BUSINESS IMPACT STATEMENT
BILL NO. 2011-39
(Adopts a registration and maintenance program for vacant properties that are the subject of foreclosure and related proceedings)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-39, that will adopt a registration and maintenance program for vacant properties that are the subject of foreclosure and related proceedings.

1. The following constitutes a description of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Notice of the proposed ordinance was mailed to businesses licensed by the City to engage in lending operations, as well as to groups representative of those businesses.

The summary of the responses received is included below in this business impact statement, which is available to interested persons. Two responses were received, one of which was primarily directed toward another jurisdiction's proposal. That response did include a comment about the City's proposal, namely, that the ordinance should not make failure to comply a crime. The other response raised a number of concerns with the language and concepts of the City's proposed ordinance, including that requiring lenders to register and to maintain properties might be in violation of, or inconsistent with, applicable loan documents and applicable laws on a number of grounds.

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

The ordinance would put a regulatory obligation on lenders to register and maintain properties, something which has not been done currently or is being done voluntarily, and, according to one respondent, may put lenders into a difficult position legally

Beneficial effects:

The ordinance would help the City and lenders maintain properties in better condition during the foreclosure process

Direct effects:

See adverse and beneficial effects above

Indirect effects:

None identified

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

The City plans to evaluate the responses received and consider making adjustments to the ordinance as deemed appropriate

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

Unable to be estimated at the present time

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Unable to be estimated at the present time, dependent on compliance

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Help offset the costs of monitoring and enforcement of the ordinance

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains why such duplicative or more stringent provisions are necessary:

Not applicable

Date: October 18, 2011