

SENATE BILL NO. 148—COMMITTEE ON COMMERCE AND LABOR

FEBRUARY 12, 2019

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing manufactured home parks. (BDR 10-503)

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 provisions requiring the landlord of a manufactured home park to pay certain costs associated with moving a tenant's manufactured home if the landlord makes certain changes to the park; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a landlord of a manufactured home park to pay certain costs associated with moving a tenant's manufactured home if the landlord converts the park to a park for older persons or changes the age-restriction of a park for older persons. (NRS 118B.130) This bill provides that when the landlord of a manufactured home park changes the age-restriction of a park for older persons: (1) a tenant who elects to move to another park for older persons and require the landlord to pay certain costs associated with the move is required to notify the landlord within 90 days, rather than 75 days, after receiving notice of the change; (2) a tenant who elects to move to another park for older persons and require the landlord to pay certain costs associated with the move is required to move to that other park within 180 days after receiving notice of the change; and (3) limits the amount of costs associated with the move that the landlord is required to pay to \$5,000 for a single-section manufactured home and \$10,000 for a manufactured home with multiple sections.

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 *for older persons* at the expense of the landlord.

2. A tenant who elects to move pursuant to ~~a provision of~~ :

(a) Paragraph (a) 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.

(b) Paragraph (b) of subsection 1 shall give the landlord notice in writing of the tenant's election to move within 90 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 *paragraph (a) of 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 a tenant elects to move pursuant to paragraph (b) of subsection 1 and moves to another park for older persons within 180 days after receiving notice pursuant to paragraph (b) of subsection 2, the landlord shall pay the lesser of:

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

(b) As applicable, \$5,000 for a single-section home or \$10,000 for a home with multiple sections.



~~{5-}~~ 6. If the landlord *is required to move a tenant to another park pursuant to paragraph (a) of subsection 1 and* is unable to move a shed, due to its physical condition, that belongs to ~~{a} the~~ 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-}~~ 7. If the tenant chooses not to move the manufactured home, the manufactured home cannot be moved without being structurally damaged or there is no manufactured home park within 150 miles that is willing to accept the manufactured home, the landlord:

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

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

~~{7-}~~ 8. A landlord of a park in which restrictions have been or are being changed shall give written notice of the change to each:

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

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

~~{8-}~~ 9. For the purposes of this section, the fair market value of a manufactured home must be determined by the landlord pursuant to NRS 118B.1837.

~~{9-}~~ 10. Within 30 days after receiving a determination of fair market value from a landlord pursuant to subsection ~~{8-}~~ 9, a tenant may request that the Administrator appoint a certified appraiser or a dealer licensed pursuant to chapter 489 of NRS to make a determination of fair market value. The Administrator shall cause such a determination to be made within 30 days after receipt of the request and that determination is binding on the landlord and tenant.

~~{10-}~~ 11. The landlord shall pay the costs associated with determining the fair market value of a manufactured home pursuant to subsections ~~{8-}~~ 9 and ~~{9-}~~ 10 and the cost of removing and disposing of a manufactured home pursuant to subsection ~~{6-}~~ 7.

Sec. 2. This act becomes effective on July 1, 2019.

