

Brian Sandoval
Governor

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STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
209 East Musser Street, Suite 101/Carson City, NV 89701
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MEMO PERD # 55/11
October 25, 2011

TO: Personnel Commission Members
Department Directors
Division Administrators
Agency Personnel Liaisons
Agency Personnel Representatives
Employee Representatives

FROM: Teresa Thienhaus, Administrator
Division of Human Resource Management

SUBJECT: PROPOSED CLASSIFICATION CHANGES

A handwritten signature in cursive script, appearing to read "T. Thienhaus".

Attached are proposed classification changes for your information pursuant to NRS 284.160, subsections 3 through 5. If you have any comments or objections, please notify Peter Long in the Compensation, Classification and Recruitment Section in writing no later than November 30, 2011.

If no written objections are received in this office by November 30, 2011, action will be taken to effect the changes and a report will be made to the Personnel Commission.

Attachments

NOTICE OF PROPOSED CLASSIFICATION CHANGES

Number: **05-12**
Posting Expires: **November 30, 2011**

Per NRS 284.160, the Personnel Director may make a change in classification without the prior approval of the Commission. The following change(s) are proposed:

CURRENT			PROPOSED		
CODE	TITLE	GRADE/EEO-4	CODE	TITLE	GRADE/EEO-4
11.411	Real Estate Projects Chief	38 B	11.411	Real Estate Projects Reviewer	36 B

EXPLANATION OF CHANGE

As requested by the Real Estate Division of the Department of Business & Industry, the Division of Human Resource Management is proposing revisions to the class specification for the vacant, single-position class of Real Estate Projects Chief. In the current environment of retrenchment, the Real Estate Division functions differently than when the position was regarded, as stated in the current class specification, as the “chief regulator” of matters involving land development, including subdivisions, timeshares, and membership campgrounds. That role is now carried out directly by the Division Administrator, with assistance from this position, which at times in the past was supervisory but which no longer has those responsibilities. However, the position remains the locus of technical expertise for review of real estate projects and compliance with applicable statutes and regulations.

The class specification has been revised to better reflect the current authority and responsibility of the position, as well as the lesser amount of experience required at the entry level. The title change from Real Estate Projects Chief to Real Estate Projects Reviewer reflects the change in emphasis for the duties. The recommended grade 36 is one grade below that of the class of Chief Compliance/Audit Investigator, used by the Real Estate Division to oversee proactive and reactive investigations that include the execution of projects previously reviewed by the proposed Real Estate Projects Reviewer and approved by the Administrator.

The Real Estate Division participated in this study and supports the recommendation.

The formal recommendations and specifications are on file with the Division Administrator, Human Resource Management. To view a copy in Carson City, go to 209 East Musser Street, Room 101; in Las Vegas, go to 555 East Washington Avenue, Room 1400. For more information call (775) 684-0151.

Objections to the proposed change(s) must be received in writing by November 30, 2011. Objections should be addressed to Peter Long, Deputy Division Administrator, Compensation, Classification and Recruitment, Section of Human Resource Management, 209 East Musser Street, Room 101, Carson City, Nevada 89701-4204.

POSTING DATE: October 25, 2011



CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
REAL ESTATE PROJECTS REVIEWER	36	B	11.411

Under general direction of the Real Estate Division Administrator, the incumbent conducts regulatory compliance reviews for land sales including subdivisions, timeshare projects, and membership campgrounds located or marketed in Nevada to ensure proper legal structuring, documentation, and financial soundness.

Review and investigate sales by land and project development companies; review owner-developer applications, including financial statements; investigate and verify real estate escrow arrangements, bonding, trusts, and other financial guarantees and contracts to ensure compliance with laws and regulations; analyze project documentation for legality and financial viability to protect the interests of real estate purchasers and communities.

Counsel developers and the public on the requirements of statutes, regulations, and policy; provide interpretations and procedural guidance; review requests for exemption from registration as provided by statute.

Review real estate development advertising, other published materials, and sales promotions to identify inaccurate assertions and preserve consumer rights.

Provide recommendations to the Administrator for approval or disapproval of applications for land sale based on assessment of sufficiency of legal structuring and adequacy of bonding and other financial guarantees.

Prepare full disclosure property reports and timeshare public offering statements; issue preliminary permits to sell, property reports, and public offering statements after review by the Administrator.

Analyze current real estate market trends and make projections for purposes of workload and budget planning.

Maintain project records using customized agency database.

Attend workshops and hearings regarding proposed regulation changes and provide information to participants.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

EDUCATION AND EXPERIENCE: *Bachelor’s degree from an accredited college or university in business administration, real estate, accounting, or related field and three years of progressively responsible professional experience in general real estate sales, timeshare development, land development, title and escrow operations, and/or securities regulation; OR an equivalent combination of education and experience.*

MINIMUM QUALIFICATIONS (cont'd)**ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):**

Working knowledge of: real estate terminology; scope and purpose of real estate laws, regulations, and practices. General knowledge of: real estate advertising methods and techniques. Ability to: analyze legal structuring and documentation of real estate projects, financial statements and reports, and real estate escrows, trusts, investments, and business structures; review and investigate land sale, timeshare, and membership campground projects and their improvements; communicate effectively with individuals and groups, both orally and in writing; understand, use, and make computations relating to real estate projects.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Detailed knowledge of: policies and procedures of the Real Estate Division; Nevada Revised Statutes and corresponding administrative regulations pertaining to real estate projects, including those affecting land sales, timeshares, membership campgrounds, condominiums, condominium hotels, mortgage brokers, common-interest communities, and planning and zoning; the Securities Act of 1933 and the Interstate Land Sales Act. Ability to: evaluate legitimacy of advertising and identify fraudulent or misleading claims.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

11.411

ESTABLISHED: 9/14/78
REVISED: 10/13/78-3
REVISED: 3/15/88R
 3/3/89PC
REVISED: 7/1/95P
 9/16/94PC
REVISED: 11/30/11UC



STATE OF NEVADA – DEPARTMENT OF PERSONNEL

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO 4</u>	<u>CODE</u>
REAL ESTATE PROJECTS CHIEF	38	B	11.411

~~Under administrative direction, is responsible for regulating all land sales including subdivisions, timesharing projects, and membership campgrounds offered in Nevada to include all legal structuring and documentation; reviewing and investigating sales by land and project development companies; investigating and verifying real estate escrow arrangements, financial arrangements, real estate development advertising on a statewide basis, bonding and other financial guarantees to ensure compliance with laws, rules and regulations; issues permits to sell and public offering statements; and performs related duties as required.~~

~~Applies the laws and regulations pertaining to all land developments including subdivisions, timeshare projects and membership campgrounds in order to determine effectiveness of protection against third party creditors, conveyancing, legal documentation, contracts, financial analysis, escrow provisions, trusts and project feasibility in order to protect purchaser by ensuring the purchase is practicably and legally sufficient.~~

~~Analyzes information, data and documents pertaining to real estate securities or escrow and construction bonding for legality and fiscal soundness by evaluating and interpreting escrow, bonding and other financial guarantees for soundness and compliance with laws, rules and regulations to ensure that certain safeguards are in place so that purchaser cannot be divested of their interest.~~

~~Oversees the review of all published materials and sales promotions by applying appropriate advertising laws to ensure that no inaccurate assertions are published. Reviews all legal contracts and documents required by regulations and statutes by applying applicable laws in order to ensure consumer rights are not violated and that the consumer understands his rights.~~

~~Interprets statutes, regulations and policy for counseling developers and licensees in regards to the law and how to comply correctly and expeditiously.~~

~~Either oversees the inspection of or physically inspects every project filed by traveling to each development to determine that it is as represented and interviewing local officials and others in order to verify authenticity of representations.~~

~~Serves as an expert witness in matters involving land development including subdivisions, timeshares and membership campgrounds by testifying in court regarding their feasibility, compliance with law, and activities. This position is recognized as chief regulator of these three industries in the state.~~

~~Prepares full disclosure property reports or public offering statements (permit to sell) by preparing the written report in lay terms which provide all required and necessary information to a potential consumer in order that a valid judgment can be made of whether to purchase.~~

~~Reviews and investigates exemption requests of developers and developments by applying the provisions as set forth in the laws in order to determine if they may or may not be exempt from the requirement of the laws.~~

~~Reviews owner developer applications, including financial statements, by analyzing materials submitted by developer in order to make recommendations to Administrator for approval or disapproval.~~

~~Provides general supervision to professional level staff by delegating responsibility, training, evaluating subordinate effectiveness and administering necessary discipline in order to accomplish the Division's mission.~~

~~Acts in the absence of the Administrator on all matters pertaining to projects registration.~~

This position functions under administrative direction from the Administrator, consulting only with the Administrator when a problem arises that could directly result in financial loss to the consumer. The Administrator also reviews the property reports and public offering statements prior to signing.

MINIMUM QUALIFICATIONS

EDUCATION AND EXPERIENCE: Graduation from an accredited college or university with major coursework in business administration, accounting or closely related field and five years of progressively responsible experience, including general real estate sales, timeshare development, land development, title and escrow operations and/or securities; **OR** an equivalent combination of education and experience in which the candidate has demonstrated possession of the entry level knowledge, skills and abilities.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Knowledge of: the scope and purpose of real estate laws, rules, regulations and practices; real estate terminology in advertising methods and techniques. **Ability to:** analyze legal structuring and documentation of real estate projects; analyze financial statements and reports; analyze real estate escrow, trusts, and investments; analyze business structures; to inspect land sales, timeshare and membership projects and their improvements and analyze their adequacy; effectively supervise subordinate staff in order to assign work, train, evaluate and administer discipline, if necessary.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Knowledge of: NRS 119 (Land Sales Act), NRS 119A (Timesharing Act), NRS 119B (Membership Campground Act), NRS 645 and 645A (Real Estate Laws), NRS 645B (Mortgage Brokers Act), NRS 117 (Condominiums), NRS 116 Common Interest, NRS 278 (Planning and Zoning), the Securities Act of 1933 and the Interstate Land Sales Act; policies and procedures of the Nevada Division of Real Estate. **Ability to:** evaluate authenticity of advertising claims and document fraudulent or misleading advertising.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

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