

**REAL ESTATE COMMISSION MINIMUM SERVICES TASK FORCE
GREATER LAS VEGAS ASSOCIATION OF REALTORS
1750 E. SAHARA AVENUE
LAS VEGAS, NEVADA 89104**

TUESDAY, JUNE 27, 2006

1:00 p.m.

MINUTES

Deanne Rymarowicz called the meeting to order at 1 p.m.

(1*) Introduction of Task Force members.

Deanne Rymarowicz, Legal Counsel for Greater Las Vegas Association of Realtors; Mike West, Broker/Owner, Century 21 Moneyworld; Pat Schweigert, Broker, ERA Realty Central; Teresa McKee, Legal Counsel for Nevada Association of Realtors; Gail Anderson, Real Estate Division Administrator; Kateri Cavin, Sr. Deputy Attorney General acting as Task Force counsel; Linda Pierson, Commission Coordinator; other Division Staff in attendance: Sandra Richards, Commission Coordinator; Bruce Alitt, Chief Investigator. Member Kim Pedersen was not in attendance.

(2*) Discussion and possible action regarding; including but not limited to:

a) Other US jurisdiction's laws regarding minimum service requirements;

Ms. McKee provided a report on implied agency. (Attached hereto.)

b) Nevada licensee's duties owed, established by NRS 645.252 and 645.254; and

c) Ramifications or conflicts of limited service brokerage and Nevada licensee's duties to a client.

(3*) Discussion and possible action regarding issues that may require changes to Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC).

Ms. Cavin reported on her assignment to investigate whether certain changes could be made by regulations rather than by statutes, and stated that the answer is no.

Ms. Rymarowicz stated that the task force will have to redo some of their recommendations in light of the statutory requirements.

(4*) Discussion and possible action regarding recommendations to the Real Estate Commission.

The task force went through the report and recommendations item by item for possible adjustments.

Ms. Rymarowicz noted the arrival of Christine Guerci, Sr. Deputy Attorney General.

After lengthy discussion on Recommendation #1, a definition of agency, the consensus was to table this recommendation temporarily and move forward with discussion on the remaining recommendations.

(2*) Discussion and possible action regarding; including but not limited to:

Ms. Guerci presented her report on net and open listings and the Attorney General Database. Ms. Guerci stated that there have been no Attorney General opinions issued relative to Nevada being an agency state for Real Estate. Ms. Guerci stated that net listings are not prohibited in Nevada and there has been no current case law in the past 10-15 years.

(4*) Discussion and possible action regarding recommendations to the Real Estate Commission (continued).

Consensus was to set aside Recommendation #2 temporarily.

Recommendation #3

After discussion and changes, Ms. Guerci moved to approve Recommendation #3 as changed. Seconded by Ms. McKee. Motion carried.

Recommendation #4

Changes to this recommendation were discussed and agreed upon.

Ms. Guerci moved to approve Recommendation #4 as changed. Seconded by Ms. McKee. Motion carried.

Recommendation #5

Changes to this recommendation were discussed and agreed upon.

Ms. McKee moved to approve Recommendation #5 with agreed upon changes. Seconded by Ms. Guerci. Motion carried.

Recommendation #6

Changes to this recommendation were discussed and agreed upon.

Ms. Schweigert moved to approve as modified. Seconded by Ms. McKee. Motion carried.

New Recommendation #7

Lengthy discussion ensued after which a new recommendation was agreed upon.

Ms. McKee moved move to accept Recommendation #7. Seconded by Ms. Guerci.
Motion carried.

Recommendation #1 revisited

Ms. Rymarowicz read portions of the definition of “agency” from Black’s Law Dictionary.

Lengthy discussion ensued on the subject of “agency.” Consensus was reached on the need to define agency and the rationale, and that proposed action would require further discussion.

Ms. Guerci moved to report that Recommendation #1 is unfinished due to the complexity of the issue, and that Recommendation #2 is contingent upon Recommendation #1 and is unfinished at this time. Seconded by Ms. McKee.

Ms. Rymarowicz will prepare a final report and present it to the Commission at the September 18-20, 2006 meeting in Carson City.

(5*) Discussion and possible action regarding date, time, place and agenda items for upcoming meetings.

No future meetings scheduled at this time.

(6) Public Comment

There were no members of the public in attendance.

7* Adjournment

Ms. Rymarowicz adjourned the meeting at 5:05 p.m.

