

ASSEMBLY BILL NO. 384—ASSEMBLYMEN MANENDO, BUCKLEY, BACHE, CLABORN, MCCLAIN, ANDERSON, ARBERRY, CHOWNING, DE BRAGA, DINI, FREEMAN, GIBBONS, GIUNCHIGLIANI, GUSTAVSON, KOIVISTO, LESLIE, MORTENSON, OCEGUERA, OHRENSCHALL, PARKS, PARNELL, PERKINS, PRICE, SMITH, TIFFANY, VON TOBEL AND WILLIAMS

MARCH 15, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Changes terms used in provisions relating to mobile home parks to refer to manufactured home parks. (BDR 10-1010)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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 homes; changing the terms used in provisions relating to mobile home parks to refer to manufactured home parks; 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.0113 is hereby amended to read as follows:
2 118B.0113 “Capital improvement” means an addition or betterment
3 made to a ~~mobile~~ *manufactured* home park that:
4 1. Consists of more than the repair or replacement of an existing
5 facility;
6 2. Is required by law to be amortized over its useful life for the
7 purposes of income tax; and
8 3. Has a useful life of 5 years or more.
9 **Sec. 2.** NRS 118B.014 is hereby amended to read as follows:
10 118B.014 “Landlord” means the owner or lessor of a ~~mobile~~
11 *manufactured* home lot and the owner or lessor of a ~~mobile~~
12 *manufactured* home park.
13 **Sec. 3.** NRS 118B.0145 is hereby amended to read as follows:
14 118B.0145 “Manager” means the person in charge or in control of a
15 ~~mobile~~ *manufactured* home park, whether or not he is the owner or
16 employed by the owner. The term includes any company chosen by the



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1 landlord to administer or supervise the affairs of the ~~mobile~~
2 *manufactured* home park.

3 **Sec. 4.** NRS 118B.015 is hereby amended to read as follows:

4 118B.015 ~~mobile~~ *“Manufactured* home” means a vehicular
5 structure without independent motive power, built on a chassis or frame,
6 which is:

7 1. Designed to be used with or without a permanent foundation;

8 2. Capable of being drawn by a motor vehicle; and

9 3. Used as and suitable for year-round occupancy as a residence, when
10 connected to utilities, by one person who maintains a household or by two
11 or more persons who maintain a common household.

12 *The term specifically includes, without limitation, a mobile home that*
13 *does not comply with the standards established under the National*
14 *Manufactured Housing Construction and Safety Standards Act of 1974,*
15 *42 U.S.C. §§ 5401 et seq.*

16 **Sec. 5.** NRS 118B.016 is hereby amended to read as follows:

17 118B.016 ~~mobile~~ *“Manufactured* home lot” or “lot” means a
18 portion of land within a ~~mobile~~ *manufactured* home park which is rented
19 or held out for rent to accommodate:

20 1. A ~~mobile~~ *manufactured* home; or

21 2. A recreational vehicle for 3 months or more.

22 **Sec. 6.** NRS 118B.017 is hereby amended to read as follows:

23 118B.017 ~~mobile~~ *“Manufactured* home park” or “park” means an
24 area or tract of land where two or more ~~mobile~~ *manufactured* homes or
25 ~~mobile~~ *manufactured* home lots are rented or held out for rent. The terms
26 do not include an area or tract of land where:

27 1. More than half of the lots are rented overnight or for less than 3
28 months for recreational vehicles.

29 2. ~~mobile~~ *Manufactured* homes are used occasionally for
30 recreational purposes and not as permanent residences.

31 **Sec. 7.** NRS 118B.0185 is hereby amended to read as follows:

32 118B.0185 “Tenant” means the owner of a ~~mobile~~ *manufactured*
33 home which is located on a ~~mobile~~ *manufactured* home lot in a ~~mobile~~
34 *manufactured* home park.

35 **Sec. 8.** NRS 118B.020 is hereby amended to read as follows:

36 118B.020 The provisions of this chapter do not apply to:

37 1. ~~mobile~~ *Manufactured* home parks operated by public housing
38 authorities and established pursuant to the United States Housing Act of
39 1937, as amended (now 42 U.S.C. §§ 1437 et seq.).

40 2. Any lot in a ~~mobile~~ *manufactured* home park which is rented or
41 held out for rent overnight or for less than 3 months.

42 3. Any recreational vehicle located on a lot described in subsection 2.

43 4. Any lot in a ~~mobile~~ *manufactured* home park or ~~mobile~~
44 *manufactured* home on such a lot which is used occasionally for
45 recreational purposes and not as a permanent residence.

46 **Sec. 9.** NRS 118B.022 is hereby amended to read as follows:

47 118B.022 1. The provisions of this chapter must be administered by
48 the division, subject to administrative supervision by the director of the
49 department of business and industry.



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1 2. An employee of the division shall not hold an interest in a ~~mobile~~
2 ~~manufactured~~ home park.
3 **Sec. 10.** NRS 118B.024 is hereby amended to read as follows:
4 118B.024 1. The administrator shall adopt regulations to carry out
5 the provisions of this chapter.
6 2. ~~In order to~~ To carry out the provisions of this chapter, the
7 administrator may, upon receiving a complaint alleging a violation of this
8 chapter or any regulation adopted pursuant thereto:
9 (a) Issue subpoenas for the production of books, papers and documents
10 which are strictly relevant to the complaint;
11 (b) Mediate grievances between landlords and tenants of ~~mobile~~
12 ~~manufactured~~ home parks; and
13 (c) Make inspections and provide technical services necessary to
14 administer the provisions of this chapter.
15 3. The administrator or his representative may inspect at reasonable
16 times in a reasonable manner the premises and books, papers, records and
17 documents which are required to enforce the provisions of this chapter.
18 **Sec. 11.** NRS 118B.025 is hereby amended to read as follows:
19 118B.025 The administrator shall collect economic and demographic
20 data annually from each ~~mobile~~ ~~manufactured~~ home park, including the
21 amount of rent and rate of vacancy for each type of lot in the park, and
22 shall prescribe the form for the collection of such data.
23 **Sec. 12.** NRS 118B.040 is hereby amended to read as follows:
24 118B.040 1. A rental agreement or lease between a landlord and
25 tenant to rent or lease any ~~mobile~~ ~~manufactured~~ home lot must be in
26 writing. The landlord shall give the tenant a copy of the agreement or lease
27 at the time the tenant signs it.
28 2. A rental agreement or lease must contain , but is not limited to ,
29 provisions relating to:
30 (a) The duration of the agreement.
31 (b) The amount of rent, the manner and time of its payment and the
32 amount of any charges for late payment and dishonored checks.
33 (c) Restrictions on occupancy by children or pets.
34 (d) Services and utilities included with the rental of a lot and the
35 responsibility of maintaining or paying for them, including the charge, if
36 any, for cleaning the lots.
37 (e) Deposits which may be required and the conditions for their refund.
38 (f) Maintenance which the tenant is required to perform and any
39 appurtenances he is required to provide.
40 (g) The name and address of the owner of the ~~mobile~~ ~~manufactured~~
41 home park and his authorized agent.
42 (h) Any restrictions on subletting.
43 (i) Any recreational facilities and other amenities provided to the tenant
44 and any deposits or fees required for their use.
45 (j) Any restriction of the park to older persons pursuant to federal law.
46 (k) The dimensions of the ~~mobile~~ ~~manufactured~~ home lot of the
47 tenant.
48 (l) The amount to be charged each month to the tenant to reimburse the
49 landlord for the cost of a capital improvement to the ~~mobile~~



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1 ~~manufactured~~ home park. Such an amount must be stated separately and
2 include the length of time the charge will be collected and the total amount
3 to be recovered by the landlord from all tenants in the ~~mobile~~
4 ~~manufactured~~ home park.

5 **Sec. 13.** NRS 118B.050 is hereby amended to read as follows:

6 118B.050 Any provision in a rental agreement or lease for a ~~mobile~~
7 ~~manufactured~~ home lot which provides that the tenant:

- 8 1. Agrees to waive or forego any rights or remedies afforded by this
9 chapter;
- 10 2. Authorizes any person to confess judgment on any claim arising out
11 of the rental agreement;
- 12 3. Agrees to pay the landlord's attorney's fees or costs, or both, except
13 that the agreement may provide that attorney's fees may be awarded to the
14 prevailing party in the event of court action;
- 15 4. Agrees to the exculpation or limitation of any liability of the
16 landlord arising under law or to indemnify the landlord for that liability or
17 costs connected therewith, if the liability is based upon an act or omission
18 of the landlord or any agent or employee of the landlord;
- 19 5. Agrees to a period within which he will give notice to the landlord
20 of the termination of his tenancy which is longer than the term of the lease;
21 or
- 22 6. Agrees to pay any additional charge for children or pets, unless the
23 landlord provides a special service regarding children or pets,
24 is void. A tenant may recover his actual damages resulting from the
25 enforcement of such a provision.

26 **Sec. 14.** NRS 118B.060 is hereby amended to read as follows:

- 27 118B.060 1. Any payment, deposit, fee ~~H~~ or other charge which is
28 required by the landlord in addition to periodic rent, utility charges or
29 service fees and is collected as prepaid rent or a sum to compensate for any
30 tenant default is a "deposit" governed by the provisions of this section.
31 2. The landlord shall maintain a separate record of the deposits.
32 3. Except as otherwise provided in subsection 4:
33 (a) All deposits are refundable, and upon termination of the tenancy, or
34 if the deposit is collected as a sum to compensate for a tenant default, not
35 more than 5 years after the landlord receives the deposit, the landlord may
36 claim from a deposit only such amounts as are reasonably necessary to
37 remedy tenant defaults in the payment of rent, utility charges or service
38 fees and to repair damage to the park caused by the tenant. The landlord
39 shall provide the tenant with an itemized written accounting of the
40 disposition of the deposit.
41 (b) Any refund must be sent to the tenant within 21 days after the
42 tenancy is terminated.
43 4. Each deposit collected as a sum to compensate for a tenant default
44 must be refunded to the tenant not more than 5 years after the landlord
45 receives the deposit or upon the termination of the tenancy, whichever is
46 earlier. The refund must include interest at the rate of 5 percent per year,
47 compounded annually, for the entire period during which the deposit was
48 held by the landlord.



1 5. Upon termination of the landlord's interest in the ~~mobile~~
2 *manufactured* home park, the landlord shall transfer to his successor in
3 interest that portion of the deposit remaining after making any deductions
4 allowed pursuant to this section or refund that portion to the tenant.

5 6. If the former landlord fails to transfer that portion of the deposit
6 remaining to the successor in interest or refund it to the tenant at the time
7 the successor in interest takes possession, the successor becomes jointly
8 and severally liable with the former landlord for refunding to the tenant
9 that portion of the deposit to which he is entitled.

10 7. If the former landlord fails to transfer or refund the deposit, the
11 tenant may not be required to pay another deposit until the successor in
12 interest refunds the deposit to the tenant or provides him with an itemized
13 written accounting of the statutorily authorized disposition of the deposit.

14 8. The claim of the tenant to any deposit to which he is entitled by law
15 takes precedence over the claim of any creditor of the landlord.

16 **Sec. 15.** NRS 118B.065 is hereby amended to read as follows:

17 118B.065 Before a tenant signs an initial rental agreement for a
18 ~~mobile~~ *manufactured* home lot, the landlord shall, by separate written
19 document, disclose to him the zoning designations adopted pursuant to
20 chapter 278 of NRS for the ~~mobile~~ *manufactured* home lot to be rented
21 and for each parcel of land adjoining the ~~mobile~~ *manufactured* home
22 park.

23 **Sec. 16.** NRS 118B.067 is hereby amended to read as follows:

24 118B.067 If a landlord approves the placement of a ~~mobile~~
25 *manufactured* home on a lot in a park and it is determined after the home
26 is placed on the lot that the placement of the home does not ~~conform to~~
27 *comply with* the requirements of the local ordinances relating to that
28 placement, the landlord shall pay the cost to ensure compliance with those
29 requirements.

30 **Sec. 17.** NRS 118B.073 is hereby amended to read as follows:

31 118B.073 Upon payment of the periodic rent by a tenant of a ~~mobile~~
32 *manufactured* home park, the landlord of that park shall, upon request,
33 issue to the tenant a receipt which indicates the amount and the date of the
34 payment. The landlord shall issue the receipt as soon as practicable after
35 payment, but not later than 5 days after he receives payment.

36 **Sec. 18.** NRS 118B.075 is hereby amended to read as follows:

37 118B.075 If more than one rental agreement or lease is ~~currently~~
38 offered to prospective tenants, the landlord of a ~~mobile~~ *manufactured*
39 home park consisting of 25 or more lots shall:

40 1. Post in a conspicuous and readily accessible place in the community
41 or recreation facility in the park, at or near the entrance of the park or other
42 common area in the park, a legible sign indicating in bold print and bearing
43 the caption "sample rental or lease agreements."

44 2. Under the sign indicating "sample rental or lease ~~agreements~~"
45 *agreements,* post a copy of each rental or lease agreement presently
46 offered to prospective tenants.

47 3. Provide at the request of a prospective tenant or an existing tenant, a
48 copy of any lease or rental agreement required to be posted pursuant to
49 subsection 2.



1 4. Immediately correct or replace the posted copy of a lease or rental
2 agreement if new provisions are added to the lease or rental agreement or if
3 existing provisions are amended or deleted.

4 5. Provide a copy of the provisions of this section to a prospective
5 tenant before he signs a rental agreement or lease for a lot.

6 **Sec. 19.** NRS 118B.080 is hereby amended to read as follows:
7 118B.080 1. The landlord shall disclose in writing to each tenant the:
8 (a) Name, address and telephone number of the owner and manager or
9 assistant manager of the ~~mobile~~ *manufactured* home park; and
10 (b) Name and address of a person authorized to receive service of
11 process for the landlord,
12 and any change thereof.

13 2. The information must be furnished in writing to each new tenant on
14 or before the commencement of his tenancy and to each existing tenant.

15 **Sec. 20.** NRS 118B.086 is hereby amended to read as follows:
16 118B.086 1. Each manager and assistant manager of a ~~mobile~~
17 *manufactured* home park which has 25 or more lots shall complete
18 annually 6 hours of continuing education relating to the management of a
19 ~~mobile~~ *manufactured* home park.

20 2. The administrator shall adopt regulations specifying the areas of
21 instruction for the continuing education required by subsection 1.

22 3. The instruction must include, but is not limited to, information
23 relating to:
24 (a) The provisions of chapter 118B of NRS;
25 (b) Leases and rental agreements;
26 (c) Unlawful detainer and eviction as set forth in NRS 40.215 to 40.425,
27 inclusive;
28 (d) The resolution of complaints and disputes concerning landlords and
29 tenants of ~~mobile~~ *manufactured* home parks; and
30 (e) The adoption and enforcement of the rules and regulations of a
31 ~~mobile~~ *manufactured* home park.

32 4. Each course of instruction and the instructor of the course must be
33 approved by the administrator. The administrator shall adopt regulations
34 setting forth the procedure for applying for approval of an instructor and
35 course of instruction. The administrator may require submission of such
36 reasonable information by an applicant as he deems necessary to determine
37 the suitability of the instructor and the course. The administrator shall not
38 approve a course if the fee charged for the course is not reasonable. Upon
39 approval, the administrator shall designate the number of hours of credit
40 allowable for the course.

41 **Sec. 21.** NRS 118B.087 is hereby amended to read as follows:
42 118B.087 1. There are hereby created two regions to provide courses
43 of continuing education pursuant to NRS 118B.086. One region is the
44 northern region consisting of the counties of Washoe, Storey, Douglas,
45 Lyon, Churchill, Pershing, Humboldt, Lander, Elko, Eureka, Mineral,
46 White Pine and Carson City, and one region is the southern region
47 consisting of the counties of Lincoln, Nye, Esmeralda and Clark.



1 2. The person who applied for approval of a course or his designee
2 shall notify the administrator of the date and location each time the course
3 is offered, as soon as practicable after scheduling the course.

4 3. The administrator shall ensure that a course of continuing education
5 is offered at least every 6 months in each region. If the administrator finds
6 that no approved course will be offered to meet the requirements of this
7 subsection, he shall offer the course and charge a reasonable fee for each
8 person enrolled in the course.

9 4. If the fees collected by the administrator for the course do not cover
10 the cost of offering the course, the administrator shall determine the
11 difference between the fees collected and the cost of offering the course,
12 divide that amount by the number of ~~mobile~~ *manufactured* home parks
13 which have 25 lots or more in the region in which the course was held and
14 assess that amount to each landlord of such a ~~mobile~~ *manufactured* home
15 park. The landlord shall pay the assessment within 30 days after it was
16 mailed by the administrator.

17 **Sec. 22.** NRS 118B.088 is hereby amended to read as follows:

18 118B.088 1. Each instructor of a course shall furnish to each person
19 who completes the course required by NRS 118B.086 a certificate of
20 completion. The certificate must include:

- 21 (a) The name and address of the participant;
22 (b) The name of the instructor of the course;
23 (c) The name of the landlord of the ~~mobile~~ *manufactured* home park
24 who employs the participant and the address of the park, if the participant
25 is employed as a manager or assistant manager of a ~~mobile~~ *manufactured*
26 home park on the date of completion of the course;
27 (d) The number of hours of instruction completed; and
28 (e) The date the course was completed.

29 2. Each instructor shall furnish to the administrator the information
30 included in each certificate of completion he issues within 30 days after the
31 course is completed.

32 **Sec. 23.** NRS 118B.089 is hereby amended to read as follows:

33 118B.089 1. The administrator may impose a fine of not more than
34 \$500 against a landlord of a ~~mobile~~ *manufactured* home park who
35 employs a manager or assistant manager who has not completed the course
36 of continuing education required by NRS 118B.086.

37 2. The administrator shall, before imposing the fine, notify the
38 landlord of the ~~mobile~~ *manufactured* home park by certified mail that he
39 will impose the fine unless the landlord, within 30 days after the notice is
40 mailed, shows cause why the fine should not be imposed.

41 3. If the administrator imposes the fine, he shall notify the landlord of
42 the ~~mobile~~ *manufactured* home park by certified mail.

43 4. The imposition of a fine pursuant to this section is a final decision
44 for the purposes of judicial review.

45 **Sec. 24.** NRS 118B.095 is hereby amended to read as follows:

46 118B.095 1. The landlord shall authorize each manager and assistant
47 manager to make repairs himself or enter into a contract with a third party
48 for the repairs.



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1 2. Except as otherwise provided in subsection 3, the manager shall
2 contract with a third party to provide emergency repairs for the tenants on
3 the occasions when the manager and assistant manager are not physically
4 present in the park. The manager shall notify each tenant of the telephone
5 number of the third party who will make the repairs, and direct the tenants
6 to call him when an emergency repair is needed and the manager and
7 assistant manager are not physically present in the park. The telephone
8 number so provided must be that of the third party directly. The provision
9 of the telephone number of an answering service does not fulfill this
10 requirement. If the manager or assistant manager is present in the park, any
11 request for repairs must be made to him and not the third party.

12 3. The provisions of subsection 2 do not apply to a ~~mobile~~
13 *manufactured* home park that is owned by:

14 (a) A nonprofit organization; or
15 (b) A housing authority,
16 if the nonprofit organization or housing authority has established an
17 alternative method to provide emergency repairs for tenants in a timely
18 manner.

19 4. As used in this section, "repairs" means only repairs to the property
20 of the owner of the ~~mobile~~ *manufactured* home park.

21 **Sec. 25.** NRS 118B.100 is hereby amended to read as follows:

22 118B.100 1. The landlord may adopt rules or regulations concerning
23 the tenant's use and occupancy of the ~~mobile~~ *manufactured* home lot and
24 the grounds, areas and facilities of the ~~mobile~~ *manufactured* home park
25 held out for the use of tenants generally.

26 2. All such rules or regulations must be:

27 (a) Reasonably related to the purpose for which they are adopted;
28 (b) Sufficiently explicit in their prohibition, direction or limitation to
29 inform the tenant of what he must do or not do for compliance;

30 (c) Adopted in good faith and not for the purpose of evading any
31 obligation of the landlord arising under the law;

32 (d) Consistent with the provisions of this chapter and a general plan of
33 operation, construction or improvement, and must not arbitrarily restrict
34 conduct or require any capital improvement by the tenant which is not
35 specified in the rental agreement or unreasonably require a change in any
36 capital improvement made by the tenant and previously approved by the
37 landlord unless the landlord can show that it is in the best interest of the
38 other tenants; and

39 (e) Uniformly enforced against all tenants in the park, including the
40 managers. Any rule or regulation which is not so uniformly enforced may
41 not be enforced against any tenant.

42 3. No rule or regulation may be used to impose any additional charge
43 for occupancy of a ~~mobile~~ *manufactured* home lot or modify the terms of
44 a rental agreement.

45 4. Except as otherwise provided in subsection 5, a rule or regulation is
46 enforceable against the tenant only if he has notice of it at the time he
47 enters into the rental agreement. A rule or regulation adopted or amended
48 after the tenant enters into the rental agreement is not enforceable unless
49 the tenant consents to it in writing or is given 60 days' notice of it in



1 writing. The landlord may not adopt or amend a rule or regulation of the
2 park unless a meeting of the tenants is held to discuss the proposal and the
3 landlord provides each tenant with notice of the proposal and the date, time
4 and place of the meeting not less than 60 days before the meeting. The
5 notice must include a copy of the proposed adoption or amendment of the
6 rule or regulation. A notice in a periodic publication of the park does not
7 constitute notice for the purposes of this subsection.

8 5. A rule or regulation pertaining to recreational facilities in the
9 ~~mobile~~ manufactured home park must be in writing to be enforceable.

10 6. As used in this section, “capital improvement” means an addition or
11 betterment made to a ~~mobile~~ manufactured home located on a lot in a
12 ~~mobile~~ manufactured home park which is leased by the landlord that:

13 (a) Consists of more than the repair or replacement of an existing
14 facility;

15 (b) Is required by federal law to be amortized over its useful life for the
16 purposes of income tax; and

17 (c) Has a useful life of 5 years or more.

18 **Sec. 26.** NRS 118B.110 is hereby amended to read as follows:

19 118B.110 1. The landlord shall meet with a representative group of
20 tenants occupying the park, chosen by the tenants, to hear any complaints
21 or suggestions which concern a matter relevant to the park within 45 days
22 after he receives a written request to do so which has been signed by
23 persons occupying at least 25 percent of the lots in the park. The 25 percent
24 must be calculated on the basis of one signature per occupied lot. The
25 meeting must be held at a time and place which is convenient to the
26 landlord and the tenants. The representative group of tenants must consist
27 of no more than five persons.

28 2. At least 10 days before any meeting is held pursuant to this section ,
29 the landlord or his agent shall post a notice of the meeting in a conspicuous
30 place in a common area of the park.

31 3. If the landlord is not a natural person, the landlord shall appoint a
32 natural person, not the manager or assistant manager, who possesses a
33 financial interest in the ~~mobile~~ manufactured home park to meet with the
34 tenants.

35 4. If an attorney for the landlord attends a meeting held pursuant to this
36 section, the landlord shall not prohibit the group of tenants from being
37 represented by an attorney at that meeting.

38 **Sec. 27.** NRS 118B.120 is hereby amended to read as follows:

39 118B.120 1. The landlord or his agent or employee may:

40 (a) Require that the tenant landscape and maintain the tenant’s lot if the
41 landlord advises the tenant in writing of reasonable requirements for the
42 landscaping.

43 (b) If the tenant does not comply with the provisions of paragraph (a),
44 maintain the tenant’s lot and charge the tenant a service fee for the actual
45 cost of that maintenance.

46 (c) Require that the ~~mobile~~ manufactured home be removed from the
47 park if it is unoccupied for more than 90 consecutive days and the tenant or
48 dealer is not making good faith and diligent efforts to sell it.



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1 2. The landlord shall maintain, in the manner required for the other
2 tenants, any lot on which is located a ~~mobile~~ *manufactured* home within
3 the park which has been repossessed, abandoned or held for rent or taxes.
4 The landlord is entitled to reimbursement for the cost of that maintenance
5 from the reposessor or lien holder or from the proceeds of any sale for
6 taxes, as the case may be.

7 3. The landlord shall trim all the trees located within the park and
8 dispose of the trimmings from those trees, absent a voluntary assumption
9 of that duty by the tenant for trees on the tenant's lot.

10 4. For the purposes of this section, a ~~mobile~~ *manufactured* home
11 shall be deemed to be abandoned if:

12 (a) It is located on a lot in a ~~mobile~~ *manufactured* home park for
13 which no rent has been paid for at least 60 days;

14 (b) It is unoccupied; and

15 (c) The manager of the ~~mobile~~ *manufactured* home park reasonably
16 believes it to be abandoned.

17 **Sec. 28.** NRS 118B.125 is hereby amended to read as follows:

18 118B.125 A tenant shall secure the approval of his landlord before
19 beginning construction of any improvement or addition to his ~~mobile~~
20 *manufactured* home or lot which requires a building permit issued by a
21 local government.

22 **Sec. 29.** NRS 118B.130 is hereby amended to read as follows:

23 118B.130 1. A landlord may not change:

24 (a) An existing park to a park for older persons pursuant to federal law
25 unless the tenants who do not meet those restrictions and may lawfully be
26 evicted are moved to other parks at the expense of the landlord; or

27 (b) The restriction of a park for older persons pursuant to federal law
28 unless the tenants are given the option of remaining in their spaces or
29 moving to other parks at the expense of the landlord.

30 2. A tenant who elects to move pursuant to a provision of subsection 1
31 must give the landlord notice in writing of his election to move within 75
32 days after receiving notice of the change in restrictions in the park. If a
33 landlord is required to move a tenant to another park pursuant to subsection
34 1, he shall pay:

35 (a) The cost of moving the tenant's ~~mobile~~ *manufactured* home and
36 its appurtenances to a new location within 50 miles from the ~~mobile~~
37 *manufactured* home park; or

38 (b) If the new location is more than 50 miles from the ~~mobile~~
39 *manufactured* home park, the cost of moving the ~~mobile~~ *manufactured*
40 home for the first 50 miles,
41 including fees for inspection, any deposits for connecting utilities, and the
42 cost of taking down, moving, setting up and leveling his ~~mobile~~
43 *manufactured* home and its appurtenances in the new lot or park.

44 3. A landlord of a park in which restrictions have been or are being
45 changed shall give written notice of the change to each:

46 (a) Tenant of the park who does not meet the new restrictions.

47 (b) Prospective tenant before the commencement of the tenancy.

48 **Sec. 30.** NRS 118B.140 is hereby amended to read as follows:

49 118B.140 The landlord or his agent or employee shall not:



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1 1. Require a person to purchase a ~~mobile~~ manufactured home from
2 him or any other person as a condition to renting a ~~mobile~~ manufactured
3 home lot to the purchaser or give an adjustment of rent or fees, or provide
4 any other incentive to induce the purchase of a ~~mobile~~ manufactured
5 home from him or any other person.

6 2. Charge or receive:

7 (a) Any entrance or exit fee for assuming or leaving occupancy of a
8 ~~mobile~~ manufactured home lot.

9 (b) Any transfer or selling fee or commission as a condition to
10 permitting a tenant to sell his ~~mobile~~ manufactured home or recreational
11 vehicle within the ~~mobile~~ manufactured home park, even if the ~~mobile~~
12 manufactured home or recreational vehicle is to remain within the park,
13 unless the landlord is licensed as a dealer of ~~mobile~~ manufactured homes
14 pursuant to NRS 489.311 and has acted as the tenant's agent in the sale
15 pursuant to a written contract.

16 (c) Any fee for the tenant's spouse or children.

17 (d) Any fee for pets kept by a tenant in the park. If special facilities or
18 services are provided, the landlord may also charge a fee reasonably related
19 to the cost of maintenance of the facility or service and the number of pets
20 kept in the facility.

21 (e) Any additional service fee unless the landlord provides an additional
22 service which is needed to protect the health and welfare of the tenants, and
23 written notice advising each tenant of the additional fee is sent to the tenant
24 90 days in advance of the first payment to be made, and written notice of
25 the additional fee is given to prospective tenants on or before
26 commencement of their tenancy. A tenant may only be required to pay the
27 additional service fee for the duration of the additional service.

28 (f) Any fee for a late monthly rental payment within 4 days after the
29 date the rental payment is due or which exceeds \$5 for each day, excluding
30 Saturdays, Sundays and legal holidays, for which the payment is overdue,
31 beginning on the day after the payment was due. Any fee for late payment
32 of charges for utilities must be in accordance with the requirements
33 prescribed by the public utilities commission of Nevada.

34 (g) Any fee, surcharge or rent increase to recover from his tenants the
35 costs resulting from converting from a master-metered water system to
36 individual water meters for each ~~mobile~~ manufactured home lot.

37 (h) Any fee, surcharge or rent increase to recover from his tenants any
38 amount that exceeds the amount of the cost for a governmentally mandated
39 service or tax that was paid by the landlord.

40 **Sec. 31.** NRS 118B.150 is hereby amended to read as follows:

41 118B.150 The landlord or his agent or employee shall not:

42 1. Increase rent or additional charges unless:

43 (a) The rent charged after the increase is the same rent charged for
44 ~~mobile~~ manufactured homes of the same size or lots of the same size or
45 of a similar location within the park, except that a discount may be
46 selectively given to persons who:

47 (1) Are handicapped;

48 (2) Are 55 years of age or older;



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- 1 (3) Are long-term tenants of the park if the landlord has specified in
2 the rental agreement or lease the period of tenancy required to qualify for
3 such a discount;
- 4 (4) Pay their rent in a timely manner; or
- 5 (5) Pay their rent by check, money order or electronic means;
- 6 (b) Any increase in additional charges for special services is the same
7 amount for each tenant using the special service; and
- 8 (c) Written notice advising a tenant of the increase is received by the
9 tenant 90 days before the first payment to be increased and written notice
10 of the increase is given to prospective tenants before commencement of
11 their tenancy. In addition to the notice provided to a tenant pursuant to this
12 paragraph, if the landlord or his agent or employee knows or reasonably
13 should know that the tenant receives assistance from the fund created
14 pursuant to NRS 118B.215, the landlord or his agent or employee shall
15 provide to the administrator written notice of the increase 90 days before
16 the first payment to be increased.
- 17 2. Require a tenant to pay for an improvement to the common area of a
18 ~~mobile~~ manufactured home park unless the landlord is required to make
19 the improvement pursuant to an ordinance of a local government.
- 20 3. Require a tenant to pay for a capital improvement to the ~~mobile~~
21 manufactured home park unless the tenant has notice of the requirement at
22 the time he enters into the rental agreement. A tenant may not be required
23 to pay for a capital improvement after the tenant enters into the rental
24 agreement unless the tenant consents to it in writing or is given 60 days'
25 notice of the requirement in writing. The landlord may not establish such a
26 requirement unless a meeting of the tenants is held to discuss the proposal
27 and the landlord provides each tenant with notice of the proposal and the
28 date, time and place of the meeting not less than 60 days before the
29 meeting. The notice must include a copy of the proposal. A notice in a
30 periodic publication of the park does not constitute notice for the purposes
31 of this subsection.
- 32 4. Require a tenant to pay his rent by check or money order.
- 33 5. Require a tenant who pays his rent in cash to apply any change to
34 which he is entitled to the next periodic payment that is due. The landlord
35 or his agent or employee shall have an adequate amount of money
36 available to provide change to such a tenant.
- 37 6. Prohibit or require fees or deposits for any meetings held in the
38 park's community or recreational facility by the tenants or occupants of
39 any ~~mobile~~ manufactured home or recreational vehicle in the park to
40 discuss the park's affairs, or any political or social meeting sponsored by a
41 tenant, if the meetings are held at reasonable hours and when the facility is
42 not otherwise in use, or prohibit the distribution of notices of those
43 meetings.
- 44 7. Interrupt, with the intent to terminate occupancy, any utility service
45 furnished the tenant except for nonpayment of utility charges when due.
46 Any landlord who violates this subsection is liable to the tenant for actual
47 damages.
- 48 8. Prohibit a tenant from having guests, but he may require the tenant
49 to register the guest within 48 hours after his arrival, Sundays and legal



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1 holidays excluded, and if the park is a secured park, a guest may be
2 required to register upon entering and leaving.

3 9. Charge a fee for a guest who does not stay with the tenant for more
4 than a total of 60 days in a calendar year. The tenant of a ~~mobile~~
5 **manufactured** home lot who is living alone may allow one other person to
6 live in his home without paying an additional charge or fee, unless such a
7 living arrangement constitutes a violation of chapter 315 of NRS. No
8 agreement between a tenant and his guest alters or varies the terms of the
9 rental contract between the tenant and the landlord, and the guest is subject
10 to the rules and regulations of the landlord.

11 10. Prohibit a tenant from erecting a fence along the perimeter of the
12 tenant's lot if the fence complies with any standards for fences established
13 by the landlord, including limitations established for the height of fences,
14 the materials used for fences and the manner in which fences are to be
15 constructed.

16 11. Prohibit any tenant from soliciting membership in any association
17 which is formed by the tenants who live in the park. As used in this
18 subsection, "solicit" means to make an oral or written request for
19 membership or the payment of dues or to distribute, circulate or post a
20 notice for payment of those dues.

21 12. Prohibit a public officer or candidate for public office from
22 walking through the park to talk with the tenants.

23 13. If a tenant has voluntarily assumed responsibility to trim the trees
24 on his lot, require the tenant to trim any particular tree located on the lot or
25 dispose of the trimmings unless a danger or hazard exists.

26 **Sec. 32.** NRS 118B.153 is hereby amended to read as follows:

27 118B.153 The amount of rent charged a tenant for a service, utility or
28 amenity upon moving into the ~~mobile~~ **manufactured** home park must be
29 reduced proportionately when the service, utility or amenity is decreased or
30 eliminated by the landlord. The landlord may not increase the rent to
31 recover the lost revenue.

32 **Sec. 33.** NRS 118B.157 is hereby amended to read as follows:

33 118B.157 A landlord must give his tenants at least 24 hours' notice in
34 writing when planned repairs of a utility or a service which the ~~mobile~~
35 **manufactured** home park provides will cause interruption of the utility or
36 service.

37 **Sec. 34.** NRS 118B.160 is hereby amended to read as follows:

38 118B.160 The landlord or his agent or employee shall not:

39 1. Deny any tenant the right to sell his ~~mobile~~ **manufactured** home
40 or recreational vehicle within the park or require the tenant to remove the
41 ~~mobile~~ **manufactured** home or recreational vehicle from the park solely
42 on the basis of the sale, except as otherwise provided in NRS 118B.170.

43 2. Prohibit any tenant desiring to sell his ~~mobile~~ **manufactured** home
44 or recreational vehicle within the park from advertising the location of the
45 home or vehicle and the name of the ~~mobile~~ **manufactured** home park or
46 prohibit the tenant from displaying at least one sign of reasonable size
47 advertising the sale of the home or vehicle.

48 3. Require that he be an agent of an owner of a ~~mobile~~ **manufactured**
49 home or recreational vehicle who desires to sell the home or vehicle.



1 4. Unless subleasing of lots is prohibited by a rental agreement or
2 lease, prohibit a tenant from subleasing his ~~mobile~~ manufactured home
3 lot if the prospective subtenant meets the general requirements for tenancy
4 in the park.

5 5. Require a tenant to make any additions to his ~~mobile~~
6 manufactured home unless those additions are required by an ordinance of
7 a local government.

8 6. Purchase a ~~mobile~~ manufactured home within the park if he has
9 denied:

10 (a) A tenant the right to sell that ~~mobile~~ manufactured home; or

11 (b) A prospective buyer the right to purchase that ~~mobile~~
12 manufactured home.

13 **Sec. 35.** NRS 118B.170 is hereby amended to read as follows:

14 118B.170 1. The landlord may require approval of a prospective
15 buyer and tenant before the sale of a tenant's ~~mobile~~ manufactured home
16 or recreational vehicle, if the ~~mobile~~ manufactured home or vehicle will
17 remain in the park. The landlord shall consider the record, if any, of the
18 prospective buyer and tenant concerning the payment of rent. The landlord
19 shall not unreasonably withhold his consent.

20 2. If a tenant sells his ~~mobile~~ manufactured home or recreational
21 vehicle, the landlord may require that the ~~mobile~~ manufactured home or
22 recreational vehicle be removed from the park if it is deemed by the park's
23 written rules or regulations in the possession of the tenants to be in a run-
24 down condition or in disrepair or does not meet the safety standards set
25 forth in NRS 461A.120. If the ~~mobile~~ manufactured home must be
26 inspected to determine compliance with the standards, the person
27 requesting the inspection shall pay for it.

28 3. If the landlord requires the approval of a prospective buyer and
29 tenant, he shall post and maintain a sign which is clearly readable at the
30 entrance to the park which advises the reader that before a ~~mobile~~
31 manufactured home in the park is sold, the prospective buyer must be
32 approved by the landlord.

33 4. If the landlord requires the approval of a prospective buyer and
34 tenant of a ~~mobile~~ manufactured home or recreational vehicle and the
35 ~~mobile~~ manufactured home or recreational vehicle is sold without the
36 approval of the landlord, the landlord may:

37 (a) After providing at least 10 days' written notice to the buyer and
38 tenant, bring an action for an unlawful detainer in the manner prescribed in
39 chapter 40 of NRS; or

40 (b) Require the buyer and tenant to sign a rental agreement. If the buyer
41 and tenant refuse to sign the rental agreement within 5 days after such a
42 request, the landlord may, after providing at least 10 days' written notice to
43 the buyer and tenant, bring an action for an unlawful detainer in the manner
44 provided in chapter 40 of NRS.

45 5. For the purposes of NRS 40.251, a person who:

46 (a) Purchases a ~~mobile~~ manufactured home or recreational vehicle
47 from a tenant of a ~~mobile~~ manufactured home park which will remain in
48 the park;



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1 (b) Was required to be approved by the landlord of the ~~mobile~~
2 *manufactured* home park before the sale of the ~~mobile~~ *manufactured*
3 home or recreational vehicle; and

4 (c) Was not approved by the landlord before he purchased that ~~mobile~~
5 *manufactured* home or recreational vehicle,
6 shall be deemed a tenant at will and a lessee of the ~~mobile~~ *manufactured*
7 home park.

8 **Sec. 36.** NRS 118B.173 is hereby amended to read as follows:

9 118B.173 1. Any landlord who lists a ~~mobile~~ *manufactured* home
10 park or any part of a ~~mobile~~ *manufactured* home park for sale with a
11 licensed real estate broker shall , not less than 10 days nor more than 30
12 days before listing the park for sale, mail written notice of that listing to
13 any association of tenants of the park that requested the notice. A landlord
14 is not required to provide notice of a listing for sale that is not initiated by
15 the owner of the park or his authorized agent.

16 2. ~~In order to~~ *To* receive the notice required by subsection 1, an
17 association of tenants of a ~~mobile~~ *manufactured* home park shall:

18 (a) Submit to the landlord a written request for that notice;

19 (b) Furnish the landlord with a written list of the names and addresses
20 of three members of the association; and

21 (c) Give written notice to the landlord that the tenants of the park are
22 interested in buying the park and renew that notice at least once each year
23 after the initial notice.

24 **Sec. 37.** NRS 118B.177 is hereby amended to read as follows:

25 118B.177 1. If a landlord closes a ~~mobile~~ *manufactured* home
26 park , he shall pay:

27 (a) The cost of moving each tenant's ~~mobile~~ *manufactured* home and
28 its appurtenances to a new location within 50 miles from the ~~mobile~~
29 *manufactured* home park; or

30 (b) If the new location is more than 50 miles from the ~~mobile~~
31 *manufactured* home park, the cost of moving the ~~mobile~~ *manufactured*
32 home for the first 50 miles,
33 including fees for inspection, any deposits for connecting utilities , and the
34 cost of taking down, moving, setting up and leveling the ~~mobile~~
35 *manufactured* home and its appurtenances in the new lot or park.

36 2. Written notice of the closure must be served on each tenant in the
37 manner provided in NRS 40.280, giving the tenant at least 180 days after
38 the date of the notice before he is required to move his ~~mobile~~
39 *manufactured* home from the lot.

40 **Sec. 38.** NRS 118B.180 is hereby amended to read as follows:

41 118B.180 1. A landlord may convert an existing ~~mobile~~
42 *manufactured* home park into individual ~~mobile~~ *manufactured* home
43 lots for sale to ~~mobile~~ *manufactured* home owners if the change is
44 approved by the appropriate local zoning board, planning commission or
45 governing body, and:

46 (a) The landlord gives notice in writing to each tenant within 5 days
47 after he files his application for the change in land use with the local
48 zoning board, planning commission or governing body;



1 (b) The landlord offers to sell the lot to the tenant at the same price the
2 lot will be offered to the public and holds that offer open for at least 75
3 days before he offers the lot for sale to the public;

4 (c) The landlord does not sell an occupied lot for more than a vacant lot
5 of similar location, size and shape;

6 (d) The landlord pays:

7 (1) The cost of moving the tenant's ~~mobile~~ *manufactured* home
8 and its appurtenances to a comparable location within 50 miles from the
9 ~~mobile~~ *manufactured* home park; or

10 (2) If the new location is more than 50 miles from the ~~mobile~~
11 *manufactured* home park, the cost of moving the ~~mobile~~ *manufactured*
12 home for the first 50 miles,

13 including fees for inspection, any deposits for connecting utilities and the
14 cost of taking down, moving, setting up and leveling his ~~mobile~~
15 *manufactured* home and its appurtenances in the new lot or park; and

16 (e) After the landlord is granted final approval of the change by the
17 appropriate local zoning board, planning commission or governing body,
18 notice in writing is served on each tenant in the manner provided in NRS
19 40.280, giving the tenant at least 180 days after the date of the notice,
20 before he is required to move his ~~mobile~~ *manufactured* home from the
21 lot.

22 2. Upon the sale of a ~~mobile~~ *manufactured* home lot and a ~~mobile~~
23 *manufactured* home which is situated on that lot, the landlord shall
24 indicate what portion of the purchase price is for the ~~mobile~~
25 *manufactured* home lot and what portion is for the ~~mobile~~ *manufactured*
26 home.

27 **Sec. 39.** NRS 118B.183 is hereby amended to read as follows:

28 118B.183 1. A landlord may convert an existing ~~mobile~~
29 *manufactured* home park to any other use of the land if the change is
30 approved by the appropriate local zoning board, planning commission or
31 governing body, and:

32 (a) The landlord gives notice in writing to each tenant within 5 days
33 after he files his application for the change in land use with the local
34 zoning board, planning commission or governing body;

35 (b) The landlord pays:

36 (1) The cost of moving the tenant's ~~mobile~~ *manufactured* home
37 and its appurtenances to a new location within 50 miles from the ~~mobile~~
38 *manufactured* home park; or

39 (2) If the new location is more than 50 miles from the ~~mobile~~
40 *manufactured* home park, the cost of moving the ~~mobile~~ *manufactured*
41 home for the first 50 miles,

42 including fees for inspection, any deposits for connecting utilities and the
43 cost of taking down, moving, setting up and leveling his ~~mobile~~
44 *manufactured* home and its appurtenances in the new lot or park; and

45 (c) After the landlord is granted final approval of the change by the
46 appropriate local zoning board, planning commission or governing body,
47 written notice is served on each tenant in the manner provided in NRS
48 40.280, giving the tenant at least 180 days after the date of the notice



1 before he is required to move his ~~mobile~~ *manufactured* home from the
2 lot.

3 2. A landlord shall not increase the rent of any tenant for 180 days
4 before applying for a change in land use, permit or variance affecting the
5 ~~mobile~~ *manufactured* home park.

6 **Sec. 40.** NRS 118B.185 is hereby amended to read as follows:

7 118B.185 1. Each owner of a ~~mobile~~ *manufactured* home park
8 shall pay to the division an annual fee established by the administrator
9 which must not exceed \$5 for each lot within that park.

10 2. If an owner fails to pay the fee within 30 days after receiving
11 written notice of its amount, a penalty of 50 percent of the amount of the
12 fee must be added. The owner is not entitled to any reimbursement of this
13 penalty from his tenants.

14 3. All fees collected by the division pursuant to subsection 1 must be
15 deposited in the state treasury for credit to the account for regulating
16 ~~mobile~~ *manufactured* home parks within the fund for manufactured
17 housing created pursuant to NRS 489.491. All expenses related to the
18 regulation of ~~mobile~~ *manufactured* home parks must be paid from the
19 account. The account must not be used for any other purpose. Claims
20 against the account must be paid as other claims against the state are paid.

21 **Sec. 41.** NRS 118B.190 is hereby amended to read as follows:

22 118B.190 1. A written agreement between a landlord and tenant for
23 the rental or lease of a ~~mobile~~ *manufactured* home lot in a ~~mobile~~
24 *manufactured* home park in this state, or for the rental or lease of a lot for
25 a recreational vehicle in an area of a ~~mobile~~ *manufactured* home park in
26 this state other than an area designated as a recreational vehicle lot
27 pursuant to the provisions of subsection 6 of NRS 40.215, must not be
28 terminated by the landlord except upon notice in writing to the tenant
29 served in the manner provided in NRS 40.280:

30 (a) Five days in advance if the termination is because the conduct of the
31 tenant constitutes a nuisance as described in subsection 6 of NRS
32 118B.200.

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

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

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

38 2. The landlord shall specify in the notice the reason for the
39 termination of the agreement. The reason relied upon for the termination
40 must be set forth with specific facts so that the date, place and
41 circumstances concerning the reason for the termination can be determined.
42 The termination must be in accordance with the provisions of NRS
43 118B.200 and reference alone to a provision of that section does not
44 constitute sufficient specificity pursuant to this subsection.

45 3. The service of such a notice does not enhance the landlord's right, if
46 any, to enter the tenant's ~~mobile~~ *manufactured* home. Except in an
47 emergency, the landlord shall not enter the ~~mobile~~ *manufactured* home
48 of the tenant served with such a notice without the tenant's permission or a
49 court order allowing the entry.



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1 4. If a tenant remains in possession of the ~~mobile~~ *manufactured*
2 home lot after expiration of the term of the rental agreement, the tenancy is
3 from week to week in the case of a tenant who pays weekly rent, and in all
4 other cases the tenancy is from month to month. The tenant's continued
5 occupancy is on the same terms and conditions as were contained in the
6 rental agreement unless specifically agreed otherwise in writing.

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

11 **Sec. 42.** NRS 118B.200 is hereby amended to read as follows:

12 118B.200 Notwithstanding the expiration of a period of a tenancy, the
13 rental agreement described in NRS 118B.190 may not be terminated except
14 for:

15 1. Failure of the tenant to pay rent, utility charges or reasonable service
16 fees within 10 days after written notice of delinquency served upon the
17 tenant in the manner provided in NRS 40.280;

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

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

26 4. 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
28 the manner provided in NRS 40.280;

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

31 6. 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. In a ~~mobile~~ *manufactured* home park that is owned by a nonprofit
34 organization or housing authority, failure of the tenant to meet
35 qualifications relating to 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.

38 **Sec. 43.** NRS 118B.210 is hereby amended to read as follows:

39 118B.210 1. The landlord shall not terminate a tenancy, refuse to
40 renew a tenancy, increase rent or decrease services he normally supplies, or
41 bring or threaten to bring an action for possession of a ~~mobile~~
42 *manufactured* home lot as retaliation upon the tenant because:

43 (a) He has complained in good faith about a violation of a building,
44 safety or health code or regulation pertaining to a ~~mobile~~ *manufactured*
45 home park to the governmental agency responsible for enforcing the code
46 or regulation.

47 (b) He has complained to the landlord concerning the maintenance,
48 condition or operation of the park or a violation of any provision of NRS
49 118B.040 to 118B.220, inclusive, or 118B.240.



1 (c) He has organized or become a member of a tenants' league or
2 similar organization.

3 (d) He has requested the reduction in rent required by:

4 (1) NRS 118.165 as a result of a reduction in property taxes.

5 (2) NRS 118B.153 when a service, utility or amenity is decreased or
6 eliminated by the landlord.

7 (e) A citation has been issued to the landlord as the result of a complaint
8 of the tenant.

9 (f) In a judicial proceeding or arbitration between the landlord and the
10 tenant, an issue has been determined adversely to the landlord.

11 2. A landlord, manager or assistant manager of a ~~mobile~~
12 *manufactured* home park shall not willfully harass a tenant.

13 3. A tenant shall not willfully harass a landlord, manager ~~or~~
14 assistant manager of a ~~mobile~~ *manufactured* home park or an employee
15 or agent of the landlord.

16 4. As used in this section, "harass" means to threaten or intimidate,
17 through words or conduct, with the intent to affect the terms or conditions
18 of a tenancy or a person's exercise of his rights pursuant to this chapter.

19 **Sec. 44.** NRS 118B.211 is hereby amended to read as follows:

20 118B.211 As used in NRS 118B.211 to 118B.219, inclusive, "fund"
21 means the fund for low-income owners of ~~mobile~~ *manufactured* homes
22 created pursuant to NRS 118B.215.

23 **Sec. 45.** NRS 118B.213 is hereby amended to read as follows:

24 118B.213 1. In addition to the fee established pursuant to NRS
25 118B.185, except as otherwise provided in subsection 3, the owner of a
26 ~~mobile~~ *manufactured* home park that is operated for profit shall pay to
27 the division an annual fee of \$12 for each lot within the park. The owner
28 shall not impose a fee or surcharge to recover from his tenants the costs
29 resulting from the annual fee per lot paid pursuant to this subsection, or any
30 related penalty.

31 2. The administrator shall notify the owner of each ~~mobile~~
32 *manufactured* home park that is operated for profit in this state on or
33 before July 1 of each year of the fee imposed pursuant to this section.

34 3. If on May 15 of that year the balance in the fund which is
35 attributable to deposits pursuant to this section exceeds \$1,000,000, the
36 administrator shall not charge or collect a fee pursuant to this section. The
37 administrator shall resume the collection in any year when the balance on
38 May 15 is less than \$750,000. The administrator shall request the state
39 treasurer to inform him of the applicable balance of the fund on May 15 of
40 each year.

41 4. If an owner fails to pay the fee within 30 days after receiving
42 written notice from the administrator to do so, a penalty of 50 percent of
43 the amount of the fee must be added.

44 5. All fees and penalties collected by the division pursuant to this
45 section must be deposited in the state treasury for credit to the fund.

46 **Sec. 46.** NRS 118B.215 is hereby amended to read as follows:

47 118B.215 1. There is hereby created as a special revenue fund in the
48 state treasury the fund for low-income owners of ~~mobile~~ *manufactured*
49 homes, to be administered by the division. All money received for the use



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1 of the fund pursuant to NRS 118B.213 or from any other source must be
2 deposited in the fund.

3 2. The interest and income earned on the money in the fund, after
4 deducting any applicable charges, must be credited to the fund. All claims
5 against the fund must be paid as other claims against the state are paid.

6 3. The money in the fund may be used only to pay necessary
7 administrative costs and to assist eligible persons by supplementing their
8 monthly rent for the ~~mobile~~ manufactured home lot on which their
9 ~~mobile~~ manufactured home is located. Except as otherwise provided in
10 subsection 5, to be eligible for assistance from the fund a person must:

11 (a) Except as otherwise provided in this subsection, have been a tenant
12 in the same ~~mobile~~ manufactured home park in this state for at least 1
13 year immediately preceding his application for assistance;

14 (b) Be the registered owner of the ~~mobile~~ manufactured home which
15 is subject to the tenancy, as indicated on the certificate of ownership that is
16 issued by the division pursuant to NRS 489.541;

17 (c) Have a monthly household income, as determined by the
18 administrator in accordance with subsection 4, which is at or below:

19 (1) The federally designated level signifying poverty or \$750,
20 whichever is greater, if the person is the sole occupant of the ~~mobile~~
21 manufactured home; or

22 (2) The federally designated level signifying poverty or \$1,125,
23 whichever is greater, if the person is not the sole occupant of the ~~mobile~~
24 manufactured home;

25 (d) Be a tenant in a ~~mobile~~ manufactured home park that is operated
26 for profit and maintain continuous tenancy in that park during the duration
27 of the supplemental assistance; and

28 (e) Not have assets whose value is more than \$12,000, excluding the
29 value of:

30 (1) The ~~mobile~~ manufactured home which is subject to the
31 tenancy;

32 (2) The contents of that ~~mobile~~ manufactured home; and

33 (3) One motor vehicle.

34 A person who has been a tenant of a ~~mobile~~ manufactured home park in
35 this state for at least 1 year, but has not been a tenant of the ~~mobile~~
36 manufactured home park in which he resides at the time he applies for
37 assistance for at least 1 year, is eligible for assistance from the fund if he
38 moved to the ~~mobile~~ manufactured home park in which he resides at the
39 time of his application because he was unable to pay the rent at the
40 ~~mobile~~ manufactured home park from which he moved or because that
41 park was closed.

42 4. In determining the monthly household income of an applicant
43 pursuant to subsection 3, the administrator shall exclude from the
44 calculation:

45 (a) The value of any food stamps the applicant received pursuant to the
46 Food Stamp Act of 1977, as amended, 7 U.S.C. §§ 2011 et seq., during the
47 year immediately preceding his application for assistance; or



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1 (b) If the applicant is receiving coverage pursuant to Medicare Part B,
2 42 U.S.C. §§ 1395j et seq., the value of the cost of ~~such~~ *that* coverage
3 during the year immediately preceding his application for assistance,
4 whichever is greater.

5 5. The administrator may waive the requirements for eligibility set
6 forth in subsection 3 upon the written request of an applicant if the
7 circumstances of the applicant have changed as a result of:

- 8 (a) Illness;
9 (b) Disability; or
10 (c) Extreme financial hardship based upon a significant reduction of
11 income, when considering the applicant's current financial
12 circumstances.

13 An applicant shall include with his request for a waiver all medical and
14 financial documents that support his request.

15 6. The administrator shall adopt regulations establishing:

16 (a) The annual reporting requirements for persons receiving assistance
17 pursuant to this section. The regulations must require that each such person
18 provide the division with a written acknowledgment of his continued
19 eligibility for assistance.

20 (b) The maximum amount of assistance which may be distributed to a
21 person to supplement his monthly rent pursuant to this section.

22 7. As used in this section:

23 (a) ~~“Mobile”~~ *“Manufactured”* home” includes a travel trailer that is
24 located on a ~~mobile~~ *manufactured* home lot within a ~~mobile~~
25 *manufactured* home park.

26 (b) “Monthly household income” means the combined monthly incomes
27 of the occupants of a ~~mobile~~ *manufactured* home which is subject to the
28 tenancy for which assistance from the fund is requested.

29 (c) “Travel trailer” has the meaning ascribed to it in NRS 489.150.

30 **Sec. 47.** NRS 118B.220 is hereby amended to read as follows:

31 118B.220 1. If a ~~mobile~~ *manufactured* home or recreational
32 vehicle is made unfit for occupancy for any period in excess of 48 hours by
33 any cause for which the landlord is responsible or over which he has
34 control, the rent may be, at the tenant's option, proportionately abated, and
35 if it is, must be refunded or credited against the following month's rent.
36 The tenant need not abandon the ~~mobile~~ *manufactured* home or
37 recreational vehicle as a prerequisite to seeking relief under this subsection.

38 2. As an alternative to the abatement of rent, the tenant may procure
39 reasonable substitute housing for occupancy while his ~~mobile~~
40 *manufactured* home or recreational vehicle remains unfit and may:

41 (a) Recover the actual and reasonable cost of the substitute housing
42 from the landlord; or

43 (b) Deduct the cost from future rent.

44 3. A ~~mobile~~ *manufactured* home shall be deemed unfit for
45 occupancy if essential services such as fuel, water, electricity or sewer
46 service are not being adequately provided to the ~~mobile~~ *manufactured*
47 home.



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1 **Sec. 48.** NRS 108.2675 is hereby amended to read as follows:
2 108.2675 "Mobile home lot" has the meaning ascribed to ~~it~~
3 "**manufactured home lot**" in NRS 118B.016.

4 **Sec. 49.** NRS 108.2677 is hereby amended to read as follows:
5 108.2677 "Mobile home park" has the meaning ascribed to ~~it~~
6 "**manufactured home park**" in NRS 118B.017.

7 **Sec. 50.** NRS 244.3573 is hereby amended to read as follows:
8 244.3573 1. Members of a county law enforcement agency, or if the
9 county is within the jurisdiction of a metropolitan police department, the
10 members of the metropolitan police department, may patrol and provide for
11 the public safety:

12 (a) Within the common areas of a mobile home park that is located
13 within the unincorporated area of the county and into or upon which the
14 public is admitted by easement, license or otherwise; and

15 (b) With the permission of the manager of such a mobile home park,
16 within other areas of the mobile home park.

17 2. As used in this section:

18 (a) "Manager" has the meaning ascribed to it in NRS 118B.0145; and

19 (b) "Mobile home park" has the meaning ascribed to ~~it~~
20 "**manufactured home park**" in NRS 118B.017.

21 **Sec. 51.** NRS 268.426 is hereby amended to read as follows:

22 268.426 1. Members of the law enforcement agency of an
23 incorporated city, or if the incorporated city is within the jurisdiction of a
24 metropolitan police department, the members of the metropolitan police
25 department, may patrol and provide for the public safety:

26 (a) Within the common areas of a mobile home park that is located
27 within the incorporated city and into or upon which the public is admitted
28 by easement, license or otherwise; and

29 (b) With the permission of the manager of such a mobile home park,
30 within other areas of the mobile home park.

31 2. As used in this section:

32 (a) "Manager" has the meaning ascribed to it in NRS 118B.0145; and

33 (b) "Mobile home park" has the meaning ascribed to ~~it~~
34 "**manufactured home park**" in NRS 118B.017.

35 **Sec. 52.** NRS 278.0167 is hereby amended to read as follows:

36 278.0167 "Mobile home park" has the meaning ascribed to ~~it~~
37 "**manufactured home park**" in NRS 118B.017.

38 **Sec. 53.** The legislature hereby finds and declares that the amendatory
39 provisions of this act are not intended to change the kind of homes to
40 which the provisions of chapter 118B of NRS are applicable.

41 **Sec. 54.** The legislative counsel shall:

42 1. In preparing the reprint and supplements to the Nevada Revised
43 Statutes, with respect to any section that is not amended by this act or is
44 further amended by another act, appropriately change any reference in
45 chapter 118B of NRS or any section referring to such a section to:

46 (a) "Mobile home" to "manufactured home";

47 (b) "Mobile home lot" to "manufactured home lot"; and

48 (c) "Mobile home park" to "manufactured home park."



* A B 3 8 4 R 1 *

- 1 2. In preparing supplements to the Nevada Administrative Code,
- 2 appropriately change any reference in the chapter which contains the
- 3 regulations adopted pursuant to chapter 118B of NRS or any section
- 4 referring to such a section to:
- 5 (a) “Mobile home” to “manufactured home”;
- 6 (b) “Mobile home lot” to “manufactured home lot”; and
- 7 (c) “Mobile home park” to “manufactured home park.”

