Table 2 — Other Regulatory Changes Warranting Consideration

The following items differ from the clarity issues identified in Table 1. They are submitted under Executive Order 2026-003's direction to identify "other regulatory changes" worthy of consideration. Each numbered item is submitted as a separate stakeholder recommendation for Division review.

These items are not presented on the premise that regulation is necessarily the appropriate solution in every instance. The threshold question is whether existing statutory policy provides a sufficient basis for regulatory clarification or implementation. Where resolving an issue would instead require creation of a new substantive right, duty, restriction, or policy choice, the matter is legislative rather than regulatory. Importantly, any determination that legislative action is required should be explicit rather than inferred from silence.

Area for Review	Existing Framework / Potential Gap	Potential Unintended Consequence	Recommended Regulatory Review
1. Budget adoption process and "proposed budget"	Boards can adopt budgets with only nominal owner notice and effectively no meaningful pre-adoption input.	Although the budget remains subject to owner rejection after adoption, the statutory threshold makes that remedy difficult to use in practice. Owners who must fund the budget have little meaningful role in shaping it.	Does existing statutory policy provide a sufficient basis for regulation that would improve meaningful owner participation before budget adoption? If not, what legislative action is needed, and should it be advanced by the Division?
2. Alternative dispute resolution under NRS 38	The Division previously identified deficiencies in the HOA ADR process and supported legislative amendment. Concerns remain as to whether the resulting statutory framework consistently provides timely, practical, and broadly useful resolution of recurring HOA disputes. The CIC Task Force's April 14, 2026, recommendation to revise NRS 38 further illustrates the need to examine whether proposed changes address the underlying deficiencies and their consequences for homeowners.	Where ADR does not produce a practical resolution, owners are left to choose between civil litigation and abandoning the dispute.	Does the current statutory framework provide a sufficient basis for regulatory changes that would improve the effectiveness of HOA ADR? If not, what legislative action is needed, and should it be advanced by the Division?
3. Affiliated contractors and immediate family members	Existing conflict and disclosure provisions do not categorically prohibit boards or management companies from hiring affiliated contractors or immediate family members.	A transaction may comply technically with disclosure requirements while still creating incentives inconsistent with independent decision-making or competitive contracting.	Do existing conflict-of-interest statutes provide a sufficient basis for regulation addressing affiliated contracting? If not, what legislative action is needed, and should it be advanced by the Division?
4. Removal of an owner-elected director during declarant control	NRS 116.31032 and related provisions govern declarant control and owner representation, but the framework may leave room for a declarant to claim authority to remove an owner-elected director.	The statutory right of owners to elect representation during declarant control may be diminished if the declarant can subsequently remove that representative.	Does existing statutory policy protecting owner representation during declarant control provide a sufficient basis for regulatory clarification of removal authority? If not, what legislative action is needed, and should it be advanced by the Division?
5. Allowable common expenses	NRS 116.019 defines common expenses broadly, while governing documents may extend mandatory assessments beyond traditional shared-property obligations.	Owners may be compelled to fund discretionary lifestyle programming or other activities through mandatory assessments even where the connection to shared-property obligations is attenuated.	Does NRS 116.019 provide a sufficient basis for regulatory clarification distinguishing mandatory common expenses from discretionary programs? If not, what legislative action is needed, and should it be advanced by the Division?
6. Declarant-owned management companies	A declarant-controlled board may contract with a management company wholly owned by or affiliated with the declarant.	The same economic interest may effectively occupy both sides of the governance-management relationship, leaving owners without meaningful independent fiduciary oversight.	Do existing fiduciary-duty and conflict provisions provide a sufficient basis for regulatory safeguards addressing declarant-affiliated management relationships? If not, what legislative action is needed, and should it be advanced by the Division?

Area for Review	Existing Framework / Potential Gap	Potential Unintended Consequence	Recommended Regulatory Review
7. Owner-to-owner and owner-to-board communications	Nevada has not adopted a broad requirement that associations provide a reasonable mechanism for owners to communicate with one another and with the executive board regarding association matters.	Owners may possess voting, meeting, and governance rights without a practical means to exchange information necessary to exercise those rights effectively.	Does existing statutory policy concerning owner participation and elections provide a sufficient basis for reasonable owner communication requirements? If not, what legislative action is needed, and should it be advanced by the Division?
8. Annual disclosure of planned reserve expenditures	Reserve studies identify anticipated expenditures over many years, but owners may not receive a clear list of the reserve expenditures actually planned for the specific budget year under consideration.	Reserve funds can be inappropriately used as a source for current expenses, while transparency is hindered when owners are not given clear disclosure of planned current-year reserve expenditures.	Do existing reserve and budget statutes provide a sufficient basis for regulation requiring clearer annual disclosure of planned reserve expenditures? If not, what legislative action is needed, and should it be advanced by the Division?
9. Annual declarant-control estimate	The risk that a declarant could overstate the maximum number of units and thereby extend declarant control has long been recognized in common-interest-community commentary and has also been raised in Nevada. Yet Nevada law still leaves unresolved how the "units that may be created" denominator should be determined where the stated maximum is inflated, indefinite, or not tied to a definite numerical development limit.	Owners may remain under declarant control for decades, or without any reasonably ascertainable end point, when the governing documents permit inflated maximum-unit estimates or fail to state a definite numerical maximum.	Does the existing declarant-control framework provide a sufficient basis for regulation clarifying how the "units that may be created" denominator is determined and requiring meaningful disclosure of the anticipated duration of declarant control? If not, what legislative action is needed, and should it be advanced by the Division?
10. Supporting documents with board-meeting agendas	Owners may receive a meeting agenda without receiving the contracts, proposals, reports, or other documents the board will actually consider.	Owners may know what topic will be discussed but lack the information necessary to understand it or provide informed comment before the board acts.	Do existing meeting-notice and records-access statutes provide a sufficient basis for regulation requiring timely access to materials necessary for informed owner participation before board action? If not, what legislative action is needed, and should it be advanced by the Division?
11. Notice when acreage is added to an association	NRS 116.2105 places limits on adding real estate to a common-interest community, but owners may have no simple means of knowing when additional acreage has been added.	A statutory limit can become difficult for owners to monitor or enforce because the triggering event is not readily visible.	Does NRS 116.2105 provide a sufficient basis for a regulatory notice requirement when additional real estate is added to the community? If not, what legislative action is needed, and should it be advanced by the Division?
12. Notice of statutory changes affecting governing documents	Under NRS 116.1206, inconsistent provisions of governing documents may be deemed to conform to changes in statute by operation of law without corresponding amendment of the recorded documents.	Owners and prospective buyers may rely on governing documents that no longer accurately state applicable rights or obligations.	Does existing statutory policy provide a sufficient basis for regulation requiring associations to identify provisions of governing documents altered by operation of law? If not, what legislative action is needed, and should it be advanced by the Division?
13. Independent oversight of HOA elections	Executive-board elections are often administered by the community manager, a vendor selected and supervised by the incumbent board.	The election may technically comply with statutory procedures while lacking structural independence from those whose positions or authority are affected by the outcome.	Do existing election statutes provide a sufficient basis for regulatory safeguards requiring greater independence in election administration where structural conflicts exist? If not, what legislative action is needed, and should it be advanced by the Division?

Area for Review	Existing Framework / Potential Gap	Potential Unintended Consequence	Recommended Regulatory Review
14. One-year repose for declaration amendments	NRS 116.2117(2) establishes a one-year period for challenging certain amendments to a declaration, including questions involving amendments adopted unilaterally by a declarant.	An amendment potentially outside proper declarant authority may become insulated from challenge simply through passage of time.	Does existing statutory policy provide a sufficient basis for regulation clarifying the application of NRS 116.2117(2) to amendments adopted unilaterally by a declarant, particularly where the declarant's authority to adopt the amendment is disputed? If not, what legislative clarification is needed, and should it be advanced by the Division?
15. Rulemaking petition process under NRS 233B.100	Under the current process, a petition may proceed into a broader rulemaking workshop without ultimately receiving a clear substantive disposition on the issue originally presented.	As a result, stakeholders may be unable to determine whether the issue was rejected, found beyond regulatory authority, or remains under consideration.	Can existing regulations or administrative procedures be revised to provide a clear substantive disposition of stakeholder rulemaking petitions and greater accountability for unresolved petitions?