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To: The Assembly Committee on Judiciary
Re: AB 274
From: Scott Brenneke, CPM , Broker
Date: March 20, 2003

After reading the bill draft I am concerned with the legislature attempting to create a new standard rental period only for persons who are 55 or over. That is like creating a special driving laws for a special class of person. Deviations such as this will create more problems for the courts to deal with as well as additional procedures for the persons who have to follow this unusual statutory requirement. The rental period of Month to Month or Weekly are both industry norms recognized in all facets of property management and law.

The normal rental period is either month to month or weekly. Month to month tenancies follow a very standard set of statutes. Weekly rentals also follow standard procedures. These tenancy differences are determined by the landlord when the rental is offered to the public. The landlord is then aware that there are different statutes to follow. The difference in procedure that is being suggested would be created by the applicant for tenancy. That person might well fall under the current procedure when tenancy begins, but a few months or years later be eligible for the revision. By creating an age related deviation an undue liability is placed on the owner or property manager to track the ages of all renters and take different actions based on age. Many landlords do not request the birth date of renters so they can't be accused of age discrimination. Requiring that a landlord take birth date information in order to track it at a later date is an undue burden. By creating this special procedure the legislature is actually engaging in reverse age discrimination.

As a person who is 55 years old I can't see a reason that a senior needs over 30 days to comply with an unlawful detainer situation. A person of any age should be able to find substitute housing within a 30 day period. If that person is a senior there are assistance programs available throughout the state, especially in the larger population areas. If there is a reason that someone can't comply with the 30 day period then that reason needs to be addressed not make a concession in this established statute NRS 40.251.

Thank you for allowing me to make a statement.

Scott Brenneke, CPM
Broker

ASSEMBLY JUDICIARY
DATE: 3/21/03 ROOM: 3138 EXHIBIT D
SUBMITTED BY: DAVID HOWARD