



**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
FINANCIAL INSTITUTIONS DIVISION**

DATE: September 18, 2020

TO: Collection Agency Licensees and Registrants

FROM: Sandy O'Laughlin, Commissioner

RE: Extended Temporary Guidance Regarding Working from Home

On March 12, 2020, Governor Steve Sisolak declared a state of emergency for Nevada. In addition, the Nevada Financial Institutions Division ("NFID") issued a memorandum of temporary guidance regarding working from home initially until May 31, 2020. Excerpt from that guidance:

This Guidance does not amend current Nevada Revised Statutes ("NRS") or Nevada Administrative Code ("NAC") and does not create new statutory framework. All licensees and registrants must comply with the applicable NRS, NAC, and other state and federal laws and regulations, which includes establishing and maintaining proper security protocols to ensure maximum data, records and transaction security.

The Division's Guidance:

1. Data security requirements include provisions for the employee to access the company's secured system from any out-of-office device the licensee or registrant uses through the use of a VPN or other system that requires passwords or an identification authentication. The company is responsible to maintain any updates or other requirements in order to keep information and devices secure;
2. Neither the employee nor the company is to do any act that would indicate or tend to indicate that the employee is conducting business from an unlicensed location. Such acts include but are not limited to:
 - a. Advertising in any form, including business cards and social media, the unlicensed residence address or landline telephone or facsimile number associated to the unlicensed residence;
 - b. Meeting consumers at, or having consumers come, to an employee's unlicensed residence;

- c. Holding out in any manner, directly or indirectly, by the employee or company licensee, the residence address that would suggest or convey to a consumer that the residence is a licensed location for conducting licensable activities;
3. Employees and companies must exercise due diligence in the safeguarding of company and customer data, information and records, whether in paper or electronic format, and to protect them against unauthorized or accidental access, use, modification, duplication, destruction or disclosure.

As Nevada continues to work through these unprecedented times and ever-changing conditions, NFID has decided to grant an extension to the temporary guidance regarding working from home until **December 31, 2020**, unless otherwise modified or withdrawn at the discretion of the Commissioner. The NFID may not extend this guidance past December; therefore, it is imperative that the collection agency begin making plans to ensure it can both comply with Nevada law and the laws of the other jurisdictions it does business in.

Questions regarding this Temporary Guidance may be directed to fidmaster@fid.state.nv.us.