

ASSEMBLY BILL NO. 270—COMMITTEE  
ON COMMERCE AND LABOR

MARCH 12, 2015

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to manufactured homes.  
(BDR 10-1143)

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; revising the manner in which the fair market value of certain manufactured homes is determined; revising the definition of “dealer” for certain purposes to exclude a manufactured home park or an owner or agent of a manufactured home park; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law defines a “dealer” of a manufactured home to include a person who sells, leases or rents a manufactured home or mobile home and requires a dealer to hold a license issued by the Manufactured Housing Division of the Department of Business and Industry. (NRS 489.076, 489.311) **Section 2** of this bill amends the definition of “dealer” to exclude a manufactured home park or its owner or agent while renting or leasing manufactured or mobile homes located within the park.

Existing law also requires that if a manufactured home park converts to a park for older residents only, or a park for older residents converts to an unrestricted residency park, certain tenants who are unable to remove their manufactured or mobile homes must be reimbursed for the fair market value of their property, as determined by a licensed dealer or an appraiser. (NRS 118B.130) **Section 1** of this bill deletes the requirement that the fair market value of the property be assessed by a dealer or appraiser and requires the landlord to determine the fair market value using certain published guidelines.



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

**Section 1.** NRS 118B.130 is hereby amended to read as follows:

118B.130 1. A landlord may not change:

(a) An existing park to a park for older persons pursuant to federal law unless the tenants who do not meet those restrictions and may lawfully be evicted are moved to other parks at the expense of the landlord; or

(b) The restriction of a park for older persons pursuant to federal law unless the tenants are given the option of remaining in their spaces or moving to other parks at the expense of the landlord.

2. A tenant who elects to move pursuant to a provision of subsection 1 shall give the landlord notice in writing of the tenant's election to move within 75 days after receiving notice of the change in restrictions in the park.

3. At the time of providing notice of the change in restrictions in the park, the landlord shall provide to each tenant:

(a) The address and telephone number of the Division;

(b) Any list published by the Division setting forth the names of licensed transporters of manufactured homes approved by the Division; and

(c) Any list published by the Division setting forth the names of mobile home parks within 150 miles that have reported having vacant spaces.

4. If a landlord is required to move a tenant to another park pursuant to subsection 1, the landlord shall pay:

(a) The cost of moving the tenant's manufactured home and its appurtenances to a new location in this State or another state within 150 miles from the manufactured home park; or

(b) If the new location is more than 150 miles from the manufactured home park, the cost of moving the manufactured home for the first 150 miles,

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

5. If the landlord is unable to move a shed, due to its physical condition, that belongs to a tenant who has elected to have the landlord move his or her manufactured home, the landlord shall pay the tenant \$250 as reimbursement for the shed. Each tenant may receive only one payment of \$250 even if more than one shed is owned by the tenant.

6. If the tenant chooses not to move the manufactured home, the manufactured home cannot be moved without being structurally



1 damaged or there is no manufactured home park within 150 miles  
2 that is willing to accept the manufactured home, the landlord:

3 (a) May remove and dispose of the manufactured home; and

4 (b) Shall pay to the tenant the fair market value of the  
5 manufactured home.

6 7. A landlord of a park in which restrictions have been or are  
7 being changed shall give written notice of the change to each:

8 (a) Tenant of the park who does not meet the new restrictions;  
9 and

10 (b) Prospective tenant before the commencement of the tenancy.

11 8. For the purposes of this section, the fair market value of a  
12 manufactured home must be determined ~~as follows:~~

13 ~~—(a) A dealer licensed pursuant to chapter 489 of NRS who is a~~  
14 ~~certified appraiser and who is selected jointly by the landlord or his~~  
15 ~~or her agent and the tenant shall make the determination.~~

16 ~~—(b) If there are insufficient dealers licensed pursuant to chapter~~  
17 ~~489 of NRS who are certified appraisers available for the purposes~~  
18 ~~of paragraph (a), a person who possesses the qualifications pursuant~~  
19 ~~to the Appraiser Qualifications for Manufactured Homes Classified~~  
20 ~~as Personal Property as set forth in section 8-3 of Valuation~~  
21 ~~Analysis for Single Family One to Four Unit Dwellings, HUD~~  
22 ~~Directive Number 4150.2 CHG-1, of the United States Department~~  
23 ~~of Housing and Urban Development, and who is selected jointly by~~  
24 ~~the landlord or his or her agent and the tenant shall make the~~  
25 ~~determination.~~

26 ~~—(c) If there are insufficient persons available for the purposes of~~  
27 ~~paragraphs (a) and (b) or if the landlord or his or her agent and the~~  
28 ~~tenant cannot agree pursuant to paragraphs (a) and (b), the landlord~~  
29 ~~or his or her agent or the tenant may request the Administrator to,~~  
30 ~~and the Administrator shall, appoint a dealer licensed pursuant to~~  
31 ~~chapter 489 of NRS or a certified appraiser who shall make the~~  
32 ~~determination.]~~ *by the landlord pursuant to NRS 118B.1837.*

33 9. The landlord shall pay the costs associated with determining  
34 the fair market value of a manufactured home and the cost of  
35 removing and disposing of a manufactured home pursuant to  
36 subsection 6.

37 **Sec. 2.** NRS 489.076 is hereby amended to read as follows:

38 489.076 1. "Dealer" means any person who:

39 (a) For compensation, money or any other thing of value, sells,  
40 exchanges, buys or offers for sale, negotiates or attempts to  
41 negotiate a sale or exchange of an interest in a manufactured home,  
42 mobile home, manufactured building or commercial coach or  
43 factory-built housing subject to the requirements of this chapter, or  
44 induces or attempts to induce any person to buy or exchange an



1 interest in a manufactured home, mobile home, manufactured  
2 building or commercial coach or factory-built housing;

3 (b) For compensation, money or any other thing of value, leases  
4 or rents, offers for lease or rental, negotiates or attempts to negotiate  
5 the lease or rental of an interest in a manufactured home, mobile  
6 home, manufactured building or commercial coach or factory-built  
7 housing subject to the requirements of this chapter, or induces or  
8 attempts to induce any person to lease or rent an interest in a  
9 manufactured home, mobile home, manufactured building or  
10 commercial coach or factory-built housing;

11 (c) Receives or expects to receive a commission, money,  
12 brokerage fees, profit or any other thing of value from either the  
13 seller or purchaser of any manufactured home, mobile home,  
14 manufactured building, commercial coach or factory-built housing;

15 (d) Is engaged wholly or in part in the business of:

16 (1) Selling, renting or leasing manufactured homes, mobile  
17 homes, manufactured buildings, commercial coaches or factory-  
18 built housing;

19 (2) Buying or taking manufactured homes, mobile homes,  
20 manufactured buildings, commercial coaches or factory-built  
21 housing in trade for the purpose of resale, selling or offering them  
22 for sale or consignment to be sold;

23 (3) Buying or taking manufactured homes, mobile homes,  
24 manufactured buildings, commercial coaches or factory-built  
25 housing in trade to rent, lease or offer them for rent or lease; or

26 (4) Otherwise dealing in manufactured homes, mobile  
27 homes, manufactured buildings, commercial coaches or factory-  
28 built housing; or

29 (e) Acts as a reposessor or liquidator concerning manufactured  
30 homes, mobile homes, manufactured buildings, commercial coaches  
31 or factory-built housing,

32 ➤ whether or not they are owned by such persons.

33 2. The term does not include:

34 (a) Receivers, trustees, administrators, executors, guardians or  
35 other persons appointed by or acting under the order of any court;

36 (b) Public officers while performing their official duties;

37 (c) Banks, savings and loan associations, credit unions, thrift  
38 companies or other financial institutions proceeding as repossessors  
39 or liquidators of their own security;

40 (d) A person who rents or leases his or her manufactured home,  
41 mobile home, manufactured building, commercial coach or factory-  
42 built housing;

43 (e) An owner selling his or her private residence; ~~for~~

44 (f) A real estate broker, real estate broker-salesperson or real  
45 estate salesperson who is licensed pursuant to chapter 645 of NRS



1 and who, for another and for compensation or with the intention or  
2 expectation of receiving compensation, sells, exchanges, options,  
3 purchases, rents or leases, or negotiates or offers, attempts or agrees  
4 to negotiate the sale, exchange, option, purchase, rental or lease of,  
5 or lists or solicits prospective purchasers, lessees or renters of, used  
6 manufactured homes or used mobile homes in connection with the  
7 sale of a fee simple interest in real property and the used  
8 manufactured home or used mobile home is situated on the real  
9 property sold ~~H~~; or

10 (g) *A manufactured home park, as defined in NRS 118B.017,*  
11 *or an owner or agent of a manufactured home park while leasing*  
12 *or renting, offering for lease or rental or negotiating or attempting*  
13 *to negotiate the lease or rental of a manufactured home or mobile*  
14 *home located within the manufactured home park.*

15 **Sec. 3.** This act becomes effective on July 1, 2015.

