STATE OF NEVADA

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STEVE AICHROTH
Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY
HOUSING DIVISION

Small Business Impact Statement

The Nevada Housing Division of the Department of Business & Industry has proposed changes to the Nevada Administrative Code (NAC) chapters 319 and 489 regarding the various changes to the adopted codes, continuing education, use of money from the Account for Housing Inspection and Compliance and other changes to NAC 489.

The purpose of the proposed changes to the regulations is to:

1. Update the year of the codes and standards for manufactured homes, mobile homes, commercial coaches and accessory structures, set forth the uses of the money in the Account for Housing Inspection and Compliance, authorize the Administrator's designee to complete certain administrative tasks, provide that a specialty serviceperson's license becomes inactive immediately upon the revocation, suspension, or inactivation of the underlying State Contractors' Board's license, and requiring certain entities to provide notice to the Division of any transfer of control or ownership in the entity.

The Division made a concerted effort to determine whether the regulation is likely to "[i]mpose a direct and significant economic burden upon a small business" or "[d]irectly restrict the formation, operation or expansion of a small business." NRS 233B.0608(1). The Division concluded the regulation would not cause these negative impacts or effects, after consultation with internal staff and the Division's Legal Counsel. While the Division determined that no Small Business Impact Statement (SBIS) was required, the Division is submitting the following information to reflect how it might respond if a SBIS were determined required.

RE: NRS 233B.0609 Proposed permanent or temporary regulation: Contents of small business impact statement; person responsible for agency to sign impact statement.

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

No affected small businesses are impacted by this regulation.

2. The manner in which the analysis was conducted.

The manner in which the analysis was conducted was through reviewing and discussing of the draft regulation with Division staff, Division leadership, and the Division's attorney

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

Adverse effects: There are no adverse effects of this regulation on the businesses it regulates nor on the public.

Beneficial effects: This will allow the Division to update the codes and standards for the various types of manufactured homes and other structures it inspects, it will allow the Division to clearly set forth the uses of money in the Account for Housing Inspection and Compliance, it will allow designees of the Administrator to complete certain administrative tasks, it will allow the Division to monitor transfers in ownership of business to better protect the public and it will allow the Division to monitor licenses of specialty servicespersons.

Immediate effects: This will allow the Division to update the codes and standards for the various types of manufactured homes and other structures it inspects, it will allow the Division to clearly set forth the uses of money in the Account for Housing Inspection and Compliance, it will allow designees of the Administrator to complete certain administrative tasks, it will allow the Division to monitor transfers in ownership of business to better protect the public and it will allow the Division to monitor licenses of specialty servicespersons.

Long-term effects: The Division will more efficiently protect the public.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

The methods the agency considered to reduce the impact of the proposed regulation on small businesses were via discussions with the Division staff and its legal counsel.

The agency did actually use these methods to formulate this approach and to confirm its probable impact of reduced costs and reduced labor.

5. The estimated cost to the agency for enforcement of the proposed regulation.

There is no cost to the Division for the enforcement of the proposed regulation.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

No fees are imposed nor increased by this regulation.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulations do not overlap or duplicate any regulation of other state or local governmental entities. The regulations, even after these proposed regulation changes are adopted, will not overlap and duplicate parts of a federal regulation. The Division is not aware of any proposed provisions which are more stringent than a federal regulation that regulates the same activity.

8. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.

The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses are the result of a review of the statutes, draft regulation and discussion among Division staff and legal counsel.

As the Administrator who is responsible for the agency I certify that, to the best of my knowledge or belief, the information contained in the statement was prepared properly and is accurate.

Sincerely,
NEVADA HOUSING DIVISION

Steve Aichroth
Digitally signed by: Steve Aichroth
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