FILED
JUN 08 2026
NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

Public Comment Section 2 -Health, Safety, and Welfare- June 8, 2026

To the Commission:

I am a member of Nevada HOA Reform Coalition, and strongly support our founder's comments.

Section 2 has a big problem. Not because HOAs shouldn't handle real health and safety issues. They should.

Here is the truth: Section 2 takes a narrow emergency exception and turns it into a weapon for everyday enforcement.

The law (NRS 116.31031) says a violation has to pose an imminent threat right now. Not last week. Not last month. Right now. That is a high bar on purpose.

But Section 2 ignores timing. It lets boards take ordinary violations like a dead bush or a fence dispute or a loud party last Tuesday and call them "health and safety" violations. Why does that matter? Because once something gets that label, fines can go way beyond the normal statutory limits.

That is not protecting anyone. That is relabeling routine rule breaking to bypass the limits the law intended.

The regulation also fails on severity standards. Where is the scale? What is minor? What is severe? A cracked step is not the same as a gas leak. But under this draft, both could get the same blank check. One HOA might fine someone $500. Another HOA down the street fines the same violation $5,000. That is not fairness. That is a random number generator for homeowners.

And then there is the fine limit. Actually there is no fine limit. The summary from the Legislative Counsel mentions $10,000. But the actual regulation text has no dollar amount at all. None. It says fines should match severity and then points back to the same vague laws the Commission was supposed to clarify. That is not a limitation. That is a blank check with a sticky note.

Here is the irony: Some associations are already using the health and safety label aggressively. Why? Because the Commission never adopted the required criteria back in 2021. Section 2 would not fix that. It would make things worse. It would bake the confusion right into the rules.

The Legislature gave this Commission a clear job three years ago under NRS 116.31031. Adopt real criteria. Real severity standards. Real dollar limits. Section 2 does none of those.

We don't need more board discretion. Homeowners need more guardrails.

Please reject Section 2. Send it back for timing rules, severity levels, and a hard dollar cap that actually appears in the text. Anything less leaves homeowners trapped in the same broken system we came here to fix.

P. Howard Dougherty
HOA Board Member
Las Vegas, NV 89169