

ASSEMBLY BILL NO. 389—ASSEMBLYMEN OHRENSCHALL, BACHE,
ANDERSON, BUCKLEY, CHOWNING, CLABORN, FREEMAN,
GIUNCHIGLIANI, GOLDWATER, KOIVISTO, MANENDO, MCCLAIN,
MORTENSON, PARKS, PARNELL, PRICE AND VON TOBEL

MARCH 16, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to mobile home parks. (BDR 10-7)

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 mobile home parks; requiring the landlord of a mobile home park to prepare an annual statement and to post and distribute such statement; requiring the administrator of the manufactured housing division of the department of business and industry to enact certain regulations; requiring an increase in rent pursuant to a rental or lease agreement to be calculated in a certain manner; authorizing a tenant to assign his lease of a mobile home lot; 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.** Chapter 118B of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 ***1. At the beginning of each tax year, the landlord shall prepare an***
4 ***annual statement which contains the following information:***
5 ***(a) The net profits earned by the landlord for the preceding tax year;***
6 ***(b) The landlord's rate of return for the mobile home park for each of***
7 ***the 5 preceding tax years, or if the landlord has owned or leased the***
8 ***mobile home park for fewer than 5 years, for each year that he has***
9 ***owned or leased the mobile home park; and***
10 ***(c) The number of years that the landlord has owned or leased the***
11 ***mobile home park.***
12 ***2. Not later than May 1 of each year, the landlord shall:***
13 ***(a) Post a copy of the annual statement required pursuant to***
14 ***subsection 1 in a conspicuous and readily accessible place in the***
15 ***community or recreation facility of the mobile home park or other***
16 ***common area of the mobile home park;***



1 (b) Mail, return receipt requested, or personally deliver a copy of the
2 annual statement to each tenant of the mobile home park and obtain the
3 tenant's signature acknowledging receipt of the statement; and

4 (c) Submit a copy of the annual statement to the division.

5 3. The landlord shall provide a current version of the annual
6 statement prepared pursuant to subsection 1 to each prospective tenant of
7 the mobile home park.

8 Sec. 2. NRS 118B.024 is hereby amended to read as follows:

9 118B.024 1. The administrator shall adopt regulations to carry out
10 the provisions of this chapter. *The regulations must include an*
11 *economically reasonable method for calculating periodic increases in*
12 *rent pursuant to a rental agreement.*

13 2. In order to carry out the provisions of this chapter, the administrator
14 may, upon receiving a complaint alleging a violation of this chapter or any
15 regulation adopted pursuant thereto:

16 (a) Issue subpoenas for the production of books, papers and documents
17 which are strictly relevant to the complaint;

18 (b) Mediate grievances between landlords and tenants of mobile home
19 parks; and

20 (c) Make inspections and provide technical services necessary to
21 administer the provisions of this chapter.

22 3. The administrator or his representative may inspect at reasonable
23 times in a reasonable manner the premises and books, papers, records and
24 documents which are required to enforce the provisions of this chapter.

25 Sec. 3. NRS 118B.040 is hereby amended to read as follows:

26 118B.040 1. A rental agreement or lease between a landlord and
27 tenant to rent or lease any mobile home lot must be in writing. The
28 landlord shall give the tenant a copy of the agreement or lease at the time
29 the tenant signs it.

30 2. A rental agreement or lease must contain ~~but is not limited to~~
31 provisions relating to:

32 (a) The duration of the agreement.

33 (b) The amount of rent, the manner and time of its payment and the
34 amount of any charges for late payment and dishonored checks. *Any*
35 *provision for a periodic increase in rent must be calculated in a manner*
36 *prescribed by regulation of the administrator.*

37 (c) Restrictions on occupancy by children. ~~for pets.~~

38 (d) Services and utilities included with the rental of a lot and the
39 responsibility of maintaining or paying for them, including the charge, if
40 any, for cleaning the lots.

41 (e) Deposits which may be required and the conditions for their refund.

42 (f) Maintenance which the tenant is required to perform and any
43 appurtenances he is required to provide.

44 (g) The name and address of the owner of the mobile home park and his
45 authorized agent.

46 (h) Any restrictions on subletting.

47 (i) Any recreational facilities and other amenities provided to the tenant
48 and any deposits or fees required for their use.

49 (j) Any restriction of the park to older persons pursuant to federal law.



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1 (k) The dimensions of the mobile home lot of the tenant.
2 (l) The amount to be charged each month to the tenant to reimburse the
3 landlord for the cost of a capital improvement to the mobile home park.
4 Such an amount must be stated separately and include the length of time
5 the charge will be collected and the total amount to be recovered by the
6 landlord from all tenants in the mobile home park.

7 **Sec. 4.** NRS 118B.120 is hereby amended to read as follows:

8 118B.120 1. The landlord or his agent or employee may:

9 (a) Require that the tenant landscape and maintain the tenant's lot if the
10 landlord advises the tenant in writing of reasonable requirements for the
11 landscaping.

12 (b) If the tenant does not comply with the provisions of paragraph (a),
13 maintain the tenant's lot and charge the tenant a service fee for the actual
14 cost of that maintenance.

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

18 2. *The lease of a mobile home lot may be assigned by the tenant to a*
19 *person similarly qualified to reside in the park. If a lease is so assigned,*
20 *any subsequent increase in rent must be calculated in the same manner*
21 *as provided for the original lessee.*

22 3. The landlord shall maintain, in the manner required for the other
23 tenants, any lot on which is located a mobile home within the park which
24 has been repossessed, abandoned or held for rent or taxes. The landlord is
25 entitled to reimbursement for the cost of that maintenance from the
26 reposessor or lien holder or from the proceeds of any sale for taxes, as the
27 case may be.

28 ~~13-1~~ 4. The landlord shall trim all the trees located within the park and
29 dispose of the trimmings from those trees absent a voluntary assumption of
30 that duty by the tenant for trees on the tenant's lot.

31 ~~14-1~~ 5. For the purposes of this section, a mobile home shall be
32 deemed to be abandoned if:

33 (a) It is located on a lot in a mobile home park for which no rent has
34 been paid for at least 60 days;

35 (b) It is unoccupied; and

36 (c) The manager of the mobile home park reasonably believes it to be
37 abandoned.

