

OTHER ISSUES

Contractual Issues

One of the areas of concern every legislative session is that of the preservation of contractual relationship between agents and brokers. That includes making sure the contractual relationship that exists is not misconstrued as an employer-employee relationship.

This Session, one of the bills introduced dealt with restrictions on contracts that include a noncompete agreement. Although REALTORS® would not have been affected by this bill because it targeted employees, it is important for NVAR to keep a close eye on this type of legislation and ensure that contractors are not wrapped into it at a later date, and that your contractual status is not in question. Ultimately, the measure did not pass.

Land Use

There were two major land use concepts discussed this Session: the creation of affordable housing districts and community land trusts.

Affordable Housing Districts

Affordable housing districts were brought back from the 2007 Session. It targeted Clark County specifically, and - as written - had the potential to limit changes in zoning and

development of land significantly. This bill did not pass, and will not become law.

Community Land Trusts

The other concept is one that is popular in the eastern part of the United States: community land trusts. Essentially, a nonprofit or government entity owns the land, and the homeowners own the real property and lease the land from the entity. This offers a new affordable option for homeownership. This bill did not pass, however, and will not become law.

Reopening of Las Vegas' F Street

The City of Las Vegas and the Nevada Department of Transportation are required to cooperate in funding and bringing about the approval, design and construction of the project to reopen F Street in Las Vegas.

Constructional Defects

Two bills were introduced this Session regarding constructional defects.

Reasonable Attorney's Fees

The first one attempted to remove the provision that allowed an

aggrieved homeowner to recover reasonable attorney's fees for a claim for a constructional defect. That bill did not pass out of committee, and will not become law.

Timeframe to File an Action

The other bill would have reduced the amount of time an individual has to file an action for damages due to constructional defect (from 10 to 3 years; from 8 to 4 years; and from 6 to 3 years, depending on the type of constructional defects). It would also have made some of those reduced timeframes retroactive in certain circumstances. This bill did not pass out of committee either, and will not become law.

For a topic by topic summary or the comprehensive legislative report, please visit www.nvar.org.



760 Margrave Ave, Ste 200
Reno, NV 89502
1 800 748-5526 ❖ www.nvar.org