



Required or Strongly Encouraged: **What Forms are Mandatory?**

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Q1. Is the COVID-19 Acknowledgement of Risk form still mandated?

A1. First, it's a common misconception that this is a state mandated form. This form was provided by some local REALTOR® associations as a member benefit, and its use was and continues to be a best practice. ***COVID-19 persists; as a state and a country not everyone is fully vaccinated and so the use of such a form, while discretionary, should be strongly considered.*** Further, if you want to know what forms are mandated by the Nevada Real Estate Division, you can locate them on their website, under Forms > Disclosures: <https://red.nv.gov/Content/Forms/Disclosures/>.

Q2. Is the Mold Notice and Waiver form and other environmental hazard forms required?

A2. Although the mold disclosure is not mandated it should be disclosed if applicable. Agents should also defer to their brokerage policies. If the broker requires it's agents to complete it, do it! Some disclosures are mandated *regardless* of whether the information impacts the property, like buyers of residential properties built before 1978 **must** be given a lead-based paint disclosure whether or not lead-based paint is present.

If you've been in the business long enough, you've probably noticed every few years there's a new environmental hazard fad. From mold, to asbestos, lead-based paint, electric transmission lines, and radon, each of these have had their turn at the forefront of news and media outlets. No doubt, it's all serious stuff with very real health hazards. So what's the takeaway? If the hazard is applicable, disclose, disclose, disclose! ***The licensee must constantly be vigilant to those disclosures required by law, those required when they impact the property, and those that concern the client.***

If you're interested, the Nevada Law and Reference Guide 4th Edition provides a non-exhaustive list of the various non-mandated environmental hazards, see Page V-20, 125 of 171: <https://red.nv.gov/uploadedFiles/rednvgov/Content/Publications/References/lawguide2014.pdf>

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