

Amendment No. 303

Senate Amendment to Senate Bill No. 266

(BDR 10-960)

Proposed by: Senate Committee on Commerce, Labor and Energy**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date	
Adopted	☐	Lost	☐ _____		Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____		Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____		Receded	☐	Not	☐ _____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold underlining*** is newly added transitory language.

MSN/TMC



Date: 4/17/2011

S.B. No. 266—Revises provisions governing the possession of pets by tenants of a manufactured home park. (BDR 10-960)



SENATE BILL NO. 266—SENATORS MANENDO,
BREEDEN; AND PARKS

MARCH 18, 2011

JOINT SPONSORS: ASSEMBLYMEN CARRILLO,
OHRENSCHALL; AND HOGAN

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions governing the possession of pets by tenants of a manufactured home park. (BDR 10-960)

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 property; revising provisions governing the possession of pets by tenants of a manufactured home park; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law generally prohibits a landlord of a manufactured home park or his or her agent or employee from: (1) charging a fee for pets kept by tenants in the park; or (2) including in a rental agreement the requirement to pay an additional fee for keeping a pet. (NRS 118B.050, 118B.140) This bill additionally prohibits a landlord or his or her agent or employee from requiring a tenant to pay a deposit as a prerequisite to keeping a pet in the park. This bill also provides that a landlord ~~for his or her agent or employee shall not prohibit a tenant from keeping a dog or cat as a pet unless the dog or cat poses a threat to the safety of others in the park.~~ **cannot prohibit a tenant from keeping at least one dog or cat as a pet, but authorizes a landlord to adopt reasonable restrictions: (1) prohibiting a tenant from keeping a vicious or dangerous animal; (2) concerning the size of a pet kept by a tenant; and (3) concerning the number of pets kept by a tenant.**

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**Section 1.** NRS 118B.140 is hereby amended to read as follows:

118B.140 1. Except as otherwise provided in subsection 2, the landlord or his or her agent or employee shall not:

(a) Require a person to purchase a manufactured home from the landlord 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 the landlord or any other person.

(b) Charge or receive:

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

(2) Any transfer or selling fee or commission as a condition to permitting a tenant to sell his or her 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.

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

(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.

(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.

(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, 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.

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

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

(c) Require a tenant to pay a deposit as a prerequisite to keeping a pet in the manufactured home park or prohibit a tenant from keeping ~~at least one dog or cat as a pet, unless the dog or cat poses a threat to the safety of others in the park.~~

The landlord may adopt reasonable restrictions:

(1) Prohibiting a tenant from keeping a vicious or dangerous animal;

(2) Concerning the size of a pet kept by a tenant; and

(3) Concerning the number of pets kept by a tenant.

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