

Landscape Maintenance Affidavit

Please initial each statement.

- _____ 1. I have been provided a copy of NRS 624.031 regarding the type of work that I may perform without obtaining a contractor's license.
- _____ 2. I have been provided a list of services I may offer as a landscape maintenance business (see attached letter received from the State Contractor's Board).
- _____ 3. I understand that if cited by the Nevada State Contractor's Board, I am subject to fines and possible incarceration.

Nevada Contractor's Board Requirements of NRS 624

The Nevada State Contractor's Board enforces the requirements of NRS 624, which states in part, "a contractor is any person, except...who in any capacity other than as the employee of another with wages as sole compensation..." who offers an estimate or "bid...to construct, alter, repair, add to, subtract from, improve, ...any building...structure, project, development or improvement...."

Some landscape maintenance businesses have been prosecuted for contracting. The Nevada State Contractor's Board receives and investigates consumer complaints. If you are contracting, the Nevada State Contractor's Board must properly license you. **The Contractor's Board may assist you, if you do not understand their requirements. Please call 775-688-1141 or visit their website at <http://www.nscb.state.nv.us> if you have specific questions.** Your attorney may help you determine if you need a contractor's license or if NRS 624.020 paragraph 2, specifically excludes you from the requirements.

If you are exempt from the Contractor's Board jurisdiction, you may be licensed as a landscape maintenance business. A copy of this form will be placed in your business license file.

I state I am not a licensed contractor and have been provided information on how to become a licensed contractor. I must charge an hourly rate and shall not bid jobs without a contractor's license or charge for materials. I cannot perform structural framing, electrical, plumbing, mechanical and commercial construction. I will not do any work that is in violation of NRS Chapter 624.

Print Name

Signature

Date

NRS 624.031 Applicability of chapter: Exemptions. The provisions of this chapter do not apply to:

1. Work performed exclusively by an authorized representative of the United States Government, the State of Nevada, or an incorporated city, county, irrigation district, reclamation district, or other municipal or political corporation or subdivision of this State.
2. Any entity that is recognized as exempt under section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3), which:
 - (a) Enters into a contract or other agreement with the State of Nevada, or an incorporated city, county, irrigation district, reclamation district, or other municipal or political corporation or subdivision of this State, to facilitate the repair or maintenance of properties, including, without limitation, weatherization and energy efficiency services;
 - (b) Facilitates work to be performed on such a property by a person licensed pursuant to this chapter; and
 - (c) Is a party with the owner of such a property and a person licensed pursuant to this chapter to a contract or agreement for the work on the property.
3. An officer of a court when acting within the scope of his or her office.
4. Work performed exclusively by a public utility operating pursuant to the regulations of the Public Utilities Commission of Nevada on construction, maintenance and development work incidental to its business.
5. An owner of property who is building or improving a residential structure on the property for his or her own occupancy and not intended for sale or lease. The sale or lease, or the offering for sale or lease, of the newly built structure within 1 year after its completion creates a rebuttable presumption for the purposes of this section that the building of the structure was performed with the intent to sell or lease that structure. An owner of property who requests an exemption pursuant to this subsection must apply to the Board for the exemption. The Board shall adopt regulations setting forth the requirements for granting the exemption.
6. Any work to repair or maintain property the value of which is less than \$1,000, including labor and materials, unless:
 - (a) A building permit is required to perform the work;
 - (b) The work is of a type performed by a plumbing, electrical, refrigeration, heating or air-conditioning contractor;
 - (c) The work is of a type performed by a contractor licensed in a classification prescribed by the Board that significantly affects the health, safety and welfare of members of the general public;
 - (d) The work is performed as a part of a larger project:
 - (1) The value of which is \$500 or more; or
 - (2) For which contracts of less than \$500 have been awarded to evade the provisions of this chapter; or
 - (e) The work is performed by a person who is licensed pursuant to this chapter or by an employee of that person.
7. The sale or installation of any finished product, material or article of merchandise which is not fabricated into and does not become a permanent fixed part of the structure.
8. The construction, alteration, improvement or repair of personal property.
9. The construction, alteration, improvement or repair financed in whole or in part by the Federal Government and conducted within the limits and boundaries of a site or reservation, the title of which rests in the Federal Government.
10. An owner of property, the primary use of which is as an agricultural or farming enterprise, building or improving a structure on the property for his or her use or occupancy and not intended for sale or lease.
11. Construction oversight services provided to a long-term recovery group by a qualified person within a particular geographic area that is described in a proclamation of a state of emergency or declaration of disaster by the State or Federal Government, including, without limitation, pursuant to [NRS 414.070](#). A long-term recovery group may reimburse such reasonable expenses as the qualified person incurs in providing construction oversight services to that group. Except as otherwise provided in this subsection, nothing in this subsection authorizes a person who is not a licensed contractor to perform the acts described in paragraphs (a) and (b) of subsection 1 of [NRS 624.700](#). As used in this subsection:
 - (a) "Construction oversight services" means the coordination and oversight of labor by volunteers.
 - (b) "Long-term recovery group" means a formal group of volunteers coordinating response and recovery efforts related to a state of emergency or disaster that is proclaimed or declared by the State or Federal Government.
 - (c) "Qualified person" means a person who possesses the abilities, education, experience, knowledge, skills and training that a long-term recovery group has identified as being necessary to provide construction oversight services for a project to be performed by that group.
12. A person licensed as a real estate broker, real estate broker-salesperson or real estate salesperson pursuant to [chapter 645](#) of NRS who, acting within the scope of the license or a permit to engage in property management issued pursuant to [NRS 645.6052](#), assists a client in scheduling work to repair or maintain residential property pursuant to a written brokerage agreement or a property management agreement. Such assistance includes, without limitation, assisting a client in the hiring of any number of licensed contractors to perform the work. Nothing in this subsection authorizes the performance of any work for which a license is required pursuant to this chapter by a person who is not licensed pursuant to this chapter or the payment of any additional compensation to a person licensed as a real estate broker, real estate broker-salesperson or real estate salesperson for assisting a client in scheduling the work. The provisions of this subsection apply only if a building permit is not required to perform the work and if the value of the work does not exceed \$10,000 per residential property during the fixed term of the written brokerage agreement, if the assistance is provided pursuant to such an agreement, or during a period not to exceed 6 months if the assistance is provided pursuant to a property management agreement. As used in this subsection:
 - (a) "Brokerage agreement" has the meaning ascribed to it in [NRS 645.005](#).
 - (b) "Property management agreement" has the meaning ascribed to it in [NRS 645.0192](#).
 - (c) "Real estate broker" has the meaning ascribed to it in [NRS 645.030](#).
 - (d) "Real estate broker-salesperson" has the meaning ascribed to it in [NRS 645.035](#).
 - (e) "Real estate salesperson" has the meaning ascribed to it in [NRS 645.040](#).
 - (f) "Residential property" means:
 - (1) Improved real estate that consists of not more than four residential units; or
 - (2) A single-family residential unit, including a condominium, townhouse or home within a subdivision, if the unit is sold, leased or otherwise conveyed unit by unit, regardless of whether the unit is part of a larger building or parcel that consists of more than four units.



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STATE CONTRACTORS' BOARD

Re: Handyman Clarification

In response to your request, the following services do not require a state contractor's license.

1. Mowing of lawns
2. Edging of lawns
3. Clean-up and hauling of debris
4. Replacement of sprinkler heads which are threaded and screw onto risers
5. Tree and shrub trimming
6. Rototilling of garden area
7. Thatching of lawns

The handyman can do cleaning, appliance repair, light bulb replacement, evaporative cooler maintenance, filter replacement, and faucet washer and seat replacement without a contractor's license.

Other work such as carpentry, electrical, painting, concrete, glazing, tile, floor covering, roofing, plumbing and refrigeration all require a separate contractors license.

If we can be of further assistance, please contact this office.

Sincerely,

Frank Torres
Deputy Director of Investigations

FT:slc



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