decision and the basis for that decision by certified mail to the last known address of the school.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)—(Substituted in revision for NAC 645D.249)

NAC 645D.236 Approved schools: Records concerning students. ([NRS 645D.120](#)) An approved school shall, as a condition of the approval:

1. Maintain a record of each student's attendance and certification in an approved course. The records must:
 - (a) Include, without limitation:
 - (1) The name of the student;
 - (2) The title, description and number of the approved course;
 - (3) The dates of attendance;
 - (4) The hours of instruction attended by the student;
 - (5) The score achieved by the student on the final examination; and
 - (6) A statement of whether the student passed or failed the approved course;
 - (b) Be maintained for 3 years after the enrollment of the student; and
 - (c) Remain open for inspection by the Division, upon its request, during the school's business hours.

2. Upon the request of a transferring student, furnish the school to which the student is transferring a copy of his attendance record and certification for each approved course that he has completed.

3. Upon the request of a student, furnish the Division with a transcript of the record of the grades and attendance of the student.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.238 Approved schools: Certification requirements. ([NRS 645D.120](#))

1. An approved school shall require each student in an approved course to attend the required number of hours of instruction and pass a final examination in the approved course with a score of not less than 75 percent to attain certification.

2. The school may certify only the number of hours for which the course has been approved by the Division.

3. The completion of a portion of an approved course is not acceptable to satisfy certification requirements.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.241 Approved schools: Hearing on denial or withdrawal of approval of course or school. ([NRS 645D.120](#))

1. A school may file with the Division a written request for a hearing before a hearing officer if the:

(a) School's application for approval of a course is denied; or

(b) Administrator determines that an approved school or course no longer complies with the standards prescribed in this chapter and the approval of the school or course is withdrawn.

2. Except as otherwise provided in [NAC 645D.2446](#), the request must be filed within 20 calendar days after receiving the order of denial or withdrawal of approval. Except as otherwise provided in [NAC 645D.2446](#), the hearing officer shall hold the hearing within 90 calendar days after the request for a hearing is filed unless the school makes a written request for a continuance and the hearing officer grants that request. The hearing officer shall decide the matter within 90 calendar days after the hearing. Except as otherwise provided in this subsection, the hearing officer shall conduct the hearing in the same manner as a hearing conducted pursuant to [NAC 645D.700](#).

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.242 Approved schools: Misrepresentation in advertising. ([NRS 645D.120](#)) An approved school shall not make any misrepresentation in its advertising about any course of instruction that it offers in preparation for an original certificate.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.2425 Approved schools: Prohibited acts. ([NRS 645D.120](#)) An approved school shall not:

1. Present a course for the purpose of selling products and must limit the announcement of products during the course to not more than 1 minute for each hour of instruction;

2. Allow a student to pass a course by taking an examination without having attended the required hours of instruction; or

3. Provide more than 8 hours of instruction per day in an approved course.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.243 Approved schools: Qualifications and presence of instructors; guest lecturers. ([NRS 645D.120](#))

1. An approved school shall employ as an instructor of an approved course only a person who possesses:

(a) A good reputation for honesty, integrity and trustworthiness;

(b) The ability to exercise control over the students in the classroom; and

(c) At least one of the following qualifications, unless granted a special exemption by the Division:

(1) A bachelor's degree in the field in which the person is instructing.

(2) Current experience teaching subjects relating to the inspection of structures in the Nevada System of Higher Education or another institution which awards degrees.

(3) Five years of full-time experience, other than in a secretarial position, working in a job directly related to the subject taught.

(4) Three years of experience teaching the specific subject.

2. An instructor must demonstrate to the satisfaction of the Division the academic training or work experience that qualifies him to teach an approved course.

3. An approved school shall not employ, without the written approval of the Division, an instructor who has been subject to discipline by the Division or any licensing authority:

- (a) Within the 5 years immediately preceding the employment; or
- (b) More than twice.

4. An approved school shall limit guest lecturers who are not approved as instructors by the Division to a total of 10 percent of the instructional hours of an approved course. A guest lecturer must be an expert in the subject that he teaches.

5. An approved instructor must be present in the classroom at all times during the hours of instruction of an approved course.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.244 Approved schools: Revocation of approval of instructor. ([NRS 645D.120](#))

1. The Division may revoke its approval of a particular instructor who is employed by an approved school if:

- (a) Any licensing authority has taken disciplinary action against the instructor;
- (b) The instructor fails to exercise control over the students in the classroom or maintain complete records of their attendance; or
- (c) After an audit of the course and review of the evaluations of the course, the Division concludes that the instructor is not qualified to instruct the course.

2. The Division will give the instructor and school written notice that it has revoked the approval of the instructor. The written notice must specify the reason for the revocation.

3. An instructor may appeal the decision of the Division to revoke his approval by making a written demand to the Division for a hearing within 20 days after the instructor receives the written notice pursuant to subsection 2.

4. Within 90 days after receipt of a written demand for such a hearing, a hearing officer shall conduct the hearing.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.2442 Approved schools: Requirements and conditions for approval of course; notice of material change in approved course. ([NRS 645D.120](#))

1. An approved school shall not offer or conduct a course of instruction in preparation for an original certificate unless the course is approved by the Division. An application for approval must be submitted on a form provided by the Division.

2. The approval of the Division for a course of instruction offered in preparation for an original certificate expires each year on June 30.

3. An approved school must apply annually for reapproval of an approved course. The application must be submitted on a form provided by the Division and describe any changes in the approved course since its last approval. The form must be received by the Division not later than June 1.

4. An approved school shall notify the Division within 15 days after making any material change in an approved course.

5. The approval of any course of instruction offered in preparation for an original certificate is subject to the condition that the Division may audit and evaluate the presentation of an approved course. An approved school shall admit an auditor provided by the Division.

6. Each of the following acts and conditions is a ground for the Division to withdraw its approval of a course:

- (a) Poor quality of the curriculum or instruction, as demonstrated by an evaluation or audit.
- (b) Violation of any of the provisions of this chapter.
- (c) Failure of an instructor to exercise control over the students in the classroom or to maintain complete records of their attendance.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.2444 Approved courses: Monitoring and evaluation; restrictions on approval. ([NRS 645D.120](#))

1. The Division will monitor and evaluate an approved course. The courses will be evaluated with the assistance of the Nevada System of Higher Education.

2. The Division will not approve a course designed to develop or improve clerical, office or business skills that are not related to the inspection process, including, but not limited to, typing, shorthand, the operation of business machines, the use of computers, improvement of memory, writing letters or business courses in advertising, marketing or psychology, as a course of instruction in preparation for an original certificate.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R144-06, 9-18-2007)—(Substituted in revision for NAC 645D.240)

NAC 645D.2446 Approved courses: Withdrawal of approval. ([NRS 645D.120](#))

1. If the Administrator determines, whether pursuant to an audit or otherwise, that an approved course does not meet the standards for such a course set forth in this chapter, the Administrator shall notify the approved school of his intent to withdraw approval of the course. The notice must include the specific reasons upon which the Administrator is basing his decision to withdraw approval of the course. Not later than 30 days after the date on which the approved school receives the notice, the school may provide a written response to the Administrator that clearly sets forth the reasons why approval of the course should not be withdrawn and specifies any corrective measures that the school will undertake. After the 30-day period has elapsed, the Administrator shall review the notice and any response submitted by the school and:

- (a) Withdraw approval of the course;
- (b) Allow the course to remain approved if certain specific conditions are met; or
- (c) Allow the continued approval of the course.

➔ If the Administrator decides to withdraw approval of the course, the withdrawal of approval of the course becomes effective upon the mailing of the Administrator's decision to withdraw approval to the approved school by certified mail, return receipt requested, to the school's last known business address.

2. If the Administrator withdraws approval of a course, the Division will give credit to a student for completing the course if the student began the course before the approved school received written notice of the withdrawal of approval of the course.

3. The approved school may contest the decision of the Administrator to withdraw approval of a course by making a written demand to the Division for a hearing not later than 30 days after the date on which the withdrawal of the approval of the course becomes effective.

4. The Division will, within 90 days after receiving the demand for a hearing, set a date for the hearing and notify the approved school of the date.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.2448 Approved courses: Required instruction; additional instruction. ([NRS 645D.120](#))

1. An approved course must include instruction in:

- (a) Current practices for the inspection of structures; and
- (b) State and federal laws and regulations relating to inspections or inspection practices.

2. The Division may approve a course that includes, without limitation, instruction in one or more of the following:

(a) The administration of laws and regulations relating to the inspection of structures, including, without limitation, certification, enforcement and contracts;

(b) The evaluation of a structure and its components, including, without limitation, the evaluation of the items set forth in [NAC 645D.480](#) to [645D.580](#), inclusive;

- (c) The nature of inspections;
- (d) The purpose and use of inspections;
- (e) Methods of inspection; and
- (f) Construction.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.245 Approved courses: Instruction required for certification as certified residential inspector. ([NRS 645D.120](#)) An approved course, to comply with the requirements of [NAC 645D.210](#) for an applicant for certification as a certified residential inspector, must consist of at least 40 hours of instruction in a classroom, including instruction relating to the inspection of structures pursuant to the requirements of [NAC 645D.480](#) to [645D.580](#), inclusive.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.246 Approved courses: Instruction required for certification as certified general inspector. ([NRS 645D.120](#)) An approved course, to comply with the requirements of [NAC 645D.220](#) for an applicant for certification as a certified general inspector, must consist of at least 50 hours of instruction in a classroom, including instruction relating to the inspection of structures pursuant to the requirements of [NAC 645D.480](#) to [645D.580](#), inclusive.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.247 Approved courses: Instruction required for certification as certified master inspector. ([NRS 645D.120](#)) An approved course, to comply with the requirements of [NAC 645D.230](#) for an applicant for

certification as a certified master inspector, must consist of at least 60 hours of instruction in a classroom, including instruction relating to the inspection of structures pursuant to the requirements of [NAC 645D.480](#) to [645D.580](#), inclusive.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.2472 Approved courses: Contents of form for registration and advertising. ([NRS 645D.120](#))

1. The form for registration for an approved course must set forth, in writing, the policy of the approved school concerning cancellation and refunds.

2. Any advertising or promotional brochure for an approved course must specify that the course is approved by the Division.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.2474 Approved courses: Information required on materials used in course. ([NRS 645D.120](#)) An approved school shall state on all materials, other than copyrighted materials, used in an approved course:

1. That the course is approved by the Division; and

2. The number of hours of credit toward satisfying the educational requirement for an original certificate for which the Division has approved the course.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.2476 Approved courses: Maximum hours of credit per day. ([NRS 645D.120](#)) The Division will not allow credit for more than 8 hours of instruction per day of any approved course.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.2478 Approved courses: Certificate of completion. ([NRS 645D.120](#)) An approved school shall provide a certificate of completion to a student who completes an approved course. The Division will accept the certificate as proof of the student's completion of the approved course. The certificate of completion must include, without limitation:

1. The name of the approved school;

2. The title, description and number of the approved course;

3. The name of the student;

4. The number of hours of instruction attended by the student;

5. The date of completion of the approved course;

6. An original signature of a person authorized to sign for the approved school; and

7. The statement: "This course is approved by the Nevada Real Estate Division."

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.248 Restrictions on obtaining and using information regarding examination for certificate. ([NRS 645D.120](#))

1. An owner, instructor or affiliate of an approved school or other person associated with the school shall not take an examination for a certificate conducted by the Division or its agent unless he first submits to the Division:

(a) A written statement that his purpose in taking the examination is to fulfill one of the requirements for obtaining a certificate; and

(b) A written agreement to apply for a certificate upon passing the examination.

2. Such a school or any person associated with its operation shall not:

(a) Solicit information from any person to discover past questions asked on any such examination; or

(b) Distribute to any person a copy of the questions or otherwise communicate to him the questions without the prior written approval of the owner of the copyright to the questions.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

Examination

NAC 645D.250 Requirement; scope; types; passing score; acceptance of results; fee. ([NRS 645D.120](#), [645D.240](#))

1. An applicant for a certificate must take and pass an examination administered by the Division or an agent designated by the Division.

2. The examination must test the applicant on his knowledge and understanding of:

(a) The subjects applicable to the type of certificate for which he is applying;

(b) [Chapter 645D](#) of NRS and any regulations adopted pursuant thereto; and

(c) The provisions of [NAC 645D.460](#) to [645D.580](#), inclusive.

3. Separate examinations will be given for certification as a residential inspector, general inspector and master inspector.

4. A scaled score of 75 must be achieved to pass each test.

5. Each of the examinations will consist of questions covering the subjects set forth in subsection 2.

6. The Division will only accept the results of an examination taken during the year immediately preceding the date of the application for a certificate.

7. An applicant must pay a fee of \$100 each time he takes an examination.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R012-04, 4-6-2004)

NAC 645D.255 Handbook. ([NRS 645D.120](#))

1. The Division, or an agent designated by the Division, will maintain an applicants' handbook concerning any examination required by [NAC 645D.250](#).

2. An applicant for a certificate may obtain a handbook at any office of the Division. There is no charge for the handbook.

(Added to NAC by Real Estate Div. by R012-04, eff. 4-6-2004)

NAC 645D.265 Time limit and testing conditions. ([NRS 645D.120](#))

1. An applicant for a certificate who takes an examination required by [NAC 645D.250](#) must complete the examination within the time limit, and under the testing conditions, established by the Division or the agent designated by the Division.

2. An applicant with a disability may request special accommodations in the matter of a time limit or the testing conditions for any examination. Such a request must be:

- (a) In writing;
- (b) Received a reasonable time before the scheduled examination; and
- (c) Supported by adequate evidence.

3. The Division, or the agent designated by the Division, will grant a request for special accommodations if the accommodations requested:

- (a) Are reasonable;
- (b) Are feasible; and
- (c) Do not impair the integrity of the examination process.

4. As used in this section, "disability" has the meaning ascribed to it in section 3 of the Americans with Disabilities Act of 1990, Public Law 101-336, 104 Stat. 329.

(Added to NAC by Real Estate Div. by R012-04, eff. 4-6-2004)

NAC 645D.270 Retention of examination materials by applicant; confidentiality. ([NRS 645D.120](#), [645D.130](#))

1. An applicant shall not retain any test book, answer sheet or other examination material.

2. Except as otherwise provided in [NRS 645D.130](#), an examination must not be made public.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R012-04, 4-6-2004)

NAC 645D.290 Conduct during examination; use of calculator. ([NRS 645D.120](#))

1. An application for a certificate will be denied if, during the examination, the applicant:

- (a) Uses or possesses any unfair methods or notes;
- (b) Gives or receives aid of any kind; or
- (c) Fails to obey instructions.

2. An applicant may use a silent, cordless, electronic calculator during the examination if the calculator does not have:

- (a) The capability to print a paper tape; or
- (b) A keyboard that contains the alphabet.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R012-04, 4-6-2004)

Issuance and Renewal of Certificate

NAC 645D.300 Issuance of certificate by Division. ([NRS 645D.120](#), [645D.200](#))

1. The Division will grant a certificate to each applicant who complies with all provisions of this chapter and [chapter 645D](#) of NRS governing certification as a residential inspector, general inspector or master

inspector.

2. Upon receiving the certificate, the certified inspector may conduct the business of a certified residential inspector, certified general inspector or certified master inspector, as applicable, in this state.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.310 Authority of certificate limited to person to whom issued or place of business specified. (NRS 645D.120) A certificate issued pursuant to this chapter must not give authority to do or perform any act specified in this chapter to any person other than the person to whom the certificate is issued, or from any place of business other than that specified therein.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.320 Form of certificate. (NRS 645D.120, 645D.230) The Division will issue a certificate to each eligible person in such form and size as is prescribed by the Division. Each certificate will, in addition to the information required pursuant to [NRS 645D.230](#):

1. Set forth the type of certificate; and
2. Have imprinted thereon the seal of the Division.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R144-06, 9-18-2007)

NAC 645D.330 Display of certificate. (NRS 645D.120) Each certified inspector shall display his certificate conspicuously in his place of business.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.335 Insurance: Failure to maintain; proof. (NRS 645D.120, 645D.190)

1. The certificate of a certified inspector who fails to maintain, or whose employer fails to maintain, a policy of insurance required by [NRS 645D.190](#) expires by operation of law on the 60th day after the certified inspector ceases to be covered by the policy.

2. The proof of insurance submitted by an applicant for an original certificate or applicant for renewal of a certificate pursuant to [NRS 645D.190](#) must include the name of the applicant as it appears, or will appear, on his certificate.

(Added to NAC by Real Estate Div. by R144-06, eff. 9-18-2007)

NAC 645D.340 Compliance with local zoning requirements for location of certain offices. (NRS 645D.120) If a certified inspector chooses to establish an office in a private home or in conjunction with another business, his business location must comply with local zoning requirements.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.350 Training and evaluation of certified residential inspector and certified general inspector; form. (NRS 645D.120)

1. Each certified general inspector or certified master inspector who is training and evaluating a certified residential inspector or a certified general inspector shall file with the Division a form provided by the Division that sets forth the amount of experience gained by the certified residential inspector or certified general inspector while that certified inspector is being trained and evaluated. A copy of the form must be given to the certified inspector being trained and evaluated, and a copy of the form must be maintained for 3 years by the certified general inspector or certified master inspector who conducted the training and evaluation.

2. The completed form must set forth:

(a) The type of structure being inspected; and

(b) Whether the certified inspector being trained and evaluated complied with the requirements of [NAC 645D.460](#) to [645D.580](#), inclusive, in making the inspection of the structure.

3. This section does not authorize a certified general inspector to provide training for or the evaluation of another certified general inspector.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002)

NAC 645D.360 Change of employer, name or status; temporary working permit. (NRS 645D.120)

1. A holder of a certificate may request a change of employer, name or status by completing and submitting the appropriate form supplied by the Division and paying the required fees.

2. If a holder of a certificate requests such a change and pays the required fee, the receipt issued by the Division constitutes a temporary working permit pending receipt of the requested certificate.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.370 Inactive status: Application; renewal of certificate required. (NRS 645D.120)

1. A holder of a certificate may be placed on inactive status by applying to the Division on the appropriate form. The holder of a certificate is not entitled to a refund of any part of the fees paid for the unexpired term of his certificate.

2. A holder of a certificate who is on inactive status must apply for the renewal of his certificate on or before each anniversary of his certificate.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.380 Inactive status: Requirements for reinstatement. (NRS 645D.120)

1. A holder of a certificate who is in good standing with the Division and who is on inactive status may apply to the Division to be reinstated to active status. The application must:

(a) Be on a form supplied by the Division;

(b) Be accompanied by the required fees;

(c) Be accompanied by a current, completed fingerprint card if the holder of the certificate has been on inactive status for at least 1 year; and

(d) Contain evidence that the requirements for continuing education have been fulfilled.

2. A holder of a certificate who is placed on inactive status for his failure to comply with this chapter remains inactive until an application for reinstatement has been approved by the Division.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.390 Educational requirements for renewal or reinstatement of certificate. (NRS 645D.120)

1. To renew an active certificate, a certified inspector must complete 20 hours of approved education, including, without limitation:

(a) At least 3 hours of instruction on issues relating to the safety of any inhabitants of a structure being inspected and the inspector conducting the inspection; and

(b) At least 2 hours of instruction on the provisions of this chapter and [chapter 645D](#) of NRS.

↳ The education must be completed in the 2 years immediately preceding the date of renewal.

2. To reinstate a certificate expired more than 60 days but less than 1 year, a certified inspector must complete 30 hours of approved education, including, without limitation:

(a) At least 3 hours of instruction on issues relating to the safety of any inhabitants of a structure being inspected and the inspector conducting the inspection; and

(b) At least 2 hours of instruction on the provisions of this chapter and [chapter 645D](#) of NRS.

3. As used in this section, "hour of approved education" means at least 50 minutes of actual time spent receiving instruction in a course approved by the Division.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002, eff. 1-1-2003; R144-06, 9-18-2007)

Cancellation, Suspension or Revocation of Certificate

NAC 645D.400 Delivery of certificate to Division. (NRS 645D.120) If the certificate of a certified inspector is cancelled, suspended or revoked, he shall deliver his certificate to the Division. No refund will be given when a certificate is cancelled, suspended or revoked.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.410 Filing of affidavit for lost, destroyed or stolen certificate that must be surrendered. (NRS 645D.120) If a certificate must be surrendered and it is not, the holder of the certificate shall file an affidavit with the Division showing that the certificate has been lost, destroyed or stolen. The affidavit must contain the holder's promise to surrender the certificate if it is recovered.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.420 Cancellation of certificate for failure to report change of address. (NRS 645D.120) If the Division determines that a certified inspector has discontinued business at the address at which he holds a certificate and this fact has not been reported to the Division, his certificate may be cancelled by the Division.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

CONTINUING EDUCATION

NAC 645D.435 "Continuing education" defined. (NRS 645D.120) As used in [NAC 645D.435](#) to [645D.442](#), inclusive, unless the context otherwise requires, "continuing education" means the education required pursuant to [NAC 645D.390](#) for the renewal or reinstatement of a certificate.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.4355 Standards for courses of instruction. (NRS 645D.120)

1. A course of instruction for continuing education must include:
 - (a) Current information concerning inspection practices that will improve the professional knowledge of the holder of a certificate and enable him to provide better service to the public.
 - (b) Information that relates to applicable state and federal laws and regulations relating to inspections or inspection practices.
2. The Division considers courses in the following areas to be acceptable for continuing education:
 - (a) Legislative issues that concern holders of certificates or the practice of inspecting structures, including, without limitation, pending and recent legislation;
 - (b) The administration of laws and regulations governing inspections of structures, including, without limitation, certification, enforcement, office management and employees' contracts;
 - (c) The relationship of an inspection report to a real estate transaction;
 - (d) The evaluation of a structure and its components, including, without limitation, the evaluation of the items set forth in [NAC 645D.480](#) to [645D.580](#), inclusive, and studies of feasibility;
 - (e) Real estate and inspection mathematics;
 - (f) The nature of inspections;
 - (g) The purpose and use of inspections;
 - (h) Methods of inspection;
 - (i) Construction; and
 - (j) Computer software relating to inspections or inspection practices.
3. If the sponsor agrees to comply with all other requirements of approval, the Division will accept without specific approval any course in inspection practices or directly related subjects if the course has been previously approved by the Division.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.436 Unacceptable courses and activities. (NRS 645D.120) The following kinds of courses and activities do not meet the standards for continuing education:

1. A course designed to develop or improve clerical, office or business skills not related to the inspection process, such as typing, shorthand, the operation of business machines, the use of computers, speed reading, improvement of memory and writing letters.
2. A program of office training or other activity that is held as part of the general business of the holder of a certificate.
3. A course for the orientation of holders of certificates.
4. A course for the development of instructors.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.4365 Approval of distance education course or classroom course; proof of attendance. (NRS 645D.120)

1. An application for approval of a distance education course or a classroom course for continuing education must be submitted to the Division on a form provided by the Division.
2. The Division will not give retroactive approval for such a course.
3. In determining whether to approve a course pursuant to this section, the Division will consider:
 - (a) Whether the course consists of at least 2 hours of instruction.
 - (b) Whether the sponsor of the course is willing to certify to the attendance of holders of certificates at the course.
 - (c) Whether the sponsor is willing to maintain for 3 years a record of attendance that contains:
 - (1) The name of each holder of a certificate in attendance and the number of his certificate.
 - (2) The title and description of the course.
 - (3) The hours of instruction attended by the holder of a certificate and the dates of his attendance.
 - (4) A statement or indication whether the holder of a certificate passed or failed the course, if applicable.
 - (d) Whether the sponsor of the course is willing to ensure that an approved instructor will preside throughout the course.
 - (e) In the case of distance education courses:
 - (1) Whether the holder of a certificate will be required to complete:
 - (I) A written examination proctored by a person approved by the Division; or
 - (II) If the course does not include such an examination, the course mechanisms required by the Division for accreditation of the course; and
 - (2) Whether the course is presented by an accredited college or university or has received approval for college credit from the American Council on Education's College Credit Recommendation Service.
 - (f) In the case of presentations by videotape, whether the sponsor will provide an approved instructor at the site of the presentation to supplement and control instruction in the course.

- (g) Whether the course provides not more than 8 hours of instruction per day.
- (h) Any other criteria that the Division deems appropriate.

4. For all approved courses, the sponsor shall provide a certified copy of the record of completing the course to the holder of a certificate upon his completion of the course. The Division will accept the certificate as proof of the holder's attendance for the purpose of renewing or reinstating his certificate. If the course is taken at a university or community college, the proof of attendance must include a certified transcript. The certificate of a sponsor must contain the:

- (a) Name of the sponsor;
- (b) Name of the holder of a certificate and his certificate number;
- (c) Number of hours of instruction;
- (d) Dates of instruction;
- (e) Title of the course or seminar;
- (f) Sponsor's number assigned by the Division; and
- (g) Original signature of a person authorized to sign for the sponsor.

5. The Division may grant approval for courses of continuing education offered by a nationally recognized organization of inspectors without considering a specific application.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002; A by R144-06, 9-18-2007)

NAC 645D.437 Approval of course provided out of State. (NRS 645D.120)

1. Except as otherwise provided in [NAC 645D.4365](#) regarding distance education courses, an inspector may apply to the Division for the approval of a course of continuing education that is provided out of State if the inspector has:

- (a) Attended or will attend the course outside Nevada;
- (b) Taken or will take the course within the period prescribed by subsection 3 of [NAC 645D.441](#); and
- (c) Submitted an application on a form supplied by the Division.

2. Under appropriate circumstances, the Division may give retroactive approval for a course attended out of State.

3. Except as otherwise provided in subsection 5, approval of a course pursuant to this section applies only to the specific:

- (a) Course described in the application;
- (b) Date on which the course was given; and
- (c) Inspector who submitted the application.

4. In determining whether to approve a course attended out of State, the Division will consider:

- (a) Whether the course consists of at least 2 hours of instruction.
- (b) Whether the course meets the standards set forth in [NAC 645D.4355](#) and is acceptable under the provisions of [NAC 645D.436](#).
- (c) Any available information regarding the qualifications of the instructor of the course.
- (d) The sufficiency of the proof of attendance of the course by the applicant. To obtain credit for attendance of the course, the applicant must attend the required number of hours of instruction and take and pass any examination administered in the course.
- (e) Any other criteria that the Division deems appropriate.

5. If the Division approves a specific course based on an initial application by an inspector pursuant to subsections 1 to 4, inclusive, it will approve an application submitted subsequently by another inspector who attended the same course if that inspector submits proof of his attendance of the same course.

6. If the Division approves a course pursuant to this section, the sponsor of the course:

- (a) Is not required to comply with [NAC 645D.4385](#) and [645D.440](#) and subsection 2 of [NAC 645D.4405](#).
- (b) Shall not advertise that the course has been approved by the Division.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.4375 Effective period of approval of course; reapproval; audit; withdrawal of approval. (NRS 645D.120)

1. The Division's approval of a course for continuing education is effective for 1 year after the original approval or a reapproval.

2. A sponsor must apply for reapproval on a form provided by the Division and describe on that form any changes in the course.

3. The approval or reapproval of any course of continuing education by the Division is subject to a condition that the Division may audit the course the first time the course is offered. If the Division does not audit a course during the first offering of the course in Nevada, the Division will deem the course approved.

4. Each of the following acts and conditions is a ground for the Division to withdraw its approval of a course:

- (a) Poor quality of the curriculum or instruction, as shown by evaluations.

(b) Violation of any of the provisions of this chapter governing continuing education.

5. In determining whether to withdraw its approval of a course deemed to be approved pursuant to subsection 3, the Division will follow the procedure set forth in [NAC 645D.700](#).

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.438 Revocation of conditional approval of course after audit. ([NRS 645D.120](#))

1. If the Division audits the first offering of a course provided in Nevada and determines that the course does not meet the standards for courses of continuing education set forth in this chapter, the Division will revoke the conditional approval of the course. Within 30 days after the conduct of the audit, the Administrator shall give the school written notice that approval of the course has been revoked and shall provide specific reasons for the revocation. The revocation of a course is effective upon receipt of the written notice by the school.

2. The Division will give credit for continuing education to a student who attended the course before the school received written notice of the revocation of the course.

3. The school may appeal the decision of the Division to revoke approval of a course pursuant to this section by making a written demand to the Division for a hearing within 20 calendar days after the school receives the written notice pursuant to subsection 1.

4. Within 90 days after receipt of a written demand for a hearing, the Division will hold a hearing.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.4385 Duties of sponsor of approved course. ([NRS 645D.120](#)) Except as otherwise provided in subsection 6 of [NAC 645D.437](#):

1. The sponsor of an approved course for continuing education shall:

(a) Not present a course for the main purpose of selling products and shall limit the announcement of products during the course to not more than 1 minute for each hour of credit;

(b) Not allow a holder of a certificate to pass the course by taking the examination without having the required attendance;

(c) Admit authorized personnel of the Division to audit and evaluate the presentation of the course; and

(d) Notify the Division within 15 calendar days after making any material change in the course.

2. Each sponsor shall provide evaluations for a course for continuing education and shall maintain a tabulation of the results of the evaluations for 2 years. The Division may request a review of those evaluations.

3. The sponsor shall determine whether a final examination is required for the completion of the course.

4. If a course offered by a professional organization has been approved for continuing education, the organization shall not restrict attendance of the course to members of that organization.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.439 Qualifications of instructor. ([NRS 645D.120](#))

1. An instructor of a course for continuing education must possess:

(a) A good reputation for honesty, integrity and trustworthiness; and

(b) At least one of the following qualifications, unless granted a special exemption by the Division:

(1) A bachelor's degree in the field in which the person is instructing.

(2) Current experience teaching subjects relating to the inspection of structures in the Nevada System of Higher Education or another institution that awards degrees. The person must demonstrate to the satisfaction of the Division the academic training or work experience that qualifies him to teach the course of continuing education.

(3) Five years of full-time experience, other than in a secretarial position, working in a job directly related to the subject taught.

(4) Three years of experience teaching the specific subject.

2. An instructor who has been subject to discipline by any licensing authority:

(a) Within the last 5 years; or

(b) More than twice,

↪ shall not instruct a course of continuing education without the approval of the Division.

3. A sponsor of a course of continuing education shall limit guest lecturers who are not approved by the Division to a total of 10 percent of the instructional hours per approved course. A guest lecturer must be an expert in the subject that he teaches.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.4395 Revocation of approval of instructor: Grounds; notice; appeal; hearing. ([NRS 645D.120](#))

1. The Division may revoke the approval of an instructor of a course of continuing education if:

(a) Any licensing authority has taken disciplinary action against the instructor; or

(b) After an audit of the course and review of the evaluations of the course, the Division concludes that the instructor is not qualified to instruct the course.

2. The Division will give the instructor and sponsor written notice that it has revoked the approval of the instructor. The written notice must specify the reason for the revocation.

3. An instructor may appeal the decision of the Division to revoke his approval by making a written demand to the Division for a hearing within 20 calendar days after the instructor receives the written notice pursuant to subsection 2.

4. Within 90 days after receipt of a written demand for such a hearing, a hearing officer shall conduct the hearing in the same manner as a hearing conducted pursuant to [NAC 645D.700](#).

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.440 Information required on materials used in course. ([NRS 645D.120](#)) Except as otherwise provided in subsection 6 of [NAC 645D.437](#), if a course has been approved and is being offered for continuing education, the sponsor must state on all the materials used in the course:

1. That the course is approved for continuing education in Nevada by the Division;
2. The number of hours of credit for continuing education for which the course is approved; and
3. The sponsor's number assigned by the Division.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.4405 Advertising of course. ([NRS 645D.120](#))

1. Any advertising, promotional brochure or form for registration for a course for continuing education must contain, in writing, the policy of the sponsor concerning cancellation and refunds.

2. Except as otherwise provided in subsection 6 of [NAC 645D.437](#), all advertising must specify that such courses have been approved by the Division.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.441 Requirements for receipt of credit. ([NRS 645D.120](#))

1. A holder of a certificate may receive credit for continuing education if he teaches an approved course. Credit will be given only once for teaching the same course. The holder of a certificate must submit proof that he taught the course during the applicable period of certification. The instructor may receive 1 hour of credit per each hour of instruction.

2. A course may not be taken for credit more than once in the same period of certification.

3. Courses taken to satisfy requirements for the renewal or reinstatement of a certificate must be completed within the 2 years immediately before the latest date for renewing or reinstating the certificate.

4. A holder of a certificate may receive credit for continuing education only upon certification by the sponsor that the holder of a certificate has attended and completed at least 90 percent of the course.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.4415 Allowable hours of credit. ([NRS 645D.120](#)) The Division will allow not more than:

1. Seven hours of credit per day of instruction for courses of continuing education given without a final examination; and

2. Eight hours of credit per day of instruction for courses of continuing education requiring a final examination.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

NAC 645D.442 Credit for attending certain educational meetings or trade shows. ([NRS 645D.120](#))

The Division will grant credit for continuing education to a holder of a certificate for attending an educational meeting or trade show presented by a regionally or nationally recognized organization of inspectors if:

1. The educational portion of the meeting or trade show lasted at least 1 hour; and

2. The organization:

(a) Certifies to the attendance of the holder of a certificate; and

(b) Agrees to maintain a record of that attendance for not less than 3 years.

(Added to NAC by Real Estate Div. by R177-01, eff. 5-20-2002)

STANDARDS OF PRACTICE

Standards of Conduct

NAC 645D.450 Conduct of inspection, partial inspection or reinspection; preparation of inspection report. ([NRS 645D.120](#))

1. Except as otherwise provided in this section, a certified inspector shall conduct each inspection and prepare a complete inspection report of each inspection in accordance with [NAC 645D.460](#) to [645D.580](#), inclusive.

2. A certified inspector may exceed the requirements set forth in [NAC 645D.460](#) to [645D.580](#), inclusive, when conducting an inspection.

3. A certified inspector may conduct a partial inspection or reinspection that does not satisfy all the requirements of [NAC 645D.480](#) to [645D.580](#), inclusive, if:

(a) The partial inspection or reinspection satisfies all the relevant requirements of [NAC 645D.460](#) to [645D.580](#), inclusive; and

(b) The inspection report:

(1) States that a partial inspection or reinspection has been performed;

(2) Describes the purpose of the partial inspection or reinspection; and

(3) Clearly identifies the matters included in the partial inspection or reinspection.

4. The provisions of [NAC 645D.480](#) to [645D.580](#), inclusive, do not require a certified inspector to move or disturb any item, including, without limitation, insulation, personal items, panels, furniture, equipment, plants, soil, snow, ice or other debris, that obstructs his access to or visibility of any item listed in [NAC 645D.480](#) to [645D.580](#), inclusive.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002)

NAC 645D.460 Professional conduct. ([NRS 645D.120](#)) A certified inspector shall:

1. Perform his duties with the highest standard of integrity, professionalism and fidelity to the public and the client, with fairness and impartiality to all.

2. Avoid association with any person or enterprise of questionable character or any endeavor that creates an apparent conflict of interest.

3. Conduct his business in a manner that will assure his client of the inspector's independence from outside influence and interest which would compromise his ability to render a fair and impartial inspection.

4. Not disclose any information concerning the results of an inspection without the approval of the client or his representative for whom the inspection was performed.

5. Not accept compensation, financial or otherwise, from more than one interested party for the same service on the same property without the consent of all interested parties.

6. Not, whether directly or indirectly, accept a benefit from, or offer a benefit to, a person who is dealing with the client in connection with work for which the inspector is responsible. As used in this subsection, "benefit" includes, without limitation, a commission, fee, allowance, or promise or expectation of a referral for other work.

7. Not express the estimated market value of an inspected property while conducting an inspection.

8. Not use the term or designation "state certified inspector" unless he is certified.

9. Before the execution of a contract to perform an inspection, disclose to the client any interest of the inspector in a business that may affect an interest of the client.

10. Not allow his interest in any business to affect the quality or results of an inspection.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R144-06, 9-18-2007)

NAC 645D.470 Prohibited acts. ([NRS 645D.120](#)) A certified inspector shall not, while making an inspection:

1. Offer to perform or perform any act or service that is unlawful.

2. Offer warranties or guaranties of any kind.

3. Offer to perform or perform any job function for which he does not have a license, including, but not limited to, the services of an engineer, architect, plumber or electrician.

4. Calculate the strength, adequacy or efficiency of any system or component.

5. Enter any area or perform any procedure that may damage any part of the structure being inspected or endanger any person, including, but not limited to, the certified inspector.

6. Operate any system or component that is shut down or otherwise inoperable.

7. Operate any system or component that does not respond to normal operating controls.

8. Determine the presence or absence of any suspected adverse environmental condition or hazardous substance, including, but not limited to, toxins, molds and other fungi, carcinogens, radon, noise or contaminants, unless he is licensed or certified to make such inspections and determinations.

9. Determine the effectiveness of any system installed to control or remove suspected hazardous substances.

10. Predict the future condition of any system or component, including, but not limited to, the failure of a component.

11. Project the operating costs of any component.

12. Repair a defect identified during the inspection.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002; R144-06, 9-18-2007)

Inspection of Structures

NAC 645D.480 Interior components. ([NRS 645D.120](#))

1. A certified inspector shall inspect the interior components of the structure being inspected, including, but not limited to, the following components of the interior:

- (a) The walls, ceilings and floors;
- (b) The steps, stairways, balconies and railings;
- (c) A representative number of doors and windows; and
- (d) The counters and a representative number of cabinets.

2. An inspection of the interior components must include, without limitation:

- (a) The operation of a representative number of the windows and interior doors; and
- (b) The reporting of any sign of abnormal or harmful water penetration into the structure or any sign of abnormal or harmful condensation.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.490 Built-in kitchen appliances. ([NRS 645D.120](#))

1. A certified inspector shall inspect the built-in kitchen appliances of the structure being inspected, including, but not limited to, the following kitchen appliances if they are not shut off or otherwise inoperable:

- (a) The dishwasher;
- (b) The range, cook top and oven;
- (c) The trash compactor;
- (d) The garbage disposal;
- (e) The ventilation equipment and range hood; and
- (f) The microwave oven.

2. An inspection of the built-in kitchen appliances must include, without limitation, the operation of the dishwasher through at least one normal cycle.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.500 Insulation and ventilation systems. ([NRS 645D.120](#))

1. A certified inspector shall inspect the insulation and ventilation systems of the structure being inspected, including, but not limited to, the following components of the insulation and ventilation systems:

- (a) The insulation and vapor retarders in unfinished spaces;
- (b) The ventilation of the attics and the area of the foundation; and
- (c) The kitchen, bathroom and laundry venting systems.

2. An inspection of the insulation and ventilation systems must include, without limitation:

- (a) The operation of any readily accessible attic ventilation fan;
- (b) If the temperature of the structure permits, the operation of any readily accessible thermostatic control;
- (c) A description of the condition of the insulation in the unfinished spaces; and
- (d) A description of any unfinished space at conditioned surfaces in which the insulation is absent.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.510 Plumbing systems. ([NRS 645D.120](#))

1. A certified inspector shall inspect the plumbing system of the structure being inspected, including, but not limited to, the following components of the plumbing system:

- (a) The hot and cold water systems;
- (b) The waste and drain systems;
- (c) The vent systems; and
- (d) The readily accessible gas lines.

2. An inspection of the plumbing system must include, without limitation:

- (a) An identification and description of the type of water lines and a determination of whether the system has been activated;

- (b) The operation of all plumbing fixtures and a visual inspection of all readily accessible components of the plumbing system;

- (c) A determination of the functional flow of the waste, drain, water and vent lines; and

- (d) An identification and description of the type of domestic water heater, energy source and any safety devices attached thereto.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.520 Electrical systems. ([NRS 645D.120](#))

1. A certified inspector shall inspect the electrical systems of the structure being inspected, including, but not limited to, the following components of the electrical system:

- (a) The switches, receptacles and fixtures;
- (b) The main panel box and all subpanel boxes, including, but not limited to, the feeders; and
- (c) The readily accessible wiring and junction boxes.

2. An inspection of the electrical system must include, without limitation:

- (a) An identification and description of the amperage and type of overcurrent protection devices, including, but not limited to, the fuses and breakers;
- (b) A description of the condition of the electrical system, including, but not limited to, the grounding cables;
- (c) A verification of the compatibility and condition of the main and branch circuit overcurrent protection devices to the size of the conductors served by them;

(d) The testing of a representative number of readily accessible switches, receptacles and light fixtures in each room or area of the structure;

(e) A test and verification of the grounding, polarity and operation of all readily accessible ground fault circuit interrupter devices; and

(f) An evaluation of the system and all readily accessible wiring.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002)

NAC 645D.530 Heating systems. ([NRS 645D.120](#))

1. A certified inspector shall inspect the heating system of the structure being inspected, including, but not limited to, the following components of a heating system:

- (a) The heating equipment and heating distribution system;
- (b) The operating controls; and
- (c) The auxiliary heating units.

2. An inspection of the heating system must include, without limitation:

(a) An identification and description of the type of system, distribution, energy source and number of units or systems in the structure;

(b) The opening of all readily accessible access panels or covers provided by the manufacturer so that the enclosed components can be evaluated; and

(c) An evaluation of the readily accessible controls and components.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.540 Air-conditioning systems. ([NRS 645D.120](#))

1. A certified inspector shall inspect the air-conditioning system of the structure being inspected, including, but not limited to, the following components of the air-conditioning system:

- (a) The cooling equipment and cooling distribution systems; and
- (b) The operating controls.

2. An inspection of the air-conditioning system must include, without limitation:

(a) An identification and description of the type of system, distribution, energy source and number of units or systems in the structure;

(b) The opening of all readily accessible access panels or covers provided by the manufacturer so that the enclosed components can be evaluated; and

(c) An evaluation of the readily accessible controls and components.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.550 Exterior components. ([NRS 645D.120](#))

1. A certified inspector shall inspect the exterior components of a structure being inspected, including, but not limited to:

- (a) The exterior wall components;
- (b) The exposed molding and trim;
- (c) The windows and exterior doors; and
- (d) The fireplaces, flues and chimneys.

2. An inspection of exterior components must include, without limitation:

(a) An identification of the type of structure and covering of the exterior component, including, but not limited to, whether it is block, siding, shingle, stucco, wood, asbestos, hardboard or masonry;

(b) An evaluation of the wall covering;

(c) An evaluation of the condition of a representative number of windows and doors, including, but not limited to, the associated trim and hardware; and

(d) An inspection and description of the condition of readily accessible porches, decks, steps, balconies and carports attached to the structure.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.560 Roofing components. ([NRS 645D.120](#))

1. A certified inspector shall inspect the roofing components of the structure being inspected, including, but not limited to:

- (a) The roof covering;
- (b) The flashing;
- (c) The insulation;
- (d) The ventilation;
- (e) The soffits and fascia; and
- (f) The skylights, roof accessories and penetrations.

2. The inspection of roofing components must include, without limitation:

- (a) An identification and description of the materials of the visible roof structure, roof flashing, skylights, penetrations, ventilation devices and roof drainage;
- (b) An evaluation of the condition of the readily accessible attic areas;
- (c) A determination of the type, condition and approximate thickness of the attic insulation; and
- (d) A description of the method of observation used to inspect the roof.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.570 Structural systems. ([NRS 645D.120](#))

1. A certified inspector shall inspect the structural system of the structure being inspected, including, but not limited to, the foundation, floors, walls, columns, ceilings and roof.

2. An inspection of the structural system must include, without limitation:

- (a) An identification and description of the type of foundation, floor structure, wall structure, columns, ceiling structure, roof structure and other attached structural components;
- (b) A probe of all structural components in which deterioration is suspected, unless the probe will damage any finished surface;
- (c) Entry under the floor crawl spaces and attic spaces, except when access is obstructed or not readily accessible, entry could damage the property, or dangerous or adverse conditions are obvious or suspected;
- (d) A report of all signs of water penetration or abnormal or harmful condensation on building components; and
- (e) A description of any visible structural damage to the framing members and foundation system.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.580 Site of structure. ([NRS 645D.120](#))

1. A certified inspector shall inspect the site of the structure while conducting an inspection of the structure, including, but not limited to:

- (a) The land grade and water drainage;
- (b) The retaining walls affecting the structure;
- (c) The driveways and walkways; and
- (d) The porches and patios.

2. An inspection of the site must include, without limitation:

- (a) An identification and evaluation of the materials and conditions of the driveways, walkways, grade steps, patios and other items contiguous with the inspected structure;
- (b) An observation of the drainage and grading for conditions that adversely affect the structure; and
- (c) An observation of the above-grade vegetation which affects the exterior of the structure.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

Miscellaneous Provisions

NAC 645D.600 Determination of unprofessional conduct or professional incompetence. ([NRS 645D.120](#), [645D.700](#)) In determining whether a certified inspector is guilty of unprofessional conduct or professional incompetence, the Division will consider, among other things, whether the inspector has:

1. Failed to perform an inspection and prepare a complete inspection report of the inspection in accordance with [NAC 645D.450](#) to [645D.580](#), inclusive;

2. Done his utmost to protect the public against fraud, misrepresentation or unethical practices relative to his profession;

3. Made an inspection and prepared an inspection report of any property outside of his field of experience or competence without the assistance of a qualified authority; or

4. Adequately documented any required disclosures of his interest in any property with which he is dealing. (Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R177-01, 5-20-2002)

NAC 645D.610 Disclosures required in advertisement. (NRS 645D.120) In any advertisement through which a certified inspector offers to perform services for which a certificate is required pursuant to this chapter, he shall disclose the name under which he does business and the type of certificate he holds.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.620 Maintenance of records; inspection and audit by Division. (NRS 645D.120)

1. A certified inspector shall keep at his place of business, or other location approved by the Division, a copy of the inspection report, work file and any other pertinent information relating to each inspection he conducts for at least 3 years after the completion of the inspection. Only one set of files need be maintained, but the information must be available to all participating inspectors.

2. All inspections conducted by a certified inspector must be filed in an orderly fashion, including, but not limited to, numerically, chronologically by date or alphabetically, to permit an audit by a representative of the Division.

3. The inspection report, work file and other pertinent information relating to an inspection must be open to inspection and audit by the Division upon its request during its usual business hours, as well as other hours during which the certified inspector regularly conducts his business.

4. The certified inspector shall give written notice to the Division of the exact location of his records and may not remove them until he has delivered a notice that informs the Division of the new location.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R144-06, 9-18-2007)

NAC 645D.630 Examination of office; form. (NRS 645D.120)

1. The Division may use a form of its design to conduct any office examination and require the certified inspector or his office manager to sign such a form.

2. An examination must include, without limitation:

(a) The address of the office;

(b) The system used in filing records;

(c) Advertising; and

(d) The availability of current statutes and regulations at the place of business.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.640 Cooperation in examination of office and audits. (NRS 645D.120) A certified inspector shall, upon demand, provide the Division with the documents and the permission necessary to complete fully an office examination and audit of his records.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

COMPLAINTS; DISCIPLINARY ACTION

NAC 645D.650 Citizen's complaint; investigation. (NRS 645D.120)

1. The Division will prepare and require a standard form or affidavit for use in making a citizen's complaint. This form may require any information the Division considers pertinent.

2. Except as otherwise provided in subsection 3, if a citizen's complaint is made, the Division will investigate any action that appears to violate a provision of [chapter 645D](#) of NRS or this chapter and need not be limited to the matter in the complaint.

3. If a citizen's complaint or a formal complaint is made against a certified inspector, the Division will:

(a) Not investigate the complaint unless the complaint:

(1) Is in writing, signed and dated;

(2) Contains the mailing address and daytime telephone number of the person making the complaint; and

(3) Contains the complete address of the structure that is the subject of the complaint.

(b) Require a certified inspector to maintain all records relating to the complaint until the issue is resolved.

4. A certified inspector shall disclose all facts and documents pertinent to an investigation to members of the Division's staff conducting the investigation.

5. If the Division determines that sufficient evidence exists to establish a violation, it will prepare and file a formal complaint. If insufficient evidence exists, the Division may dismiss the matter without prejudice at any time.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.660 Correction of deficiencies. (NRS 645D.120)

1. The Division may grant any certified inspector not more than 10 calendar days to correct any deficiency involving advertising, the location of his business or office operation. A notice of the deficiency and a request to correct the deficiency must be mailed to the certified inspector. Failure to comply with the request may be grounds for the suspension or revocation of a certificate. The notice must be sent on a form provided by the Division and set forth the deficiencies or violations, the recommended action and the date by which the deficiencies must be corrected.

2. The Division may grant an extension for a definite time to correct the deficiency whenever the correction requires additional time.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

HEARINGS AND OTHER PROCEDURES**NAC 645D.700 Procedure for hearing. (NRS 645D.120)**

1. Upon the filing of a formal complaint by the Division, the Administrator shall set the matter for a hearing within 90 days before a hearing officer appointed by the Administrator from the staff of the Department of Business and Industry. The hearing officer must be a person who has not investigated or prosecuted the complaint.

2. The time of the hearing may be continued by the Division or upon motion of the respondent with the approval of the Administrator or his designated hearing officer.

3. The Division will give the respondent at least 20 days' prior notice in writing of the date, time and place of the hearing, which notice will contain a copy of the complaint, including, but not limited to:

(a) An exact statement of the charges; and

(b) Copies of all reports, affidavits and depositions in possession of the Division which may be used in evidence against the respondent.

4. Notice of the hearing may be served by personal delivery to the respondent or by certified mail to his last known business or home address.

5. The respondent shall file an answer within 30 days after service of the notice. The answer must contain an admission or denial of each of the averments contained in the complaint and any defenses upon which the respondent will rely.

6. The answer may be served by personal delivery to the Division at its office in Las Vegas or Carson City or by mail to the principal office of the Division.

7. Before the hearing, the Division may request, and the respondent may produce upon request, documents and other materials that are under his control. The Division may take depositions and obtain materials by subpoena.

8. All witnesses at the hearing must be sworn by the Administrator or his designated hearing officer, and a tape recording of the proceedings must be made and included as a part of the record in the case.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.710 Notice of decision. (NRS 645D.120)

1. The Administrator or the hearing officer shall render a decision within 30 days after the date of the hearing and immediately give notice in writing of the decision to the respondent.

2. If the decision is adverse to the respondent, the Administrator or hearing officer shall also state in the notice of decision the date upon which the decision becomes effective, which will be not less than 30 days after the date of the notice.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.720 Informal meeting. (NRS 645D.120) The Division will schedule an informal meeting rather than a formal hearing for matters that may be settled or otherwise do not require a formal hearing, in accordance with the following procedures:

1. The Division will initiate the procedure for an informal meeting by giving notice which must include a concise statement of all the facts necessary to understand the possible violation and a brief statement of the relief desired by the Division, if appropriate;

2. Informal meetings will be held by the Administrator or his designee at a time and place prescribed by the Administrator;

3. The Administrator, his designee or any other party may require a tape recording to be made of the informal meeting;

4. The initiation of an informal meeting by the Division is without prejudice to its right to initiate a complaint and formal proceedings covering the same subject matter; and

5. All matters discussed and all material presented in an informal meeting may be used in a subsequent formal hearing, and the Division will inform all parties of that fact at the beginning of the informal meeting.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98)

NAC 645D.730 Petition for reconsideration of action of Division. ([NRS 645D.120](#))

1. Any person aggrieved by an action of the Division, except the revocation or suspension of a certificate issued pursuant to this chapter, may petition the Division for reconsideration of its action within 15 days after its order.
2. The petition must be in writing and state in detail the grounds on which the petitioner relies.
3. If the petitioner desires to present oral argument with his petition, oral argument must be requested in writing at the time the petition is submitted to the Administrator. If oral argument is requested, the Division will set a time for a hearing to occur not later than 20 days after receipt of the petition. The Division will give at least 15 days' notice of the hearing.
4. Not later than 15 days after receiving the petition or hearing of oral argument, the Division will render a decision in writing to the petitioner.

(Added to NAC by Real Estate Div. by R214-97, eff. 5-11-98; A by R144-06, 9-18-2007)