

ASSEMBLY BILL NO. 379—ASSEMBLYMAN OHRENSCHALL

MARCH 17, 2015

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to commercial tenancies.  
(BDR 10-126)

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 commercial tenancies; revising provisions relating to prohibitions on a landlord's interference with a tenant's use of commercial premises under certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law prohibits a landlord from interfering in certain matters with a tenant's use of commercial premises. Existing law also requires a landlord or a landlord's agent who has changed the door locks of a commercial tenant who is delinquent in paying rent to place a written notice for a period of not less than 5 business days on the front door of the premises which states information regarding how a tenant may obtain a new key. (NRS 118C.200) **Section 13** of this bill eliminates this minimum posting period. Additionally, **section 13** requires a landlord to provide a tenant with written notice of delinquency in paying rent and of the landlord's intent to change the door locks by certified mail at least 3 days before changing the door locks of the tenant. Further, **section 13** authorizes a tenant to terminate the lease if the landlord or the landlord's agent violates the provisions of **section 13**.

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

- 1 **Section 1.** (Deleted by amendment.)  
2 **Sec. 2.** (Deleted by amendment.)  
3 **Sec. 3.** (Deleted by amendment.)  
4 **Sec. 4.** (Deleted by amendment.)  
5 **Sec. 5.** (Deleted by amendment.)



\* A B 3 7 9 R 1 \*

1     **Sec. 6.** (Deleted by amendment.)

2     **Sec. 7.** (Deleted by amendment.)

3     **Sec. 8.** (Deleted by amendment.)

4     **Sec. 9.** (Deleted by amendment.)

5     **Sec. 10.** (Deleted by amendment.)

6     **Sec. 11.** (Deleted by amendment.)

7     **Sec. 12.** (Deleted by amendment.)

8     **Sec. 13.** NRS 118C.200 is hereby amended to read as follows:

9     118C.200 1. A landlord or a landlord's agent may not  
10 interrupt or cause the interruption of utility service paid for directly  
11 to the utility company by a tenant unless the interruption results  
12 from construction, bona fide repairs or an emergency.

13     2. A landlord may not remove:

14     (a) A door, window or attic hatchway cover;

15     (b) A lock, latch, hinge, hinge pin, doorknob or other  
16 mechanism connected to a door, window or attic hatchway cover; or

17     (c) Furniture, fixtures or appliances furnished by the landlord,  
18 ➤ from commercial premises unless the landlord removes the item  
19 for a bona fide repair or replacement. If a landlord removes any of  
20 the items listed in this subsection for a bona fide repair or  
21 replacement, the repair or replacement must be promptly performed.

22     3. A landlord may not intentionally prevent a tenant from  
23 entering the commercial premises except by judicial process unless  
24 the exclusion results from:

25     (a) Construction, bona fide repairs or an emergency;

26     (b) Removing the contents of commercial premises abandoned  
27 by a tenant; or

28     (c) Changing the door locks of a tenant who is delinquent in  
29 paying at least part of the rent ~~[ ]~~ *if landlord has provided the*  
30 *tenant with written notice of the delinquency and of the landlord's*  
31 *intent to change the door locks by certified mail, return receipt*  
32 *requested, at least 3 days before changing the door locks.*

33     4. If a landlord or a landlord's agent changes the door lock of  
34 commercial premises leased to a tenant who is delinquent in paying  
35 rent, the landlord or agent must ~~[, for a period of not less than 5~~  
36 ~~business days,]~~ place a written notice on the front door of the  
37 commercial premises stating the name and the address or telephone  
38 number of the person or company from which the new key may be  
39 obtained. The new key is required to be provided only during the  
40 regular business hours of the tenant and only if the tenant pays the  
41 delinquent rent.

42     5. If a landlord or a landlord's agent violates this section, the  
43 tenant may:

44     (a) Recover possession of the commercial premises ~~[ ]~~ *or*  
45 *terminate the lease;* and



(b) Recover from the landlord an amount equal to the sum of the tenant's actual damages, 1 month's rent or \$500, whichever is greater, reasonable attorney's fees and court costs, less any delinquent rents or other sums for which the tenant is liable to the landlord.

6. A ~~rental agreement~~ *lease* supersedes this section to the extent of any conflict.

**Sec. 14.** (Deleted by amendment.)

**Sec. 15.** (Deleted by amendment.)

**Sec. 16.** (Deleted by amendment.)

**Sec. 17.** (Deleted by amendment.)

