

ASSEMBLY BILL NO. 23—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE MANUFACTURED HOUSING DIVISION)

PREFILED DECEMBER 19, 2012

Referred to Committee on Commerce and Labor

SUMMARY—Clarifies provisions governing providers of services
pertinent to the sale, installation and occupancy of
manufactured homes. (BDR 43-359)

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 manufactured homes; clarifying that certain
provisions governing providers of services pertinent to the
sale, installation and occupancy of manufactured homes
apply to persons who work on both new and used
manufactured homes; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law: (1) a “provider of services” is defined to be a person who
2 performs work pertinent to the sale, installation and occupancy of a new
3 manufactured home; (2) a dealer of new manufactured homes is allowed to enter
4 into a written agreement pursuant to which a provider of services agrees to perform
5 work pertinent to the sale, installation and occupancy of a manufactured home, but
6 the dealer remains responsible for the workmanship and completion of such work;
7 (3) a dealer of manufactured homes is prohibited from requiring the buyer of a
8 manufactured home to obtain services from a specific provider of services; and (4)
9 a provider of services is required, before performing any work, to enter into a
10 written agreement with each person for whom the provider of services will perform
11 work which is pertinent to the sale, installation and occupancy of a manufactured
12 home. (NRS 489.716) This bill expands the definition of “provider of services” to
13 include any person who performs work pertinent to the sale, installation and
14 occupancy of a manufactured home, regardless of whether the manufactured home
15 is new or used.



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

Section 1. NRS 489.716 is hereby amended to read as follows:

489.716 1. A dealer of new manufactured homes who is licensed pursuant to chapter 624 of NRS may enter into written agreements pursuant to which appropriately licensed providers of service agree to perform work pertinent to the sale, installation and occupancy of a manufactured home. If such a dealer enters into such a written agreement, the dealer is responsible for the workmanship and completion of all parts of the project involving the sale, installation and occupancy of the manufactured home, including, without limitation, any work performed by a provider of service pursuant to the written agreement.

2. A dealer of manufactured homes, regardless of whether the dealer is licensed pursuant to chapter 624 of NRS, shall not require a buyer of a manufactured home to obtain services to be performed pertinent to the sale, installation or occupancy of the manufactured home from a specific provider ~~of~~ *of services*. The dealer shall disclose to the buyer in writing the fact that the dealer is prohibited from requiring the buyer to obtain such services from a specific provider of services.

3. Before performing any work, a provider of services shall enter into a written agreement with each person for whom the provider of services will perform work which is pertinent to the sale, installation or occupancy of a manufactured home, including, without limitation, a dealer of manufactured homes, a person who owns a manufactured home and any person who is purchasing a manufactured home. The written agreement must include provisions specifying:

- (a) The scope of work;
- (b) The cost for completion of the work;
- (c) The date on which work will begin;
- (d) The anticipated date for completion of the work; and
- (e) That no additional work may be performed and no additional costs may be charged unless agreed to in writing before the additional work is performed or costs are incurred.

4. As used in this section, "provider of services" means any person who performs work pertinent to the sale, installation and occupancy of a ~~new~~ manufactured home.

Sec. 2. This act becomes effective upon passage and approval.

