

CHAPTER.....

AN ACT relating to manufactured home parks; authorizing the landlord of a manufactured home park to require written consent before a person moves a manufactured home or recreational vehicle into the manufactured home park; providing certain statutory exceptions for corporate cooperative parks; requiring the landlord of a manufactured home park to post periodically a report on the quality of water supplied to the manufactured home park; requiring the attendance of the administrator of the manufactured housing division of the department of business and industry or his representative at certain meetings between a landlord and tenant; authorizing the landlord of a manufactured home park to impose certain requirements relating to the occupancy of manufactured homes; providing that certain prohibitions relating to increases in rent for manufactured homes and manufactured home lots apply to long-term leases; reducing certain periods of notice required before a landlord may bring an action for an unlawful detainer or terminate a written agreement; requiring the manufactured housing division of the department of business and industry to create a limited license authorizing the landlord or manager of a manufactured home park to resell a manufactured home under certain circumstances; and providing other matters properly relating thereto.

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

Section 1. Chapter 118B of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *“Corporate cooperative park” means a manufactured home park owned by a nonprofit cooperative corporation formed pursuant to chapter 81 of NRS that is wholly owned or controlled by the tenants of the park.*

Sec. 3. 1. *The landlord of a manufactured home park may require that a person submit a written application to and receive written consent from the landlord before the person moves or causes to be moved a manufactured home or recreational vehicle into the manufactured home park. The landlord shall not unreasonably withhold his consent.*

2. If the landlord of a manufactured home park requires written consent pursuant to subsection 1, the landlord shall post and maintain a sign that is clearly readable at the entrance to the manufactured home park which advises the reader of the consent that is required before a person may move or cause to be moved a manufactured home or recreational vehicle into the manufactured home park.

3. If a person moves or causes to be moved a manufactured home or recreational vehicle into the manufactured home park without the written consent of the landlord, if the landlord requires such consent pursuant to subsection 1, the landlord of that manufactured home park may:

(a) After providing at least 5 days’ written notice to the person, bring an action for an unlawful detainer in the manner prescribed in chapter 40 of NRS; or

(b) Require the person to sign a rental agreement. If the person refuses to sign the rental agreement within 5 days after such a request, the landlord may, after providing at least 5 days’ written notice to the

person, bring an action for an unlawful detainer in the manner provided in chapter 40 of NRS.

4. For the purposes of NRS 40.251, a person who moves or causes to be moved a manufactured home or recreational vehicle into a manufactured home park without the written consent of the landlord, if the landlord requires such consent pursuant to subsection 1, shall be deemed a tenant at will and a lessee of the manufactured home park.

5. The provisions of this section do not apply to a corporate cooperative park.

Sec. 4. *1. The landlord of a manufactured home park shall post in a conspicuous and readily accessible place in the community or recreational facility in the manufactured home park, at or near the entrance of the manufactured home park or other common area in the manufactured home park, a current report on the quality of the water that is supplied to the manufactured home park.*

2. Except as otherwise provided in subsection 3, the report must be obtained from the community water system that is the supplier of water to the manufactured home park. Except as otherwise provided in subsection 4, the landlord shall post the report at least once each year and at such other times as the community water system may provide an updated report to the landlord.

3. If a manufactured home park is not a community water system and does not otherwise obtain water from a community water system, the landlord of the manufactured home park shall annually cause the water that is provided to the tenants of the manufactured home park to be tested in accordance with the standards adopted pursuant to NRS 445A.855. The test must be performed by a laboratory certified by the health division of the department of human resources pursuant to NRS 445A.863.

4. Upon receipt of the results of a test performed pursuant to subsection 3, the landlord shall prepare or cause to be prepared a report on the quality of the water that is supplied to the tenants of the manufactured home park. The report must be accurately based upon the results of the test and prepared in accordance with the standards adopted by the state board of health pursuant to NRS 445A.855 for similar reports by community water systems. The landlord shall post a copy of the most current report in accordance with subsection 1 and shall deliver a copy of each such report to the health division of the department of human resources or the health authority as that term is defined in NRS 445A.820.

5. As used in this section, "community water system" has the meaning ascribed to it in NRS 445A.808.

Sec. 5. NRS 118B.010 is hereby amended to read as follows:

118B.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 118B.011 to 118B.0195, inclusive, *and section 2 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 118B.060 is hereby amended to read as follows:

118B.060 1. Any payment, deposit, fee or other charge which is required by the landlord in addition to periodic rent, utility charges or

service fees and is collected as prepaid rent or a sum to compensate for any tenant default is a “deposit” governed by the provisions of this section.

2. The landlord shall maintain a separate record of the deposits.

3. Except as otherwise provided in subsection 4:

(a) All deposits are refundable, and upon termination of the tenancy, or if the deposit is collected as a sum to compensate for a tenant default, not more than 5 years after the landlord receives the deposit, the landlord may claim from a deposit only such amounts as are reasonably necessary to remedy tenant defaults in the payment of rent, utility charges or service fees and to repair damage to the park caused by the tenant. The landlord shall provide the tenant with an itemized written accounting of the disposition of the deposit.

(b) Any refund must be sent to the tenant within 21 days after the tenancy is terminated.

4. Each deposit collected as a sum to compensate for a tenant default must be refunded to the tenant not more than 5 years after the landlord receives the deposit or upon the termination of the tenancy, whichever is earlier. The refund must include interest at the rate of 5 percent per year, compounded annually, for the entire period during which the deposit was held by the landlord.

5. Upon termination of the landlord’s interest in the manufactured home park, the landlord shall transfer to his successor in interest that portion of the deposit remaining after making any deductions allowed pursuant to this section or refund that portion to the tenant.

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

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

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

9. The provisions of this section do not apply to a corporate cooperative park.

Sec. 7. NRS 118B.110 is hereby amended to read as follows:

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

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

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

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

5. If the landlord of a manufactured home park is a cooperative association or a corporation for public benefit, the landlord shall provide a notice of the meeting to the administrator and the administrator or his representative shall attend the meeting.

6. As used in this section:

(a) "Cooperative association" means an association formed pursuant to the provisions of NRS 81.170 to 81.270, inclusive.

(b) "Corporation for public benefit" has the meaning ascribed to it in NRS 82.021.

Sec. 8. NRS 118B.120 is hereby amended to read as follows:

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

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

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

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

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

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

4. For the purposes of this section, a manufactured home shall be deemed to be abandoned if:

(a) It is located on a lot in a manufactured home park, *other than a corporate cooperative park*, for which no rent has been paid for at least 60 days;

(b) It is unoccupied; and

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

Sec. 9. NRS 118B.140 is hereby amended to read as follows:

118B.140 ~~1. The~~

1. Except as otherwise provided in subsection 2, the landlord or his agent or employee shall not:

~~1.1~~ (a) Require a person to purchase a manufactured home from him or any other person as a condition to renting a manufactured home lot to the purchaser or give an adjustment of rent or fees, or provide any other

incentive to induce the purchase of a manufactured home from him or any other person.

~~(2)~~ *(b)* Charge or receive:

~~(a)~~ *(1)* Any entrance or exit fee for assuming or leaving occupancy of a manufactured home lot.

~~(b)~~ *(2)* Any transfer or selling fee or commission as a condition to permitting a tenant to sell his manufactured home or recreational vehicle within the manufactured home park even if the manufactured home or recreational vehicle is to remain within the park, unless the landlord is licensed as a dealer of manufactured homes pursuant to NRS 489.311 and has acted as the tenant's agent in the sale pursuant to a written contract.

~~(c)~~ *(3)* Any fee for the tenant's spouse or children.

~~(d)~~ *(4)* Any fee for pets kept by a tenant in the park. If special facilities or services are provided, the landlord may also charge a fee reasonably related to the cost of maintenance of the facility or service and the number of pets kept in the facility.

~~(e)~~ *(5)* Any additional service fee unless the landlord provides an additional service which is needed to protect the health and welfare of the tenants, and written notice advising each tenant of the additional fee is sent to the tenant 90 days in advance of the first payment to be made, and written notice of the additional fee is given to prospective tenants on or before commencement of their tenancy. A tenant may only be required to pay the additional service fee for the duration of the additional service.

~~(f)~~ *(6)* Any fee for a late monthly rental payment within 4 days after the date the rental payment is due or which exceeds \$5 for each day, excluding Saturdays, Sundays and legal holidays, for which the payment is overdue, beginning on the day after the payment was due. Any fee for late payment of charges for utilities must be in accordance with the requirements prescribed by the public utilities commission of Nevada.

~~(g)~~ *(7)* Any fee, surcharge or rent increase to recover from his tenants the costs resulting from converting from a master-metered water system to individual water meters for each manufactured home lot.

~~(h)~~ *(8)* Any fee, surcharge or rent increase to recover from his tenants any amount that exceeds the amount of the cost for a governmentally mandated service or tax that was paid by the landlord.

2. Except for the provisions of subparagraphs (3), (4), (6) and (8) of paragraph (b) of subsection 1, the provisions of this section do not apply to a corporate cooperative park.

Sec. 10. NRS 118B.150 is hereby amended to read as follows:

118B.150 ~~The~~

1. Except as otherwise provided in subsection 2, the landlord or his agent or employee shall not:

~~(a)~~ *(a)* Increase rent or additional charges unless:

~~(a)~~ *(1)* The rent charged after the increase is the same rent charged for manufactured homes of the same size or lots of the same size or of a similar location within the park, *including, without limitation, manufactured homes and lots which are held pursuant to a long-term lease*, except that a discount may be selectively given to persons who:

~~(1)~~ *(I)* Are handicapped;

~~(2)~~ *(II)* Are 55 years of age or older;

~~13-1~~ ~~(III)~~ Are long-term tenants of the park if the landlord has specified in the rental agreement or lease the period of tenancy required to qualify for such a discount;

~~14-1~~ ~~(IV)~~ Pay their rent in a timely manner; or

~~15-1~~ ~~(V)~~ Pay their rent by check, money order or electronic means;

~~16-1~~ ~~(2)~~ Any increase in additional charges for special services is the same amount for each tenant using the special service; and

~~17-1~~ ~~(3)~~ Written notice advising a tenant of the increase is received by the tenant 90 days before the first payment to be increased and written notice of the increase is given to prospective tenants before commencement of their tenancy. In addition to the notice provided to a tenant pursuant to this ~~paragraph~~ **subparagraph**, if the landlord or his agent or employee knows or reasonably should know that the tenant receives assistance from the fund created pursuant to NRS 118B.215, the landlord or his agent or employee shall provide to the administrator written notice of the increase 90 days before the first payment to be increased.

~~12-1~~ ~~(b)~~ Require a tenant to pay for an improvement to the common area of a manufactured home park unless the landlord is required to make the improvement pursuant to an ordinance of a local government.

~~13-1~~ ~~(c)~~ Require a tenant to pay for a capital improvement to the manufactured home park unless the tenant has notice of the requirement at the time he enters into the rental agreement. A tenant may not be required to pay for a capital improvement after the tenant enters into the rental agreement unless the tenant consents to it in writing or is given 60 days' notice of the requirement in writing. The landlord may not establish such a requirement unless a meeting of the tenants is held to discuss the proposal and the landlord provides each tenant with notice of the proposal and the date, time and place of the meeting not less than 60 days before the meeting. The notice must include a copy of the proposal. A notice in a periodic publication of the park does not constitute notice for the purposes of this ~~subsection~~.

~~4-1~~ ~~paragraph~~.

~~(d)~~ Require a tenant to pay his rent by check or money order.

~~15-1~~ ~~(e)~~ Require a tenant who pays his rent in cash to apply any change to which he is entitled to the next periodic payment that is due. The landlord or his agent or employee shall have an adequate amount of money available to provide change to such a tenant.

~~16-1~~ ~~(f)~~ Prohibit or require fees or deposits for any meetings held in the park's community or recreational facility by the tenants or occupants of any manufactured home or recreational vehicle in the park to discuss the park's affairs, or any political or social meeting sponsored by a tenant, if the meetings are held at reasonable hours and when the facility is not otherwise in use, or prohibit the distribution of notices of those meetings.

~~17-1~~ ~~(g)~~ Interrupt, with the intent to terminate occupancy, any utility service furnished the tenant except for nonpayment of utility charges when due. Any landlord who violates this ~~subsection~~ **paragraph** is liable to the tenant for actual damages.

~~18-1~~ ~~(h)~~ Prohibit a tenant from having guests, but he may require the tenant to register the guest within 48 hours after his arrival, Sundays and

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

~~19-1~~ (i) Charge a fee for a guest who does not stay with the tenant for more than a total of 60 days in a calendar year. The tenant of a manufactured home lot who is living alone may allow one other person to live in his home without paying an additional charge or fee, unless such a living arrangement constitutes a violation of chapter 315 of NRS. No agreement between a tenant and his guest alters or varies the terms of the rental contract between the tenant and the landlord, and the guest is subject to the rules and regulations of the landlord.

~~110-1~~ (j) Prohibit a tenant from erecting a fence along the perimeter of the tenant's lot if the fence complies with any standards for fences established by the landlord, including limitations established for the height of fences, the materials used for fences and the manner in which fences are to be constructed.

~~111-1~~ (k) Prohibit any tenant from soliciting membership in any association which is formed by the tenants who live in the park. As used in this ~~subsection~~ *paragraph*, "solicit" means to make an oral or written request for membership or the payment of dues or to distribute, circulate or post a notice for payment of those dues.

~~112-1~~ (l) Prohibit a public officer, ~~or~~ candidate for public office *or the representative of a public officer or candidate for public office* from walking through the park to talk with the tenants ~~or~~ *or distribute political material*.

~~113-1~~ (m) If a tenant has voluntarily assumed responsibility to trim the trees on his lot, require the tenant to trim any particular tree located on the lot or dispose of the trimmings unless a danger or hazard exists.

2. The provisions of paragraphs (a), (b), (c), (j) and (m) of subsection 1 do not apply to a corporate cooperative park.

3. As used in this section, "long-term lease" means a rental agreement or lease the duration of which exceeds 12 months.

Sec. 11. NRS 118B.153 is hereby amended to read as follows:

118B.153 ~~118B.153~~

1. Except as otherwise provided in subsection 2, the amount of rent charged a tenant for a service, utility or amenity upon moving into the manufactured home park must be reduced proportionately when the service, utility or amenity is decreased or eliminated by the landlord. The landlord may not increase the rent to recover the lost revenue.

2. The provisions of this section do not apply to a corporate cooperative park.

Sec. 12. NRS 118B.160 is hereby amended to read as follows:

118B.160 ~~118B.160~~

1. Except as otherwise provided in subsection 2, the landlord or his agent or employee shall not:

~~11-1~~ (a) Deny any tenant the right to sell his manufactured home or recreational vehicle within the park or require the tenant to remove the manufactured home or recreational vehicle from the park solely on the basis of the sale, except as otherwise provided in NRS 118B.170.

~~12-1~~ (b) Prohibit any tenant desiring to sell his manufactured home or recreational vehicle within the park from advertising the location of the

home or vehicle and the name of the manufactured home park or prohibit the tenant from displaying at least one sign of reasonable size advertising the sale of the home or vehicle.

~~13.1~~ (c) Require that he be an agent of an owner of a manufactured home or recreational vehicle who desires to sell the home or vehicle.

~~14.1~~ (d) Unless subleasing of lots is prohibited by a rental agreement or lease, prohibit a tenant from subleasing his manufactured home lot if the prospective subtenant meets the general requirements for tenancy in the park.

~~15.1~~ (e) Require a tenant to make any additions to his manufactured home unless those additions are required by an ordinance of a local government.

~~16.1~~ (f) Purchase a manufactured home within the park if he has denied:

~~1(a)~~ (1) A tenant the right to sell that manufactured home; or

~~1(b)~~ (2) A prospective buyer the right to purchase that manufactured home.

2. The provisions of this section do not apply to a corporate cooperative park.

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

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

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

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

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

(a) After providing at least ~~10~~ 5 days' written notice to the buyer and tenant, bring an action for an unlawful detainer in the manner prescribed in chapter 40 of NRS; or

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

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

(a) Purchases a manufactured home or recreational vehicle from a tenant of a manufactured home park which will remain in the park;

(b) Was required to be approved by the landlord of the manufactured home park before the sale of the manufactured home or recreational vehicle; and

(c) Was not approved by the landlord before he purchased that manufactured home or recreational vehicle,

shall be deemed a tenant at will and a lessee of the manufactured home park.

6. The provisions of this section do not apply to a corporate cooperative park.

Sec. 14. NRS 118B.173 is hereby amended to read as follows:

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

2. To receive the notice required by subsection 1, an association of tenants of a manufactured home park shall:

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

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

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

3. The provisions of this section do not apply to a corporate cooperative park.

Sec. 15. NRS 118B.180 is hereby amended to read as follows:

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

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

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

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

(d) The landlord pays:

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

(2) If the new location is more than 50 miles from the manufactured home park, the cost of moving the manufactured home for the first 50 miles,

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

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

2. Upon the sale of a manufactured home lot and a manufactured home which is situated on that lot, the landlord shall indicate what portion of the purchase price is for the manufactured home lot and what portion is for the manufactured home.

3. The provisions of this section do not apply to a corporate cooperative park.

Sec. 16. NRS 118B.183 is hereby amended to read as follows:

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

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

(b) The landlord pays:

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

(2) If the new location is more than 50 miles from the manufactured home park, the cost of moving the manufactured home for the first 50 miles,

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

(c) After the landlord is granted final approval of the change by the appropriate local zoning board, planning commission or governing body, written notice is served on each tenant in the manner provided in NRS 40.280, giving the tenant at least 180 days after the date of the notice before he is required to move his manufactured home from the lot.

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

3. The provisions of this section do not apply to a corporate cooperative park.

Sec. 17. NRS 40.251 is hereby amended to read as follows:

40.251 A tenant of real property, a recreational vehicle or a mobile home for a term less than life is guilty of an unlawful detainer when having leased:

1. Real property, except as otherwise provided in this section, or a mobile home for an indefinite time, with monthly or other periodic rent reserved, he continues in possession thereof, in person or by subtenant, without the landlord's consent after the expiration of a notice of:

- (a) For tenancies from week to week, at least 7 days;
- (b) For all other periodic tenancies, at least 30 days; or
- (c) For tenancies at will, at least 5 days.

2. A dwelling unit subject to the provisions of chapter 118A of NRS, he continues in possession, in person or by subtenant, without the landlord's consent after expiration of:

(a) The term of the rental agreement or its termination and, except as otherwise provided in paragraph (b), the expiration of a notice of at least 7 days for tenancies from week to week and 30 days for all other periodic tenancies; or

(b) A notice of at least 5 days where the tenant has failed to perform his basic or contractual obligations under chapter 118A of NRS.

3. A mobile home lot subject to the provisions of chapter 118B of NRS, or a lot for a recreational vehicle in an area of a mobile home park other than an area designated as a recreational vehicle lot pursuant to the provisions of subsection 6 of NRS 40.215, he continues in possession, in person or by subtenant, without the landlord's consent, after notice has been given pursuant to NRS 118B.170 or 118B.190 *or section 3 of this act* and the period of the notice has expired.

4. A recreational vehicle lot, he continues in possession, in person or by subtenant, without the landlord's consent, after the expiration of a notice of at least 5 days.

Sec. 18. Chapter 489 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The division shall adopt regulations for the issuance of limited resale licenses authorizing a landlord or manager to sell a used mobile home. Regulations adopted pursuant to this section must specify the requirements for licensure, including, without limitation, any educational requirements.

2. A person who is licensed pursuant to the regulations described in subsection 1 may sell a used mobile home if:

(a) The mobile home is located in a mobile home park that the landlord or manager owns, leases or manages; and

(b) The landlord or manager purchased the mobile home at a sale to enforce a lien pursuant to NRS 108.270 to 108.360, inclusive.

3. As used in this section:

(a) "Landlord" has the meaning ascribed to it in NRS 118B.014.

(b) "Manager" has the meaning ascribed to it in NRS 118B.0145.

(c) "Mobile home park" has the meaning ascribed to "manufactured home park" in NRS 118B.017.

Sec. 19. 1. This section and sections 1 to 5, inclusive, 17 and 18 of this act become effective on October 1, 2001.

2. Sections 6 to 16, inclusive, of this act become effective at 12:01 a.m. on October 1, 2001.