

## Amendment No. 535

Assembly Amendment to Assembly Bill No. 278

(BDR 10-1147)

**Proposed by:** Committee on Commerce and Labor**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 2, by deleting lines 28 through 34 and inserting:

*“the contrary, if a physical or mental condition of a tenant requires the relocation of the tenant from his dwelling because of a need for care or treatment that cannot be provided in the dwelling and the tenant is 60 years of age or older or has a physical or mental disability:*

*(a) That tenant may terminate the lease by giving the landlord 30 days’ written notice within 60 days after the tenant relocates; and*

*(b) A cotenant of that tenant may terminate the lease by giving the landlord 30 days’ written notice within 60 days after the tenant relocates if:*

*(1) The cotenant became a tenant of the dwelling before the date on which the lease was signed by the tenant who is relocating and the cotenant is 60 years of age or older or has a physical or mental disability; or*

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A.B. No. 278—Revises certain provisions governing termination of residential leases.



*(2) The cotenant became a tenant of the dwelling on or after the date on which the lease was signed by the tenant who is relocating.”.*

Amend section 1, page 2, lines 37 and 38, by deleting “*person*” and inserting “*tenant*”.

Amend section 1, page 2, by deleting line 39 and inserting:

*“↪ the tenant may terminate the lease by giving the landlord 60”.*

Amend section 1, page 2, line 40, by deleting “*6*” and inserting “*3*”.

Amend section 1, page 3, by deleting lines 1 through 4 and inserting:

*“the tenant or cotenant is entitled to terminate the lease. If the tenant or cotenant is terminating the lease pursuant to subsection 1, the tenant or cotenant shall include reasonable verification:*

*(a) Of the existence of the physical or mental condition of the tenant; and*

*(b) That the physical or mental condition requires the relocation of the tenant from his dwelling because of a need for care or treatment that cannot be provided in the dwelling.”.*

Amend section 1, page 3, between lines 6 and 7, by inserting:

*“6. As used in this section, “cotenant” means a tenant who, pursuant to a lease, is entitled to occupy a dwelling that another tenant who is 60 years of age or older or who has a physical or mental disability is also entitled to occupy pursuant to the same lease.”.*

**If this amendment is adopted, the Legislative  
Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Existing law authorizes spouses, either of whom is 60 years of age or older, to terminate the lease of a dwelling upon the death of either spouse if the combined income of the spouses is less than \$10,000 for the calendar year preceding the death of the spouse. A spouse has 6 months in which to terminate a lease in this manner. (NRS 118A.340)

This bill deletes and replaces those provisions. The new provisions extend the authority to terminate a lease to certain other persons and circumstances. This bill authorizes, under certain circumstances, a tenant to terminate a lease if he or his cotenant is at least 60 years of age or disabled and develops a mental or physical condition requiring him to relocate because of a need for care or treatment that cannot be provided in the dwelling. A tenant has 60 days after the relocation in which to terminate a lease in this manner. This bill defines cotenant as a tenant who, pursuant to a lease, is entitled to occupy a dwelling that another tenant who is 60 years of age or older or who has a physical or mental disability is also entitled to occupy pursuant to the same lease.

This bill also authorizes, under certain circumstances, a tenant who is at least 60 years of age or who is disabled to terminate a lease upon the death of his spouse or cotenant. A tenant has 3 months after the death of his spouse or cotenant in which to terminate a lease in this manner. If the need to terminate the lease is caused by a mental or physical condition, the tenant terminating the lease is required to include with his written notice of intent to terminate the lease reasonable verification of the physical or mental condition and reasonable verification that the physical or mental condition

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requires the relocation of the tenant from his dwelling because of a need for care or treatment that cannot be provided in the dwelling.