

State of Nevada Approved Records Retention and Disposition Schedule

B&I: Financial Institutions Division

Schedule ID # 190403

Version Date: 09/10/2014

This version supersedes all previous versions.

2014175 Insolvency: Bank Records

Last Reviewed: 09/10/2014

Description: These records document insolvency, liquidation and/or bankruptcy of a depository (See NRS chapter 667). The files may include, but are not limited to: books, records and papers of the depository held in the Office of the Commissioner.

Note: NRS 667.105 (1) requires the Commissioner to get the approval of the State Board of Finance before these records may be destroyed.

Retention: Retain these records for a period of ten (10) calendar years from the filing of the Commissioner of a final report of liquidation.

Disposition: Destroy Securely

2014176 Insolvency: Commissioner Records

Last Reviewed: 09/10/2014

Description: These records document the official proceedings of the Commissioner dealing with the insolvency, liquidation and/or bankruptcy of a depository (See NRS chapter 667). The files may include, but are not limited to: formal records of liquidation and supportive material made in the Commissioner's Office; deposit ledgers or other evidence of indebtedness of an insolvent depository relative to unpaid dividends, and; related documentation.

Retention: Permanent record.

Disposition: Permanent: Held by Agency

2004259 Investigation and Examination Files

Last Reviewed: 09/10/2014

Description: These records document investigations and examinations resulting from disciplinary actions, liquidations and/or bankruptcy. Files may include, but are not limited to: background investigations, examinations, investigations and complaints with supportive documentation; hearing documentation; copies of Trustee's liquidation files; copies of bankruptcy proceedings; and related documentation.

Retention: Retain these records for a period of ten (10) calendar years from the date of the latest action in the files.

Disposition: Destroy Securely

2004257 Licensee Files

Last Reviewed: 01/08/2013

Description: These records document all financial institutions holding active licenses (See NRS Title 55 "Banks and Related Organizations" Chapters 657 to 671). The files may include, but are not limited to: Applications with associated documentation; Active Bonds and related records and; Related correspondence

Retention: Retain these records for a period of six (6) calendar years from the calendar year in which the license expires, is suspended or revoked.

Disposition: Destroy Securely

2014215 Licensee Files: Superseded Documentation

Last Reviewed: 09/10/2014

Description: These records document records from Licensee Files that have been superseded. The files may include, but are not limited to: inactive bonds; examinations and related actions; financial statements and annual reports; related documentation.

Retention: Retain these records for a period of six (6) calendar years from the end of the calendar year to which they pertain.

Disposition: Destroy Securely

2004258 Other Regulatory Agency Files

Last Reviewed: 03/01/2011

Description: These records contain correspondence and reports for or from federal regulatory or other oversight agencies.

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The files may include, but are not limited to: Reports from licensees; Reports from regulatory agencies; Reports of examinations, investigations, etc. and; Related correspondence

Retention: Retain these records for a period of six (6) calendar years from the end of the calendar year to which they pertain.

Disposition: Destroy Securely

2002143 SQAM Files -- Cease and Desist Records

Last Reviewed: 03/01/2011

Description: These SQAM (Suspicious Questionable Activity Memorandum) files relate to "Cease and Desist" functions including investigation and actions upon complaints concerning questionable financial activities of individuals and organizations doing business in the state other than licensees. These files may contain, but are not limited to: Letters of complaint, investigative documents, investigative reports with supportive documentation; "Cease and Desist" Orders; SQAM memos; Referrals to law enforcement agencies and the Attorney General's Office and; Related correspondence

Retention: Retain these records for a period of six (6) calendar years from the end of the calendar year in which the investigation and/or the order was made.

Disposition: Destroy Securely

2003089 SQAM Files -- Inquiry Records

Last Reviewed: 01/08/2013

Description: The SQAM (Suspicious Questionable Activity Memorandum) Inquiry records are a miscellaneous group of records relating to: (1) whether a business needs a license from the Division; (2) whether the use of various words may be used in the name of a business; (3) requests for information on businesses and/or individuals, and; (4) similar types of inquiries.

Retention: Retain these records for a period of three (3) calendar years from the end of the calendar year in which the request / inquiry was made.

Disposition: Destroy Securely

1998140 W-9 Tax I.D. Files

Last Reviewed: 03/01/2011

Description: These records keep track of Tax I.D. numbers of vendors and payees. The files may include, but are not limited to: Copies of IRS Form W-9; Request for Taxpayer Identification Number and Certification; Cover letters, internal reports, etc. and; Related correspondence.

Retention: Retain these records for a period of three (3) calendar years from the end of the year to which they pertain.

Disposition: Destroy Securely

The Committee to Approve Schedules for the Retention and Disposition of Official State Records

NRS 239.073 et seq.

Scott Anderson, Chairman

Retention Guidelines

A Records Retention and Disposition Schedule identifies the minimum time period the listed records must be retained in accordance with NRS 239.080, meaning records disposition must not occur before this retention time period expires. When the minimum retention period has been met, the recommended disposition of the records, such as destruction or transfer to the State Archives, may be initiated. You are advised to implement regular, routine disposition procedures and not to "selectively retain" some records longer than others. Certain events called "disposition holds" may occur that will require a stop to the regular destruction, recycling or normal tossing of records.

Disposition Holds include:

Audits.

When an audit of your agency is begun, all destruction of records in your legal custody must cease. During the audit process, records should be made available to the auditors subject to confidentiality laws. Upon the completion and resolution of the audit, the agency may begin to dispose of records in accordance with the approved records retention and disposition schedule.

Investigations.

When you are notified by a regulatory authority, a law enforcement agency, a court of record, the governor, the Legislature or other similar oversight entities that an investigation is being conducted, all records must be preserved until the investigation is over. You should consult with your legal counsel and/or the Attorney General's Office for specific advice.

Litigation.

When an agency receives notification or reasonably anticipates that a lawsuit has been filed against (or in behalf of) them, they should immediately stop the destruction or dumping of records and consult their legal counsel and/or the Attorney General's Office. The agency must comply with Federal Rule of Civil Procedure 26. All records pertaining to the litigation should be identified, separated from other files and protected. All destruction of records pertaining to the lawsuit must be stopped until the legal action has been resolved. When the litigation has been concluded (your legal counsel can advise you of this), all of the records pertaining to the lawsuit must be retained as required by an Agency Specific Records Retention and Disposition Schedule or the General Records Retention and Disposition Schedule. Your legal counsel may advise you not to destroy any records in the legal custody of the agency until after the disposition of the litigation. You should seek the advice of your legal counsel. Records Management staff are also available for consultation on these issues.

Disposition Guidelines

Most records may be disposed of by normal means, such as recycling or deleting. Some record types are identified on retention schedules as "confidential" (See NRS 239.010) or "restricted" (See NRS 239C.090). These records must be destroyed in a secure manner that will prevent reconstruction or retrieval of the information (See NAC 239.722 for details). However, many other records may contain "sensitive" information that has not been declared by law or regulation to be confidential. Some types of "sensitive" information are described in NRS 205.4617 "Unlawful Acts Regarding Personal Identifying Information." NRS chapter 239B "Disclosure of Personal Information to Governmental Agencies" (See especially NRS 239B.030) also describes such records. Since serious consequences may result if these records fell into the wrong hands you are advised to destroy these records in accordance with the guidelines identified in NAC 239.722. If you are in doubt about the sensitivity of certain documents or about an appropriate disposal method, you should contact your legal counsel, the Attorney General's Office, or a records management officer.