STATE OF NEVADA

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

STEVE AICHROTH
Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY
HOUSING DIVISION

MINUTES of the PUBLIC MEETING of the ADVISORY COMMITTEE ON HOUSING
July 24, 2026 @ 10:00 AM

COMMITTEE MEMBERS PRESENT:
Senator Neal
Brooke Page
Bill Brewer
Bill Thomas
Eric Novak
Fred Herron
Hilary Lopez
Audra Hamernik

COMMITTEE MEMBERS ABSENT:
Dagny Stapleton

2. Public Comment
No public comment was received at the opening of the meeting.

3. Approval of Previous Meeting Minutes
The Committee approved the minutes from the previous meeting without objection.

4. Discussion of Bill Draft Request (BDR) – Affordable Housing Preservation
Steve Aichroth explained that the Housing Division had taken the Nevada Housing Coalition's previously presented preservation concepts and organized them into **11 components** for purposes of developing potential BDR language. The Committee reviewed the components individually and discussed which concepts should be addressed through statute, regulation, the Qualified Allocation Plan (QAP), regulatory agreements, or other administrative mechanisms.

Component 1 – Extended Preservation Notice
The Committee discussed changing the existing preservation notice requirement from **12 months to 36 months** prior to the expiration of an affordability period. The proposed 36-month notice would provide additional time for the Housing Division, local governments, housing authorities, and Continuums of Care to evaluate preservation opportunities and prepare for potential changes affecting residents.

The Committee discussed whether additional notices at 24 months, 12 months, and six months were necessary. Members noted that the primary purpose of the notice requirement should be to provide additional time while still allowing an owner to change course and preserve the property.

Colleen Platt advised that the statutes authorize the Division to adopt regulations and that a rescission process could be addressed through regulation, allowing an owner who initially indicates an intent to leave the affordable housing program to subsequently change that decision without creating a statutory violation.

Committee direction: The general consensus was to move forward with the **36-month statutory notice requirement**, while addressing additional notice and rescission provisions through the regulatory process.

Component 2 – Clarification of Covered Properties
The Committee discussed clarifying the definition of properties subject to the preservation requirements. The proposal identified LIHTC developments, HOME-funded developments, project-based Section 8 developments, USDA Rural Development properties, state-assisted affordable housing, and mixed-finance affordable housing developments.
Colleen Platt explained that existing statutory language defines a "project" to include residential housing developments financed in whole or in part with certain tax credits or federal or other governmental funding for which compliance is administered by the Division. The Committee discussed whether that existing definition adequately captures the types of developments the preservation proposal intends to address.
Members raised concerns regarding properties funded or administered outside the Housing Division's direct regulatory authority, including certain USDA and HUD-assisted properties. The Committee also discussed the importance of including projects funded through local governments and ensuring local jurisdictions receive appropriate notification when they have provided funding.
Supportive housing was specifically discussed. Members noted that supportive housing can have unique preservation considerations and may not always be tied to LIHTC. Colleen indicated that the definition of "project" could potentially be revised to capture appropriate supportive housing developments and other properties the Committee intends to include.
The Committee also discussed the need to avoid unintentionally imposing severe penalties on small nonprofit or supportive housing providers that may need to close or dispose of a property due to financial circumstances. Existing law was noted to provide for a **permissive fine of up to $10,000** for failure to provide required notice.
Committee direction: Colleen Platt indicated that she could prepare draft language expanding the definition of "project" to encompass most of the developments discussed. The Committee did not express opposition to moving forward with that approach.

Component 3 – Nevada Preservation Database
The Committee discussed creation and maintenance of a statewide preservation inventory/database. The proposal contemplated information including property name, county, program type, unit count, expiration year, owner contact information, acquisition discussions, preservation negotiations, and financial information.
The Committee noted that the Housing Division already maintains a statewide low-income housing database pursuant to existing statute. Discussion centered on whether the proposed preservation database would be duplicative or whether it would provide a more specific inventory of properties subject to preservation requirements.
Eric Novak noted that the existing statutory database language is broad and more focused on market-study information than on maintaining a specific inventory of properties with

affordability restrictions. He suggested that any statutory language should establish a continuing responsibility to maintain an inventory of subject properties rather than making the database dependent upon individual staff or administrative practice.

Members expressed concern about making detailed property-level information publicly available because such information could potentially facilitate predatory acquisition activity. There was greater support for an annual preservation report identifying properties and units at risk without necessarily making a detailed list of individual properties publicly available.

Maurice Page clarified that the Nevada Housing Coalition's intent was for the database to be more public-facing so the public could understand which affordable housing units were approaching the end of their affordability periods and potentially identify preservation or acquisition opportunities.

The Committee also discussed the fiscal impact of maintaining and staffing the database. Maurice indicated that the Coalition had intentionally not included a specific fiscal note because the Housing Division would ultimately need to determine the appropriate staffing and resource requirements.

Committee direction: The Division will further evaluate how the proposed preservation inventory can build upon existing statutory database requirements and whether additional statutory or regulatory language is necessary.

Component 4 – Preservation Opportunity Process

The Committee discussed a preservation opportunity process intended to provide transparency and an opportunity for owners to consider preservation proposals. The revised proposal removed mandatory "good faith" language and instead contemplated requiring owners to review preservation proposals and respond in writing within a specified period.

The proposal, as presented, did **not** require an owner to sell, create a right of first refusal, or restrict an owner's disposition rights. The stated purpose was transparency and an opportunity to facilitate preservation rather than compulsion.

Members discussed whether additional mechanisms should be added to give the Housing Division greater leverage to preserve properties.

Right of First Refusal / Qualified Contracts

The Committee engaged in substantial discussion regarding a potential **right of first refusal** for future LIHTC properties, particularly as properties approach the end of their affordability periods.

Eric Novak explained that existing qualified contract provisions may leave the Housing Division without leverage when an affordability declaration naturally expires, particularly at the end of a 30-year affordability period. He suggested that a right of first refusal could give the Division an opportunity to act as a facilitator or "broker" for preservation before a property moves to market-rate status.

Audra Hamernik raised administrative concerns regarding rights of first refusal, noting that even when an entity does not intend to purchase a property, exercising or responding to a right of first refusal can create substantial administrative obligations. She also questioned how the right would apply to properties that are intended to remain affordable and therefore may never trigger a preservation concern.

Colleen Platt recommended initially addressing a right of first refusal through the **QAP and regulatory agreements (LURAs)** rather than immediately placing detailed requirements in statute. She expressed concern about unintended consequences that could result from establishing a mandatory statutory right without first testing the process and receiving stakeholder feedback.

The Committee also discussed the existing qualified contract policy. Colleen noted that qualified contracts have historically been a policy decision of the Division rather than a statutory requirement, meaning a future administration could potentially change that policy. Eric Novak recommended making the elimination of qualified contracts permanent through statute.
The Committee ultimately discussed a two-step approach:

1. **Prohibit qualified contracts in statute** for future transactions; and
2. **Develop a right-of-first-refusal process initially through the QAP and LURAs**, with the possibility of pursuing statutory or regulatory authority in a future legislative session after the process has been evaluated.

Steve Aichroth proposed this approach as the direction to be incorporated into the language presented back to the Committee, and no opposition was raised.
Colleen further confirmed that a right-of-first-refusal process could potentially be established through regulation, which would allow for public comment and refinement of the policy before permanently codifying it in statute.

Committee direction: The proposed BDR language should address the **elimination of qualified contracts in statute**, while the right-of-first-refusal concept should initially be pursued through the **QAP and LURA process**. Future statutory or regulatory changes may be considered after the process has been evaluated.

Component 5 – Preservation Incentives / Funding
The Committee began discussion of preservation incentives and potential preservation fund resources. Proposed incentives discussed earlier in the process included priority consideration for preservation funding, priority consideration within Housing Division programs, preservation technical assistance, future state preservation financing opportunities, property tax incentives, and preservation acquisition financing.
Because the Committee lost quorum shortly after beginning discussion of this component, no substantive action was taken.

Component 6 – Housing Stability Planning
The Committee discussed the concept of housing stability planning for residents who may be affected when an affordable property converts to market-rate housing.
Maurice Page clarified that the intent was not to create an entirely new statewide service system. Rather, the proposal would ensure that the Housing Division coordinates with existing housing authorities, Continuums of Care, housing counseling organizations, legal aid organizations, and other service providers so those entities have advance notice and can prepare for a potential increase in residents seeking affordable housing.

Hilary Lopez emphasized that housing authorities and Continuums of Care have limited resources and would need to understand exactly what responsibilities would be assigned to them, what services would be expected, and whether funding would accompany those responsibilities.
Brooke Page stated that the intent appeared to be ensuring that residents with limited resources have a coordinated plan and access to available community resources so that an affordable housing conversion does not unintentionally result in homelessness.
Christine Hess noted that the proposal appears related to existing provisions in **NRS 319.430** concerning written notification to tenants and information regarding available services. She recommended that the Committee review the existing statutory language when considering the proposal.

The Committee agreed that the concept warranted further discussion and clarification before determining whether statutory language was necessary.

Committee direction: Further information and draft language regarding housing stability planning will be developed for consideration at the next meeting.

Component 7 – Senior and Disability Protections
The proposal included accessibility planning, benefits counseling, housing navigation, and service coordination referrals for senior residents and residents with disabilities who may be affected by an affordability conversion.
The Committee did not complete a detailed discussion of this component due to time and quorum constraints.

Component 8 – Relocation Assistance
The proposal contemplated mandatory relocation assistance only when displacement occurs as a result of demolition, redevelopment, or conversion to another use. Maurice Page emphasized that the concepts presented were recommendations for discussion and were not final language.
Members requested additional information regarding the scope, funding, and administration of any relocation assistance requirement.
Audra Hamernik specifically requested that the terminology be reconsidered because "relocation" has a specific meaning in the affordable housing industry in connection with the Uniform Relocation Act, and the proposal under discussion was not intended to be the same thing.

Committee direction: Additional information and clarification regarding the scope, terminology, funding, and administration of relocation assistance will be provided before the Committee considers statutory language.

Component 9 – Preservation Coordinator
The proposal contemplated establishing a preservation coordinator or dedicated preservation position within the Housing Division.
Eric Novak emphasized that the preservation responsibilities discussed throughout the meeting would likely require dedicated staff capacity and suggested that a specific point person be responsible for tracking preservation activities.

Christine Hess advised the Committee that the Housing Division was already in the process of requesting a position whose primary responsibility would be leading preservation efforts. The request was still in draft form and had not yet been approved by the Governor's Office.
The Committee discussed whether a preservation position should be specifically required in statute or whether the Division's budget and staffing process would be sufficient.
Committee direction: The Division will continue pursuing a dedicated preservation position and will evaluate whether statutory language is necessary.

Component 10 – Annual Preservation Report
The proposal contemplated an annual preservation report identifying properties approaching the end of their affordability periods, including properties expiring within one, three, five, and ten years. Potential reporting elements included units preserved, units lost, completed preservation transactions, geographic trends, and emerging risks.

Members expressed support for an annual preservation report as a useful mechanism for providing a statewide picture of preservation needs while avoiding the potential risks associated with making detailed property-level information publicly available.

The Committee discussed connecting the preservation database/inventory under Component 3 with the annual preservation reporting requirement under Component 10.

Committee direction: The Division will further evaluate the annual preservation reporting concept and how it should interact with the preservation inventory.

Component 11 – Future LIHTC Preservation Provisions
The proposal contemplated future preservation requirements being incorporated into the **QAP, regulatory agreements, and LIHTC declarations**.

The Committee discussed using these documents as mechanisms for implementing preservation requirements without unnecessarily placing every operational detail into statute.
The right-of-first-refusal discussion ultimately reinforced this approach, with the Committee favoring initial implementation through the QAP and LURAs while evaluating whether future statutory or regulatory changes are appropriate.

5. Quorum / Continuation of Discussion
During the discussion of the remaining components, the Committee temporarily lost quorum. Colleen Platt advised that the Committee could not take action without a quorum and that the meeting would ordinarily need to stop from an open-meeting-law perspective.
Members discussed whether they could continue reviewing the remaining components informally and return with recommendations at a future meeting. Colleen confirmed that the Division could work through the remaining components and develop draft language for future Committee consideration, but no action could be taken without quorum.
Efforts were made to restore quorum. Quorum was temporarily re-established, allowing the Committee to continue discussion; however, quorum was subsequently lost again.

6. Direction to the Housing Division

With the remaining components requiring additional review, Steve Aichroth proposed that the Housing Division:

- Work with Maurice Page and the Nevada Housing Coalition to develop potential language for the remaining preservation components.
- Review which concepts require statutory authority versus regulation, QAP provisions, LURAs, or other administrative mechanisms.
- Develop draft language for consideration by the Committee at a subsequent meeting.
- Provide additional information regarding housing stability planning, relocation assistance, staffing/capacity, and the remaining preservation components.
- Prepare a draft BDR for Committee review prior to the next meeting.

Colleen Platt advised that a BDR draft would be available for the Committee's consideration at the next meeting, at which time the Committee could vote on whether to advance the BDR.

7. Next Meeting / Follow-Up

The Committee agreed to reconvene to:

1. Review draft language developed by the Housing Division and legal counsel.
2. Continue discussion of Components 5 through 11.
3. Review proposed statutory language for the 36-month notice requirement and covered-property definition.
4. Review the proposed statutory elimination of qualified contracts.
5. Further consider implementation of a right of first refusal through the QAP and LURAs.
6. Receive additional information regarding housing stability planning and relocation assistance.
7. Consider preservation staffing and funding requirements.
8. Review and potentially vote on a BDR for submission to the Legislative Counsel Bureau.

Steve Aichroth indicated that the next meeting would occur before the BDR submission deadline so that the Committee could review and provide direction on the proposed language.

8. Adjournment

Due to the loss of quorum and the need for additional work on the remaining components, the meeting was adjourned. The Division will circulate another meeting invitation and continue development of the proposed preservation legislation for consideration at the next Committee meeting.

Carson City: 1830 E. College Parkway, Suite 120 Carson City, Nevada 89706 - Telephone (775) 684-2940 - Fax (775) 684-2949

Las Vegas: 3300 W. Sahara Avenue, Suite 320 Las Vegas, Nevada 89102 - Telephone (702) 486-4135 - Fax (702) 486-4309
www.housing.nv.gov NHDinfo@housing.nv.gov