

ASSEMBLY BILL NO. 361—ASSEMBLYMEN BACHE, BUCKLEY, MANENDO,
OHRENSCHALL, NOLAN, LESLIE, KOIVISTO, MCCLAIN, ANDERSON,
CLABORN, WILLIAMS, GIUNCHIGLIANI AND HUMKE

MARCH 2, 1999

JOINT SPONSORS: SENATORS TITUS, CARLTON, CARE AND AMODEI

Referred to Committee on Commerce and Labor

SUMMARY—Prohibits certain increase in rent in mobile home parks based on size of mobile home. (BDR 10-946)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to mobile home parks; prohibiting an increase in rent based on the size of a mobile home; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 118B.150 is hereby amended to read as follows:
2 118B.150 The landlord or his agent or employee shall not:
3 1. Increase rent or additional charges unless:
4 (a) The rent charged after the increase is the same rent charged for
5 ~~mobile homes of the same size or~~ lots of the same size or of a similar
6 location within the park, except that a discount may be selectively given to
7 persons who are:
8 (1) Handicapped;
9 (2) Fifty-five years of age or older; or
10 (3) Long-term tenants of the park if the landlord has specified in the
11 rental agreement or lease the period of tenancy required to qualify for such
12 a discount;
13 (b) Any increase in additional charges for special services is the same
14 amount for each tenant using the special service; and

1 (c) Written notice advising a tenant of the increase is received by the
2 tenant 90 days before the first payment to be increased and written notice
3 of the increase is given to prospective tenants before commencement of
4 their tenancy. In addition to the notice provided to a tenant pursuant to this
5 paragraph, if the landlord or his agent or employee knows or reasonably
6 should know that the tenant receives assistance from the fund created
7 pursuant to NRS 188B.215, the landlord or his agent or employee shall
8 provide to the administrator written notice of the increase 90 days before
9 the first payment to be increased.

10 2. Require a tenant to pay for an improvement to the common area of
11 a mobile home park unless the landlord is required to make the
12 improvement pursuant to an ordinance of a local government.

13 3. Require a tenant to pay for a capital improvement to the mobile
14 home park unless the tenant has notice of the requirement at the time he
15 enters into the rental agreement. A tenant may not be required to pay for a
16 capital improvement after the tenant enters into the rental agreement unless
17 the tenant consents to it in writing or is given 60 days' notice of the
18 requirement in writing. The landlord may not establish such a requirement
19 unless a meeting of the tenants is held to discuss the proposal and the
20 landlord provides each tenant with notice of the proposal and the date, time
21 and place of the meeting not less than 60 days before the meeting. The
22 notice must include a copy of the proposal. A notice in a periodic
23 publication of the park does not constitute notice for the purposes of this
24 subsection.

25 4. Require a tenant to pay his rent by check or money order.

26 5. Require a tenant who pays his rent in cash to apply any change to
27 which he is entitled to the next periodic payment that is due. The landlord
28 or his agent or employee shall have an adequate amount of money
29 available to provide change to such a tenant.

30 6. Prohibit or require fees or deposits for any meetings held in the
31 park's community or recreational facility by the tenants or occupants of
32 any mobile home or recreational vehicle in the park to discuss the park's
33 affairs, or any political or social meeting sponsored by a tenant, if the
34 meetings are held at reasonable hours and when the facility is not
35 otherwise in use, or prohibit the distribution of notices of those meetings.

36 7. Interrupt, with the intent to terminate occupancy, any utility service
37 furnished the tenant except for nonpayment of utility charges when due.
38 Any landlord who violates this subsection is liable to the tenant for actual
39 damages.

40 8. Prohibit a tenant from having guests, but he may require the tenant
41 to register the guest within 48 hours after his arrival, Sundays and holidays
42 excluded, and if the park is a secured park, a guest may be required to
43 register upon entering and leaving.

- 1 9. Charge a fee for a guest who does not stay with the tenant for more
2 than a total of 60 days in a calendar year. The tenant of a mobile home lot
3 who is living alone may allow one other person to live in his home without
4 paying an additional charge or fee, unless such a living arrangement
5 constitutes a violation of chapter 315 of NRS. No agreement between a
6 tenant and his guest alters or varies the terms of the rental contract between
7 the tenant and the landlord and the guest is subject to the rules and
8 regulations of the landlord.
- 9 10. Prohibit a tenant from erecting a fence along the perimeter of the
10 tenant's lot if the fence complies with any standards for fences established
11 by the landlord, including limitations established for the height of fences,
12 the materials used for fences and the manner in which fences are to be
13 constructed.
- 14 11. Prohibit any tenant from soliciting membership in any association
15 which is formed by the tenants who live in the park. As used in this
16 subsection, "solicit" means to make an oral or written request for
17 membership or the payment of dues or to distribute, circulate or post a
18 notice for payment of those dues.
- 19 12. Prohibit a public officer or candidate for public office from
20 walking through the park to talk with the tenants.