



NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment and Repeal of Regulations of

The Nevada State Board of Architecture, Interior Design and Residential Design LCB File No. R056-23

The Nevada State Board of Architecture, Interior Design and Residential Design will hold a public hearing at **10:00 am on January 17, 2024**, in the Gina Spaulding Boardroom located at 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119.

The purpose of the hearing is to receive comments from all interested persons regarding the amendment and repeal of regulation that pertains to chapter 623 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. **The need for and the purpose of the proposed regulation or amendment.**

The proposed amendment to this regulation removes references to sections NAC 623.135, NAC 623.400 are they are redundant, obsolete and no longer in use by the agency. Additionally, the following sections: NAC 623.015, 623.150, 623.155, 623.170, 623.300, 623.445, 623.455, 623.465, 623.475, 623.920, 623.925, 623.930 and 623.935 are being repealed as the language in these sections are antiquated and no longer applicable to the agency's operational and licensing requirements and processes.

2. **Either the terms or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved.**

The intent of this regulation is to update and remove references in certain sections that are antiquated language that is obsolete and no longer in use by the agency. Furthermore, the Board is repealing definitions that are better defined in the agency's policies and procedures.

A copy of the proposed regulation, R056-23, may be obtained by writing to the Board's offices at 2080 E. Flamingo Road, Ste. 120, Las Vegas, Nevada 89119, by contacting the Board of Architecture at (702) 486- 7300 or by downloading it from the Board website at: <http://nsbaidrd.org>.

3. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**

- (a) Both adverse and beneficial effects; and

There is no adverse effect of regulation R056-23. Beneficial effect is that by reviewing and updating our regulations, the agency is up to date and consistent with the regulatory compliance best practices.

- (b) Both immediate and long-term effects.

The immediate effect is that the agency stays current and consistent with the regulatory compliance best practices for licensure. The long-term effect is that the agency can monitor the regulatory environment to address any impediment to licensure in the future.

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

There is no cost to the agency.

5. **A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**
The proposed regulation does not overlap or duplicate any regulation of other state or local governmental entities.
6. **If the regulation is required pursuant to federal law, a citation and description of the federal law.**
Does not apply.
7. **If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**
Does not apply.
8. **Whether the proposed regulation establishes a new fee or increases an existing fee.**
Does not apply.

Persons wishing to comment upon the proposed action of the Nevada State Board of Architecture, Interior Design and Residential Design may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Executive Director of the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119. Written submissions must be received by the Board **on or before January 16, 2024**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Architecture, Interior Design and Residential Design may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be Amended and Repealed will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be at the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

CARSON CITY LIBRARY
900 NORTH ROOP STREET
CARSON CITY, NV 89701-3101

CHURCHILL COUNTY LIBRARY
553 SOUTH MAIN STREET
FALLON, NV 89046-3306

LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT HEADQUARTERS
833 LAS VEGAS BLVD NORTH
LAS VEGAS, NV 89101-2062

DOUGLAS COUNTY PUBLIC LIBRARY
1625 LIBRARY LANE
MINDEN, NV 89423-0337

ELKO COUNTY LIBRARY
720 COURT STREET
ELKO, NV 89801-3397

ESMERELDA COUNTY LIBRARY
CORNER OF CROOK & 4TH STREET
PO BOX 430
GOLDFIELD, NV 89013-0430

EUREKA COUNTY LIBRARY
10190 MONROE STREET
EUREKA, NV 89316

HUMBOLDT COUNTY LIBRARY
85 EAST 5TH STREET
WINNEMUCCA, NV 89445-3095

BATTLE MOUNTAIN BRANCH LIBRARY
625 SOUTH BROAD STREET
BATTLE MOUNTAIN, NV 89820

LINCOLN COUNTY LIBRARY
63 MAIN STREET
PIOCHE, NV 89043

LYON COUNTY LIBRARY SYSTEM
20 NEVIN WAY
YERINGTON, NV 89447-2399

MINERAL COUNTY PUBLIC LIBRARY
P O BOX 1390
HAWTHORNE, NV 89415

PERSHING COUNTY LIBRARY
1125 CENTRAL AVENUE
LOVELOCK, NV 89149

STOREY COUNTY TREASURER & CLERK'S OFFICE
DRAWER D
VIRGINIA CITY, NV 89440

TONOPAH PUBLIC LIBRARY
167 SOUTH CENTRAL STREET
TONOPAH, NV 89049

WASHOE COUNTY LIBRARY SYSTEM
301 SOUTH CENTER STREET
RENO, NV 89501-2102

WHITE PINE COUNTY LIBRARY
950 CAMPTON STREET
ELY, NV 89301

STATE PUBLICATIONS
NEVADA STATE LIBRARY & ARCHIVES
100 N. STEWART STREET
CARSON CITY, NV 89701

THE SAWYER BUILDING
555 W. WASHINGTON BLVD.
LAS VEGAS, NV 89101



Nevada State Board of Architecture, Interior Design and Residential Design

2080 East Flamingo Road, Suite 120, Las Vegas NV 89119
Telephone: (702) 486-7300 Fax: (702) 486-7304
E-mail: nsbaidrd@nsbaidrd.nv.gov Web: nsbaidrd.org

SMALL BUSINESS IMPACT STATEMENT REGARDING LCB File No. R056-23

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

Through its newsletter and e-mail blasts, the Board sent notices of the proposed regulations to all its registrants and small businesses on November 2, 2023 (Email, Facebook & Twitter). The agency discussed and reviewed the proposed regulations at three of its publicly noticed board meetings on March 21, 2023, and August 22, 2023, October 18, 2023, and posted a copy of the draft regulations on its website on November 2, 2023. The Board held a Public Workshop on November 17, 2023, via Zoom, and held a Public Hearing on January 17, 2023. The agency used informed, reasonable judgment in determining that there will be no impact on small businesses resulting from the amendments and repeals of these sections of the NAC chapter 623. Any further information may be obtained by contacting Monica Harrison at the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119.

- 2. The manner in which the analysis was conducted:**

The Board discussed the proposed language and any impact it might have upon revising provisions relating to architects, interior designers and residential designers at its regular meetings on March 21, 2023, August 22, 2023 and October 18, 2023; and at its workshop on November 17, 2023 (virtual meeting) and public hearing on January 17, 2024, and received no public input at the workshops either by email or in-person despite all of the notifications sent to the registrants and businesses. The Board, therefore, used its best judgment to determine that these proposed amendments and repeals of the Nevada Administrative Code would have no adverse impacts on small businesses based upon the intent of the regulation.

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

- a. Both adverse and beneficial effects; and**

The intent of the proposed regulations R56-23 is to amend and remove sections of the NAC chapter 623 that are redundant, obsolete, and no longer in use by the agency for the regulation and enforcement of the practice of architecture, interior design and residential design. The beneficial effect is that the agency is removing language that is no longer in use and unnecessary for the registration and enforcement of the three professions it regulates. The Board doesn't anticipate an adverse effect upon the intent of the regulation.

- b. Both direct and indirect effects.**

The direct effect of R056-23 is that by updating and removing antiquated language from the agency's regulations that are no longer in use and irrelevant, the agency performed a full review of chapter 623 of the Nevada Administrative Code. The indirect effect is that the agency performed a thorough review of its regulations that pertains to chapter 623 of the Nevada Administrative Code, as requested by Governor Lombardo.

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

The Board informed businesses through its Newsletter and email-blasts. The proposed changes were also posted on the Board's website, State of Nevada's website and LCB's website. We received no comments from the public. The Board used its best judgment to determine that there was no potential negative impact.

5. **The estimated cost to the agency for the enforcement of the proposed regulation.**
There is no cost to the agency.
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.** Does not apply.

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 regulation change does not duplicate and is not more stringent than any federal, state, or local standards regulating the practice of architecture, interior design and residential design.

8. **The Reasons For the Conclusions of the Agency Regarding the Impact of a Regulation on Small Businesses.**

The Board is confident its proposed regulation will not have an impact on small businesses. The Board did not identify any potential economic effects during its own deliberations and did not receive any such input from any of the licensees or other interested people who were sent notice of the proposed regulations. The Board determines the following to be the answers to the concerns raised in NRS 233B.0607(1):

- a. **Does the Proposed Regulation Impose a Direct and Significant Economic Burden Upon Small Businesses?** The Board has determined the proposed language will have no direct or significant economic burden upon small businesses.
- b. **Will the Proposed Regulation Directly Restrict the Formation, Operation or Expansion of a Small Business?** The Board has determined the proposed language will not restrict the formation, operation, or expansion of small businesses.

Pursuant to NRS 233B.0608(3) and 233B.0309(2), I hereby certify that to the best of my knowledge and belief, the Board conducted a concerted effort as described above to determine the impact of the proposed regulation on small businesses, namely on architecture, interior design and residential design practices in Nevada. The information contained in this statement was prepared properly and contains accurate information regarding all such efforts and the Board's determination based thereon.

Signed and effective this 14 day of December 2023.



Monica Harrison, Executive Director
Nevada State Board of Architecture, Interior Design and Residential Design

**PROPOSED REGULATION OF THE
STATE BOARD OF ARCHITECTURE, INTERIOR DESIGN AND
RESIDENTIAL DESIGN**

LCB File No. R056-23

October 13, 2023

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1 and 3, NRS 623.140; § 2, NRS 623.140 and 623.190.

A REGULATION relating to professions; revising certain provisions relating to examination for registration as an architect; repealing the definition of Executive Director of the State Board of Architecture, Interior Design and Residential Design; repealing certain provisions relating to audits, registration as an architect and advisory committees established by the Board; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Architecture, Interior Design and Residential Design to adopt necessary and proper regulations relating to the practices of architecture, interior design and residential design in this State. (NRS 623.140)

Existing law authorizes the Board to employ an Executive Director. (NRS 623.135) Existing regulations define the term “Executive Director” to mean the Executive Director of the Board. Existing regulations further provide that if an Executive Director is retained, he or she: (1) shall be in charge of the offices of the Board and be responsible for any investigations of the Board; and (2) serves at the pleasure of the Board. (NAC 623.015, 623.150) **Section 3** of this regulation repeals these provisions.

Existing regulations: (1) require the Board to retain a certified public accountant to audit its fiscal records; and (2) authorize the Board to supplement its budget for any emergency expense, upon a majority vote of a quorum. (NAC 623.155, 623.170) **Section 3** repeals these provisions.

Existing regulations require an applicant for registration as an architect to complete certain education and training requirements before applying for registration with the Board and set forth conditions for credit for education and training. (NAC 623.400, 623.445-623.475) **Section 3** repeals regulations setting forth the conditions for credit for education and training. **Section 2** of this regulation makes a conforming change to remove a reference to credit for certain education and training.

Existing law provides that before being issued a certificate of registration to engage in the practice of architecture or residential design, each applicant must personally appear before the Board to take an oath prescribed by the Board. (NRS 623.190) **Section 2** eliminates a duplicative

provision of the Nevada Administrative Code that requires a successful applicant for registration as an architect to personally appear before the Board to take an oath prescribed by the Board.

Existing regulations provide that the Board will establish an advisory committee to assist the Board in reviewing complaints submitted to the Board. (NAC 623.920) Existing regulations also set forth the duties of such an advisory committee and requirements for any informal conferences to be held by the advisory committee. (NAC 623.920-623.935) **Section 3** repeals these provisions. **Section 1** of this regulation makes a conforming change to remove a reference to a section repealed by **Section 3**.

Section 1. NAC 623.135 is hereby amended to read as follows:

623.135 The Chair of the Board shall:

1. If present, preside over the meetings of the Board;
2. ~~Except as otherwise provided in NAC 623.920, appoint~~ **Appoint** all committees of the Board;
3. Sign all certificates issued by the Board;
4. Exclude a person who does not conduct himself or herself in a respectful manner before the Board during a formal or informal proceeding; and
5. Perform all other duties pertaining to the office.

Sec. 2. NAC 623.400 is hereby amended to read as follows:

623.400 1. The Board hereby adopts the architectural examination prepared by the National Council of Architectural Registration Boards as the examination to be used in this State to test applicants for registration as architects.

2. In addition to the qualifications of minimum age and good moral character which are prescribed in subsection 1 of NRS 623.190, to participate in the examination an applicant must ~~except as otherwise provided in subsection 3,~~ have completed or be enrolled in:

(a) The Architectural Experience Program of the National Council as the Program existed at the time of application for registration and have received or be eligible to receive a first

professional degree in architecture from a program accredited by the National Architectural Accrediting Board, Inc.; or

(b) An Integrated Path to Architectural Licensure option that is accredited by the National Architectural Accrediting Board, Inc.

~~3. [An applicant who received 7 years of credits for education and practical training before January 1, 1986, may participate in the examination after the applicant has received a total of 8 years of credits for education and practical training pursuant to NAC 623.445. Of the 8 years immediately preceding the date on which the application is submitted, the applicant must have had 3 years of experience in the office and under the direct supervision of a registered architect.~~

~~4.]~~ An applicant who has completed or is enrolled in the Architectural Experience Program must have the National Council transmit adequate evidence thereof to the Board.

~~5.]~~ 4. Requests for information regarding the Architectural Experience Program must be directed to the:

NATIONAL COUNCIL OF ARCHITECTURAL
REGISTRATION BOARDS
1401 H Street NW, Suite 500
Washington, DC 20005
(202) 879-0520
www.ncarb.org

~~6.— Upon the applicant's successful completion of all parts of the written examination, each applicant must personally appear before the Board to take an oath prescribed by the Board.]~~

Sec. 3. NAC 623.015, 623.150, 623.155, 623.170, 623.300, 623.445, 623.455, 623.465, 623.475, 623.920, 623.925, 623.930 and 623.935 are hereby repealed.

TEXT OF REPEALED SECTIONS

623.015 “Executive Director” defined. (NRS 623.140)

“Executive Director” means the Executive Director of the Board.

623.150 Executive Director. (NRS 623.135, 623.140)

1. The Board may retain a person as Executive Director. If an Executive Director is retained, he or she shall be in charge of the offices of the Board and be responsible for any investigations of the Board.

2. The Executive Director serves at the pleasure of the Board.

623.155 Audits. (NRS 623.135, 623.140)

The Board will retain a certified public accountant to audit all of its fiscal records at the close of each fiscal year.

623.170 Supplement of budget. (NRS 623.140)

The Board may, upon a majority vote of a quorum of the Board, supplement its budget for any emergency expense of the Board by using any money available.

623.300 Evaluation of training received by applicant. (NRS 623.140, 623.190)

1. To evaluate the training being received by an applicant, the Board will consider the organization which is providing the training to be an office of a registered architect if:

(a) The applicant works under the direct supervision of a registered architect who is the principal of the organization;

(b) The organization is not engaged in construction; and

(c) The organization has no affiliate engaged in construction which has a substantial economic effect on the principal of the organization.

2. An organization or its affiliate is considered to be primarily engaged in construction if it customarily:

(a) Provides labor or material for all or any significant part of a project of construction, whether or not compensation is paid by a lump sum or on a cost plus basis; or

(b) Agrees to guarantee to an owner of a project the maximum cost of the construction of all or a significant part of the project.

3. For the purpose of this section, a person is a principal of an organization if he or she:

(a) Is a registered architect; and

(b) Is in charge of the organization's architectural practice alone or with other registered architects.

623.445 Credit for education or training. (NRS 623.140, 623.190)

An applicant for registration as an architect may acquire credit for education or training under the following table:

TABLE OF EQUIVALENTS:

DESCRIPTION OF EXPERIENCE	EDUCATION		TRAINING	
	First	Maximum	Credit	Maximum
	2	Succeeding	Years	Credit
	Years	Years	Allowed	Allowed
	(Percent)		(Percent)	

TABLE OF EQUIVALENTS:

DESCRIPTION OF EXPERIENCE	EDUCATION		TRAINING		
	First 2 Years	Succeeding Years (Percent)	Maximum Years Allowed	Credit Allowed (Percent)	Maximum Credit Allowed
1. For a bachelor's degree in architecture or credits from a program accredited by the National Architectural Accrediting Board, Inc., or for a master's degree in architecture from a school of architecture accredited by that Board.	100	100	5 years		
2. For the first professional degree in architecture or credits toward that degree under a program which has been accredited by the National Architectural Accrediting Board, Inc., not later than 2 years after termination of enrollment.	75	100	5 years		
3. For the first professional degree in architecture or credits toward that degree under a program which has not been accredited by the National Architectural Accrediting Board, Inc.	75	75	4 years		

TABLE OF EQUIVALENTS:

DESCRIPTION OF EXPERIENCE	EDUCATION			TRAINING	
	First 2 Years	Succeeding Years	Maximum Years Allowed	Credit Allowed (Percent)	Maximum Credit Allowed
4. For a bachelor's degree or credits toward that degree in architectural engineering or architectural technology or in civil, mechanical or electrical engineering under a program which has been accredited by the Engineers' Council for Professional Development, the Accreditation Board for Engineering and Technology or ABET, Inc., or for a bachelor's degree in interior architecture under a program accredited by the Council for Interior Design Accreditation.	50	75	3 years		
5. For any other bachelor's degree.			2 years		
6. For employment directly related to architectural work in the office of a registered architect.	50	50	5 years	100	No Limit

TABLE OF EQUIVALENTS:

DESCRIPTION OF EXPERIENCE	EDUCATION			TRAINING	
	First 2 Years	Succeeding Years	Maximum Years Allowed	Credit Allowed (Percent)	Maximum Credit Allowed
7. For experience as an employee of an organization which is regularly involved in the business of construction if the experience is not in the office of a registered architect but is directly related to architectural work and is under the direct supervision of a registered architect.	50	50	4 years	100	2 years
8. For experience as an employee of an organization, other than in the office of a registered architect, if the experience is directly related to architectural work and is directly supervised by a professional engineer or a landscape architect.				50	1 year

TABLE OF EQUIVALENTS:

DESCRIPTION OF EXPERIENCE	EDUCATION		TRAINING		
	First 2 Years	Succeeding Years	Maximum Years Allowed	Credit Allowed (Percent)	Maximum Credit Allowed
9. For experience other than that gained by work described in subsections 6, 7 and 8, if the experience is directly related to operations on a construction site or to physical analyses of existing buildings.				50	6 months
10. A master's or doctoral degree in architecture, unless the degree is the first professional degree.				100	1 year
11. For teaching or research under an architectural program accredited by the National Architectural Accrediting Board, Inc.				100	1 year

623.455 Conditions for credit for education. (NRS 623.140, 623.190)

The credit to be allowed for the education described in the table in NAC 623.445 is subject to the following conditions:

1. Credit for education must be earned after graduation from high school.

2. For the completion of the degrees described in subsections 1 to 5, inclusive, of NAC 623.445, an applicant will receive the maximum credit allowed, regardless of the length of the program to obtain the degree. An applicant with a bachelor's degree described in that table who has participated in more than one program may not receive credit for more than 3 years in the aggregate for the degree.

3. Thirty-two semester hours or 48 quarter hours with passing grades is considered to be 1 year. Credit will be allowed for full years or half years only. A fraction of more than half a year must be rounded to the nearest half year and fractions of less than a half year must not be counted for credit.

4. An applicant will be allowed credit for education in a foreign college or university only for a nonarchitectural bachelor's degree or for the first professional degree under a program accredited by the National Architectural Accrediting Board, Inc., within 2 years after the period of the applicant's enrollment. The applicant must pay the cost of any translation or evaluation necessary to determine the credit for this education.

623.465 Conditions for credits for training. (NRS 623.140, 623.190)

The credit to be allowed for the training described in the table in NAC 623.445 is subject to the following conditions:

1. Credit for training may be earned only after at least 2 1/2 credits have been earned for education.

2. After 5 years of education, each applicant must earn at least 1 year of credit for employment in the office of a registered architect.

3. To be allowed credit for a master's or doctoral degree in architecture or for teaching or research in an architectural program, the subjects studied, taught or researched by the applicant

must be evaluated by the Board and found to be related directly to architecture. Twenty semester hours or 30 quarter hours of teaching or research is considered to be 1 year.

4. Credits may not be used for both education and training.

5. An applicant, upon request by the Board, must substantiate his or her training by showing that it meets the requirements of a licensure candidate in the Architectural Experience Program of the National Council of Architectural Registration Boards.

623.475 Additional conditions for credits for education or training. (NRS 623.140, 623.190)

1. To earn full credit for education or training pursuant to NAC 623.445, an applicant must have worked at least 10 consecutive:

(a) Weeks for credit pursuant to subsection 6 of NAC 623.445; and

(b) Months for credit pursuant to subsections 7, 8 and 9 of NAC 623.445.

2. An applicant may earn half of the credit required in subsection 6 of NAC 623.445 by working at least 20 hours a week during periods of 6 or more consecutive months. No applicant may receive credit for part-time work for any other training described in NAC 623.445.

3. The Board will accept other education and training completed by an applicant if it finds that the training or education is equivalent to the education or training described in NAC 623.445.

4. If necessary to evaluate the credits of an applicant for examination, the Board will require the applicant to substantiate the statement that he or she has complied with the education and training requirements specified in this chapter.

623.920 Advisory committees: Establishment; appointment of members; provisions applicable to members. (NRS 623.140, 623.150)

1. The Board will, when appropriate, establish an advisory committee to:

- (a) Provide assistance in an area that the Board considers necessary; or
- (b) Assist the Board in the review of a complaint which has been filed pursuant to NAC 623.905 if the respondent agrees to participate in an informal review of the complaint by an advisory committee.

2. The Executive Director or a person otherwise authorized by the Board shall appoint members to an advisory committee from a list of volunteers. The list of volunteers must consist of architects, landscape architects, professional engineers, registered interior designers, residential designers or other persons approved by the Board, Executive Director or a person otherwise authorized by the Board. If the advisory committee is established to assist the Board in the review of a complaint, the majority of members appointed must, if practicable, be registered in the same profession or discipline as the respondent. The Executive Director or a person otherwise authorized by the Board shall designate one member of the advisory committee to serve as the chair of the committee.

3. Members of an advisory committee:

- (a) Serve at the pleasure of the Board;
- (b) Are prohibited from participating in a proceeding in which a member of the Board would be required to abstain under similar circumstances; and
- (c) Serve without compensation, but are entitled to travel expenses and subsistence allowances from the Board.

623.925 Duties of advisory committee; use of recommendations by Board; obligations of respondent upon acceptance or rejection of recommendations. (NRS 623.140, 623.150)

1. An advisory committee established to assist the Board in the review of a complaint shall:

(a) Review the complaint and the written report submitted by an investigator pursuant to NAC 623.915 to determine whether probable cause exists that the respondent has violated a provision of this chapter or chapter 623 of NRS;

(b) Hold an informal conference in accordance with the provisions of NAC 623.930; and

(c) Work with the respondent to arrive at a resolution of the complaint.

2. Within 30 days after the informal conference, the chair of the advisory committee shall submit to the Board a report which summarizes the informal conference and the recommendations of the advisory committee concerning the disposition of the complaint.

3. The findings and recommendations of the advisory committee must be supported by substantial evidence.

4. The Board is not bound by the recommendations of an advisory committee concerning the disposition of a complaint.

5. If the respondent accepts the recommendations of the advisory committee, he or she shall, within 30 days after receipt of the recommendations from the Executive Director or a person otherwise authorized by the Board, execute a proposed settlement agreement with the Board concerning a resolution of the complaint. Such an agreement is not effective until the agreement has been signed by the respondent and approved by the Board.

6. If the respondent rejects the recommendations of the advisory committee, or fails to notify the Board that he or she accepts the recommendations within 30 days after receipt of the recommendations, the Board will take further action on the complaint that it considers necessary.

623.930 Informal conference between advisory committee and respondent; notice; committee not bound by rules of evidence. (NRS 623.140, 623.150)

1. If an advisory committee is established to assist the Board in the review of a complaint, the Executive Director or a person otherwise authorized by the Board shall schedule an informal conference between the advisory committee and the respondent. The Executive Director or a person otherwise authorized by the Board shall provide written notice of the time and place of the conference to:

- (a) Each member of the advisory committee;
- (b) The respondent; and
- (c) Each witness whose appearance has been requested at the informal conference.

2. In conducting an informal conference, an advisory committee is not bound by the technical rules of evidence. The chair of an advisory committee shall rule on the admissibility of evidence and accept all evidence which is relevant to the complaint. All evidence admitted is confidential.

623.935 Decline by respondent to participate in review of complaint. (NRS 623.140, 623.150)

If a respondent declines to participate in a review of the complaint by an advisory committee, the Executive Director or a person otherwise authorized by the Board shall refer the complaint to the Board for any further action that the Board considers necessary.