



## HOUSING

### “Recent CIC Legislation”

In the 2011 Session, the Legislature considered nearly two dozen measures concerning CICs; only a few of them were enacted. Some made changes to the laws concerning the formation, management, and organization of homeowners’ associations, while others addressed dispute resolution and the information that must be provided to prospective buyers.

Among the highlights of these measures, an omnibus CIC bill was enacted that places limits on an association’s authority to amend a declaration, requires certain associations to have an executive board, and subjects association officers and executive board members to conflict of interest rules for nonprofit corporations. The bill also revised the duties of an association concerning election requirements, enforcement actions, insurance requirements, meeting requirements, and voting by unit owners. The extent to which a unit owner is liable for damages arising from the condition or use of common elements was also determined.

Mediation between homeowners and associations was the subject of much debate and deliberation by the Legislature in 2011. Lawmakers passed Senate Bill 254 which would have established a mandatory mediation program for certain claims of aggrieved persons and required a claimant to exhaust all administrative remedies before entering mediation. Both parties would have been required to act in good faith and if they could not resolve their dispute, the matter would have been referred to arbitration or the Real Estate Division, Department of Business and Industry, for a hearing. An arbiter’s decision in nonbinding arbitration would have been final before a civil action could commence. However, Governor Sandoval vetoed S.B. 254 on June 17, 2011.

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## GAMING IN NEVADA

### “2011 Significant Gaming Legislation”

Internet poker was the subject of A.B. 258 (Chapter 302, *Statutes of Nevada*), which declared that the State of Nevada leads the U.S. in gaming enforcement and regulation, is uniquely positioned to regulate interactive gaming, and must be prepared for possible federal legislation. The measure required the Nevada Gaming Commission to adopt regulations governing the licensing and operation of interactive gaming, including Internet poker, by January 31, 2012. (Nevada Gaming Commission Regulation 5A was adopted on December 22, 2011, to fulfill this requirement.) However, any license to operate interstate interactive gaming does not become effective until the U.S. Congress enacts a federal law authorizing it, or the U.S. Department of Justice notifies the Commission that it is permissible.

The Nevada Gaming Commission issued the first two interactive gaming licenses on June 21, 2012, and—as of October 2012—had issued 12 licenses, with a number of applications still pending. After completing tests and receiving final clearance from the Gaming Control Board, operators may begin to offer player-to-player poker over the Internet to individuals located within the State of Nevada starting in early 2013. Players must register with the operator and must be at least 21 years old.

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Research Library: <http://www.leg.state.nv.us/Division/Research/library/>

Nevada Secretary of State Election Center: <http://nvsos.gov/index.aspx?page=3>

Nevada's Commission on Ethics: <http://ethics.nv.gov/>

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