

SENATE BILL NO. 257—SENATOR O'CONNELL (BY REQUEST)

FEBRUARY 25, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes to provisions governing mobile home parks.
(BDR 10-1035)

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

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

AN ACT relating to mobile home parks; requiring the administrator of the manufactured housing division of the department of business and industry to give written notice to the landlord and the manager of a mobile home park before the administrator or his representative may inspect the premises or certain records of the mobile home park; expanding the grounds under which a landlord may terminate a rental agreement with a tenant of a mobile home lot in a mobile home park; 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.024 is hereby amended to read as follows:
2 118B.024 1. The administrator shall adopt regulations to carry out
3 the provisions of this chapter.
4 2. In order to carry out the provisions of this chapter, the administrator
5 may, upon receiving a complaint alleging a violation of this chapter or any
6 regulation adopted pursuant thereto:
7 (a) Issue subpoenas for the production of books, papers and documents
8 which are strictly relevant to the complaint;
9 (b) Mediate grievances between landlords and tenants of mobile home
10 parks; and
11 (c) Make inspections and provide technical services necessary to
12 administer the provisions of this chapter.
13 3. ~~{The}~~ ***Except as otherwise provided in subsection 5 of NRS***
14 ***489.231, if the administrator gives not less than 72 hours' written notice***
15 ***to the landlord and the manager of a mobile home park, the*** administrator

1 or his representative may inspect at reasonable times **and** in a reasonable
2 manner the premises and books, papers, records and documents which are
3 required to enforce the provisions of this chapter.

4 **Sec. 2.** NRS 118B.190 is hereby amended to read as follows:

5 118B.190 1. A written agreement between a landlord and tenant for
6 the rental or lease of a mobile home lot in a mobile home park in this state,
7 or for the rental or lease of a lot for a recreational vehicle in an area of a
8 mobile home park in this state other than an area designated as a
9 recreational vehicle lot pursuant to the provisions of subsection 6 of NRS
10 40.215, must not be terminated by the landlord except upon notice in
11 writing to the tenant served in the manner provided in NRS 40.280:

12 (a) Five days in advance if the termination is because the conduct of the
13 tenant constitutes a nuisance as described in subsection ~~6~~ 8 of NRS
14 118B.200.

15 (b) Ten days in advance if the termination is because of failure of the
16 tenant to pay rent, utility charges or reasonable service fees.

17 (c) One hundred eighty days in advance if the termination is because of
18 a change in the use of the land by the landlord pursuant to NRS 118B.180.

19 (d) Forty-five days in advance if the termination is for any other reason.

20 2. The landlord shall specify in the notice the reason for the
21 termination of the agreement. The reason relied upon for the termination
22 must be set forth with specific facts so that the date, place and
23 circumstances concerning the reason for the termination can be determined.
24 The termination must be in accordance with the provisions of NRS
25 118B.200 and reference alone to a provision of that section does not
26 constitute sufficient specificity pursuant to this subsection.

27 3. The service of such a notice does not enhance the landlord's right, if
28 any, to enter the tenant's mobile home. Except in an emergency, the
29 landlord shall not enter the mobile home of the tenant served with such a
30 notice without the tenant's permission or a court order allowing the entry.

31 4. If a tenant remains in possession of the mobile home lot after
32 expiration of the term of the rental agreement, the tenancy is from week to
33 week in the case of a tenant who pays weekly rent, and in all other cases the
34 tenancy is from month to month. The tenant's continued occupancy is on
35 the same terms and conditions as were contained in the rental agreement
36 unless specifically agreed otherwise in writing.

37 5. The landlord and tenant may agree to a specific date for termination
38 of the agreement. If any provision of this chapter specifies a period of
39 notice which is longer than the period of a particular tenancy, the required
40 length of the period of notice is controlling.

1 **Sec. 3.** NRS 118B.200 is hereby amended to read as follows:

2 118B.200 Notwithstanding the expiration of a period of a tenancy, the
3 rental agreement described in NRS 118B.190 may not be terminated except
4 ~~for:~~ *on the following grounds:*

5 1. Failure of the tenant to pay rent, utility charges or reasonable service
6 fees within 10 days after *a* written notice of delinquency *is* served upon the
7 tenant in the manner provided in NRS 40.280;

8 2. *As a result of the failure of the tenant to pay rent, utility charges*
9 *or reasonable service fees, a written notice of delinquency providing at*
10 *least 10 days' notice of termination as set forth in paragraph (b) of*
11 *subsection 1 of NRS 118B.190 has been served upon the tenant in the*
12 *manner provided in NRS 40.280 four or more times in a 12-month*
13 *period;*

14 3. *As a result of the failure of the tenant to pay rent or rent and*
15 *utilities, the landlord has, in accordance with NRS 108.315, made a*
16 *written demand for the amount due and claimed a lien four or more*
17 *times in a 12-month period;*

18 4. Failure of the tenant to correct any noncompliance with a law,
19 ordinance or governmental regulation pertaining to mobile homes or
20 recreational vehicles or a valid rule or regulation established pursuant to
21 NRS 118B.100 or to cure any violation of the rental agreement within a
22 reasonable time after receiving written notification of noncompliance or
23 violation;

24 ~~3.~~ 5. Conduct of the tenant in the mobile home park which constitutes
25 an annoyance to other tenants;

26 ~~4.~~ 6. Violation of valid rules of conduct, occupancy or use of park
27 facilities after written notice of the violation is served upon the tenant in the
28 manner provided in NRS 40.280;

29 ~~5.~~ 7. A change in the use of the land by the landlord pursuant to NRS
30 118B.180;

31 ~~6.~~ 8. Conduct of the tenant which constitutes a nuisance as defined in
32 NRS 40.140 or which violates a state law or local ordinance; or

33 ~~7.~~ 9. In a mobile home park that is owned by a nonprofit organization
34 or housing authority, failure of the tenant to meet qualifications relating to
35 age or income which:

36 (a) Are set forth in the lease signed by the tenant; and

37 (b) Comply with federal, state and local law.