



JOE LOMBARDO  
*Governor*

STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF MORTGAGE LENDING  
3300 West Sahara Avenue Suite 285  
Las Vegas, Nevada 89102  
(702) 486-0782 Fax (702) 486-0785  
[www.mld.nv.gov](http://www.mld.nv.gov)

TERRY REYNOLDS  
*Director*

CATHY SHEEHY  
*Commissioner*

**NOTICE OF INTENT TO ACT UPON A REGULATION  
NOTICE OF HEARING FOR THE ADOPTION AND AMENDMENT OF  
REGULATIONS OF THE  
DIVISION OF MORTGAGE LENDING**

**LCB FILE No. R070-23**

October 25, 2023

The Commissioner of the State of Nevada, Division of Mortgage Lending (the "Division") will hold a public hearing on December 21, 2023, at 10:00 a.m. The purpose of the hearing is to receive comments from all interested person regarding the adoption and amendment of regulations that pertain to chapters 645A, 645B and 645F of the Nevada Administrative Codes. The public hearing has been set for **10:00 a.m. on December 21, 2023**. The public may attend this public hearing in person at the following locations or via WebEx:

**LAS VEGAS**  
NEVADA STATE BUSINESS CENTER  
3300 W SAHARA AVENUE  
TAHOE ROOM, 4<sup>th</sup> FLOOR, SUITE #430  
LAS VEGAS, NEVADA 89102

**VIA VIDEO CONFERENCE TO:**  
**CARSON CITY**  
1830 COLLEGE PKWY. #100  
CONFERENCE ROOM  
CARSON CITY, NEVADA 89706

**WEBEX LINK: <https://businessnv2.webex.com>**

**DIAL IN NUMBER: 1-844-621-3956**

**THURSDAY, DECEMBER 21, 2023, MEETING ACCESS CODE: 2493 861 6405**

**THURSDAY, DECEMBER 21, 2023, MEETING PASSWORD: nkCi5fb2vH2**

The following information is provided pursuant to the requirements of NRS 233B.060:

**1. Purpose and need of the proposed regulation.**

To conform with the Governor’s Executive Order 2023-003 to streamline, clarify, reduce, or improve the existing regulations.

**2. Description of proposed regulations and the manner in which approved or revised text of the proposed regulation prepared by the Legislative Counsel Bureau (LCB) may be obtained.**

A copy of the revised proposed regulation for adoption, LCB File No. R070-23, is attached.

The proposed regulations were drafted by the Division to comply with the Governor’s Executive Order 2023-003 to streamline, clarify, reduce, or improve the existing regulations. The Division proposes to amend NAC 645A, NAC 645B and NAC 645F to accommodate the changes made in law and to ensure regulations are written clearly and concisely, that regulations are not duplicative and unnecessary and that regulations protect the health and welfare of Nevada without unnecessarily burdening business activity.

With respect to the Division’s regulatory revisions to the *existing* language of NAC 645A, NAC 645B, and NAC 645F to remove the requirement to return the original license to the Division as the process has gone to electronic licenses and clarify the process. With respect to the Division’s regulatory revisions to the *existing* language of NRS 645B to allow electronic email channel in addition to regular mail in paper format; to add the “s” that is missing from the website URL and remove the Northern Nevada phone number; and the removal of the Yellowpage listing and to add without limitation, media platforms. The Division seeks to amend NAC 645A, NAC 645B and NAC 645F to reflect the changes listed above.

Access to text of the revised proposed regulations prepared by the Legislative Counsel Bureau pursuant to NRS 233B.063, may be obtained by visiting the website of the Nevada Legislature at <http://www.leg.state.nv.us>, hovering over the term “Law Library,” hovering over the term “Nevada Register.” Clicking upon the term “Browse,” and then clicking upon the term “Numerical Index” appearing under the Category “2023 Regulations.” Access may then be obtained by simply scrolling down the list of LCB File Numbers to seek “R070-23” and then specifically clicking upon the designation “R070-23P.” Alternatively, the language can be found by performing a “search” function specifying “R070-23P” and then clicking upon the reference to R070-23P as specified.

**3. Statement of impact on small business.**

The Division does not foresee any adverse effects of the proposed regulation (whether immediate or long term) to the business of an escrow agency, escrow agent, mortgage company, mortgage loan originator, loan modification /foreclosure consultants, covered service provider, mortgage servicer, supplemental mortgage servicer or to the public.

To date, the Division has not received any written or oral comments that would indicate that the regulations will have any economic effect, either adverse or beneficial, upon such businesses.

**4. Statement identifying the methodology used by the Division in determining the impact of the proposed regulation upon a small business.**

On April 26, 2023, the Division posted its proposed regulations on its website and made email notification to its licensees (a total of approximately 19,949 recipients), requesting comments and input concerning whether or not its regulatory proposals were likely to impose a direct and significant economic burden upon a small business subject of NAC 645A, 645B and NRS 645F. The Division repeated its request for public comments in this same manner on April 26, 2023, when it issued its Notice of Public Workshop & Agenda concerning the proposed regulatory changes to NAC 645A, 645B & NAC 645F. As issued on April 26, 2023, these materials were also posted to the Nevada Public Notice Website at <https://notice.nv.gov> and the Nevada Legislature's web page for administrative regulation notices at <https://www.leg.state.nv.us/App/Notice/A/>, as well as at the following Nevada office locations: The Division's office in Las Vegas, the Nevada State Business Center in Las Vegas, the Department of Business & Industry in Carson City, and the Nevada State Library & Archives, in Carson City. The Division received a total of no written responses by May 23, 2023.

The public workshop was conducted on May 30, 2023, as scheduled and properly noticed, with only three members of the public in attendance via WebEx relative to the proposed regulatory changes to NAC 645A, 645B and NAC 645F, who provided neither written nor oral comments.

On August 18, 2023, the Division posted its proposed regulations on its website and made email notification to its licensees (a total of approximately 19,949 recipients), requesting comments and input concerning whether or not its regulatory proposals were likely to impose a direct and significant economic burden upon a small business subject of NAC 645A, 645B and NRS 645F. The Division repeated its request for public comments concerning the proposed regulatory changes to NAC 645A, 645B & NAC 645F. The Division received a total of no written responses by September 8, 2023.

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

The Division does not anticipate incurring additional costs for the implementation and enforcement of the proposed regulation. The agency will receive less fees by adopting these new regulations.

**6. Overlap or duplication with other state, local governmental or federal agencies.**

None known at the time of this posting.

**7. Existence of Federal Regulation:**

None known at the time of this posting.

**8. New Fee Established or increase to existing fee:**

The proposed regulations do not otherwise provide a new fee, and do not provide for any increase to an existing fee.

Notice of Hearing  
NAC 645A, 645B and NAC 645F, LCB File No. R070-23  
October 25, 2023

### COMMENTS AND WRITTEN SUBMISSIONS

Persons wishing to comment upon the proposed action of the Division of Mortgage Lending may appear at the scheduled public hearing on December 21, 2023, at 10:00 a.m. or may address their comments, data, views, or arguments, in written form, to the Division, by U.S. mail, fax, or e-mail transmission, as follows:

Division of Mortgage Lending  
3300 West Sahara Avenue, Suite 285  
Las Vegas, NV 89102  
Fax:(702) 486-0785  
[mldinfo@mld.nv.gov](mailto:mldinfo@mld.nv.gov)

Written submissions must be received by the Division on or before 5:00 p.m. PST on November 30, 2023. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Division of Mortgage Lending may proceed immediately to act upon any written submissions.

### COPIES OF PROPOSED REGULATION

A copy of this notice and the text of the proposed regulation has been deposited with the Administrator of the Nevada State Library and Archives, at which location it will be on file at 100 N. Stewart Street, Carson City, Nevada, 89701, for inspection by members of the public during business hours. A copy of the proposed regulation to be considered may be obtained at the hearing or may be downloaded from the Nevada Public Notice Website at: <https://notice.nv.gov>. The proposed regulation is also available on the Division's Web site at <http://www.mld.nv.gov/> and at the Division office at 3300 West Sahara Avenue, Suite 285, Las Vegas, NV 89102.

Pursuant to NRS233B.060(1)(a)(1), the regulation that is posted on the Division's website three working days in advance of the hearing will be the regulation to be considered at the scheduled hearing as noticed herein.

This Hearing Notice has been sent to all interested persons on the Division's mailing list for administrative regulations, provided to any person who has requested such notice, and posted at the following locations:

Division of Mortgage Lending  
3300 W Sahara Ave Suite 285  
Las Vegas NV 89102

Nevada State Business Center  
3300 W. Sahara Ave.  
Las Vegas NV 89102

Dept. of Business & Industry  
1830 College Pkwy, Suite 100  
Carson City NV 89706

NV State Library & Archives  
100 N Stewart Street  
Carson City NV 89701

Legislative Counsel Bureau of Nevada  
401 S Carson Street  
Carson City NV 89701

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://leg.state.nv.us/>. An electronic copy of this Notice has been sent to the Legislative Counsel Bureau at [Regulations@lcb.state.nv.us](mailto:Regulations@lcb.state.nv.us) and [ahartzler@lcb.state.nv.us](mailto:ahartzler@lcb.state.nv.us).

Notice of Hearing  
NAC 645A, 645B and NAC 645F, LCB File No. R070-23  
October 25, 2023

Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A copy of this notice may be obtained by contacting Jennifer Hill, Legal Research Assistant 1 at the Division's office at 3300 West Sahara Avenue, Suite 285, Las Vegas, NV 89102, or calling the Division's office at (702) 486-0782. A reasonable fee may be charged for copying expenses.

Members of the public who are disabled and require special accommodations or assistance at the hearing must provide written notification, at least 5 business days prior to the hearing, to the Division at the above-described office address.

After the hearing, interested persons can contact Ms. Hill at (702) 486-0542, to request a copy of the Summary of Comments of the December 21, 2023, Hearing.

Note that NRS 233B.0642 provides as follows:

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall 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.