



Nicknames and Education- New Laws

Tiffany Banks, General Counsel

During the 2019 legislative session, the REALTORS® were able to carry one piece of legislation. After lengthy discussions with our members at the local and state level, the message from YOU was clear. You wanted two things. To be “better and more professional” and advertise using your nickname. We listened. We created a bill that would require the use of a license number on all advertising and with that, you would be able to advertise using your nickname. Next, pre-licensing education went from 90 to 120 hours, with 15 hours of contracts and 15 hours of agency. Continuing education went from 24 hours per renewal period to 36, all geared towards REALTORS® becoming “better and more professional.” This bill has a few other provisions touched on below.

In anticipation of the questions we will be getting as a result of the passage of SB 230, we have prepared an implementation plan which we have shared with the Real Estate Division and the Real Estate Commission. We are aware that timelines may change once we get into workshops, but for now want to have an idea of what to expect to share with our members. We will be a part of the discussion on the adoption of standards and will be actively engaged during the workshop process. We are always available to answer any questions you have.

Goals after passage of SB 230: Division wants adequate time to implement internal procedures for new laws and regulations.

Licensees and industry need adequate time to create new material for education, add their license number to advertising and take additional required classes.

License Number (Section 1)

July 1, 2019: Licensees should start changing their marketing materials including signs, flyers, business cards, social media and billboards to include their license number. We have been told by the Division that they will not start enforcing these new laws until licensees have had adequate time to come into compliance. The Division recommends that all electronic media be transitioned at the earliest to reflect the license number. The Commission may, as part of establishing regulations, adopt standards under which the licensee number is used.

Suggested Time Frame: July 1 to start transitioning marketing material using your license number. You can use stickers on signs for now to mitigate costs. Right now, the Commission plans on adopting regulations by December 2019, then soon after, all its marketing material, including outdated marketing materials, must be in compliance. * This is just an estimate for now and this timeline may change.



Pre-license (Section 3.5)

The Division understands that pre-licensing schools and educators will need time to come into compliance with the new laws by creating content for the students that comply with the minimum 120 hours including a minimum of 15 hours of contracts and 15 hours of agency. For that reason, the bill in Section 6.5 will reflect that if an application is submitted to the Division on or after January 1, 2020 then the applicant will be required to have completed 120 hours including the 15 on contracts and 15 on agency. This will also give the schools and educators time to work on their curriculum.

Estimated Time Frame: For applications submitted to the Real Estate Division, on or after January 1, 2020.

Continuing Education (Section 5)

The Division understands that the July 1, 2019 date is for the purposes of promulgating regulation. The Division anticipates the Commission will adopt regulations that prescribe the standards for the continuing education by December of 2019. The Division plans on attaching letters as part of a licensee's renewal, notifying them of the new continuing education requirements if they are up for renewal prior to June 1, 2020.

Suggested Time Frame: If Commission adopts regulation in December 2019, then by June 1, 2020, all of the licensees will be notified that the additional hours decided on by the Commission will be required as part of that licensee's **next renewal period**. At a minimum, licensees will have almost a year to be put on notice of these possible changes. In addition, this will give Continuing Educators the opportunity to create new classes and content as needed. * This is just an estimate for now and this timeline may change.

65 years or older (Section 5)

The Division understands that the July 1, 2019 date is for the purposes of promulgating regulation. The Division anticipates the Commission will adopt regulations that prescribe the standards for the continuing education exemption for those 65 years of age or older who have been licensed for 30 years or more, by December of 2019. The Division will need to work internally with staff on logistics for those that apply for this exemption.

Suggested Time Frame: If Commission adopts regulation in December 2019, then by June 1, 2020, those that fit these criteria can apply to Division for exemption from certain classes.

Statements made by the Nevada REALTORS® Legal Information Line attorneys on the telephone, in e-mails, or in legal e-news articles are for informational purposes only. Nevada REALTORS® staff attorneys provide general legal information, not legal representation or advice regarding your real estate related questions. No attorney-client relationship is created by your use of the Legal Information Line. You should not act upon information you receive without seeking independent



legal counsel. Information given over the Legal Information Line or in these articles is for your benefit only. Do not practice law or give legal advice to your clients! Inform your clients they must seek their own legal advice.