

Amendment No. 196

Senate Amendment to Senate Bill No. 40	(BDR 43-270)
<b>Proposed by:</b> Senate Committee on Growth and Infrastructure	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.





SENATE BILL NO. 40—COMMITTEE ON  
GROWTH AND INFRASTRUCTURE(ON BEHALF OF THE HOUSING DIVISION OF THE  
DEPARTMENT OF BUSINESS AND INDUSTRY)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions related to manufactured housing. (BDR 43-270)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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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 housing; changing the name of the document issued by the Housing Division of the Department of Business and Industry indicating the ownership of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing from a “certificate of ownership” to a “certificate of title”; authorizing the Administrator of the Division to issue certain documents in electronic form; revising requirements for certain transactions involving the ownership of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing; ~~clarifying certain requirements related to the collection of certain data by the Administrator;~~ ***revising eligibility requirements for persons seeking assistance from the Account for Affordable Housing; revising provisions governing local ordinances concerning the placement of certain manufactured homes;*** and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law sets forth various requirements and restrictions relating to a certificate of ownership that is issued by the Housing Division of the Department of Business and Industry for a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. (NRS 489.501-489.585) **Sections 1-4, 6-16 and 18-23** of this bill change the name of such a certificate from a “certificate of ownership” to a “certificate of title.” **Section 24** of this bill provides that any valid certificate of ownership issued by the Division before July 1, 2023, is deemed to be a certificate of title issued by the Division.

**Section 2** of this bill authorizes the Administrator of the Division to issue certain documents, including, among others, a certificate of title, in electronic form.

Existing law sets forth certain requirements concerning the sale of a new, used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or new, used or rebuilt factory-built housing. (NRS 489.501, 489.511, 489.521) If such a sale is conducted

by a dealer, existing law requires the dealer to: (1) complete a dealer's report of sale on a form prescribed by the Division which contains certain required information; and (2) require the buyer to sign an acknowledgement of taxes on a form prescribed by the Division which includes certain information. (NRS 489.501, 489.511) **Sections 5 and 6** of this bill eliminate certain requirements concerning the dealer's report of sale and the information that is required to be included on the dealer's report of sale and the acknowledgement of taxes.

If the sale of a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is conducted by a person who is not a dealer, existing law requires the seller or buyer, or both, to submit certain documents to the Division and the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is located. (NRS 489.521) **Section 7** of this bill eliminates that requirement and instead requires the seller or buyer, or both, to submit to the Division and the county assessor any information that the Administrator requires by regulation.

Existing law prohibits the Division from issuing a certificate of ownership of a used manufactured home or used mobile home unless the county assessor of the county in which the manufactured home or mobile home was situated at the time of sale has endorsed on the certificate that certain taxes have been paid. (NRS 489.531) **Section 8** of this bill revises that prohibition to authorize the Division to issue a certificate of title of a used manufactured home or used mobile home if the county assessor verifies to the Division, on a form prescribed by the Division, that certain taxes have been paid.

With certain exceptions, existing law prohibits any money concerning the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing which is held by a dealer from being distributed until, among other things, an application for a certificate of ownership or certificate of title has been submitted to the Division and certain documents have been executed. (NRS 489.723) **Section 15** of this bill requires that application to be submitted and those documents to be executed in a form prescribed by the Division.

**Section 26** of this bill eliminates certain requirements concerning the transfer of the title to or the interest of an owner in a manufactured home, mobile home or commercial coach.

~~[Existing law requires the Administrator to collect economic and demographic data annually from each manufactured home park, including the amount of rent and rate of vacancy for each type of lot in the park. (NRS 118B.025) Section 17 of this bill clarifies that the economic and demographic data that is required to be collected by the Administrator is not limited to the amount of rent and rate of vacancy.]~~

Existing law creates the Account for Low-Income Housing, which is administered by the Division, and establishes the purposes for which the Account is required to be used. (NRS 118B.215, 319.500, 319.510) One such required use is to assist eligible persons by supplementing their monthly rent for the manufactured home lot on which their manufactured home is located. Under existing law, to be eligible for assistance from the Account, a person is required to have, among other things, a monthly household income that is at or below certain specified amounts. (NRS 118B.215) **Section 18** of this bill revises those eligibility requirements to instead require that, to be eligible for assistance from the Account, a person must have a monthly household income that is at or below: (1) the federally designated level signifying poverty or thirty percent of the median family income, as prescribed by the HOME Investment Partnerships Act, adjusted for household size, which the United States Department of Housing and Urban Development has established for the area of the State in which the manufactured home is located, or ~~the~~ whichever is greater; or (2) a maximum monthly household income that the Administrator has established by regulation. (42 U.S.C. §§ 12701 et seq.)

Existing law requires a governing body of a city or county to adopt standards for the placement of a manufactured home that will not be affixed to a lot within a mobile home park and prescribes certain criteria for such a manufactured home that must be incorporated into such standards. (NRS 278.02095) Section 19 of this bill revises these criteria to provide that such a manufactured home must consist of one or more sections and consist of at least 400 square feet of living area, except under certain circumstances.

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

**Section 1.** NRS 487.100 is hereby amended to read as follows:

487.100 1. Except as otherwise provided in subsections 2 and 3, any automobile wrecker purchasing from any person other than a licensed operator of a salvage pool any vehicle subject to registration pursuant to the laws of this State shall forward to the Department the certificates of title and registration last issued therefor.

2. The certificate of ~~ownership~~ *title* last issued for a mobile home or commercial coach must be sent by the wrecker to the Housing Division of the Department of Business and Industry.

3. An automobile wrecker is not required to:

(a) Provide the Department with a certificate of title, salvage title or a nonrepairable vehicle certificate and certificate of registration last issued; or

(b) Obtain from the Department a certificate of title, salvage title, nonrepairable vehicle certificate or certificate of registration,  
for a motor vehicle that is to be processed as parts or scrap metal by the automobile wrecker pursuant to NRS 487.105.

**Sec. 2.** NRS 489.231 is hereby amended to read as follows:

489.231 1. To carry out the provisions of this chapter, the Administrator may:

(a) Issue subpoenas for the attendance of witnesses or the production of books, papers and documents; and

(b) Conduct hearings.

2. The Administrator may apply for and receive grants from the Secretary of Housing and Urban Development for developing and carrying out a plan for enforcement and administration of federal standards of safety and construction respecting manufactured homes offered for sale or lease in this state.

3. The Administrator may adopt regulations to ensure acceptance by the Secretary of Housing and Urban Development of the state plan for administration and enforcement of federal standards of safety and construction respecting manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq.

4. The Administrator may:

(a) Make inspections;

(b) Approve plans and specifications;

(c) Provide technical services;

(d) Issue licenses, permits, certificates of ~~ownership~~ *title* and certificates and labels of compliance and installation ~~in such form as he or she may deem proper~~ *proper, including, without limitation, in electronic form;*

(e) Enter into reciprocal agreements with other states or private organizations that adopt and maintain standards reasonably consistent with this chapter;

(f) Collect the fees provided for in this chapter; and

(g) Adopt regulations necessary to carry out his or her duties under this chapter.

5. The Administrator or a representative of the Administrator may enter, at reasonable times and without notice, any mobile home park or place of business or any factory, warehouse or establishment in which manufactured homes, mobile homes, travel trailers, manufactured buildings or factory-built housing are manufactured, stored or held for sale or distribution and inspect at reasonable times in a reasonable manner the premises and books, papers, records and documents

which are relevant to the manufacture, distribution and sale of manufactured homes, mobile homes, travel trailers, manufactured buildings or factory-built housing and compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., this chapter and chapter 461 of NRS, and any regulations adopted pursuant thereto, and to compliance by landlords of mobile home parks with the prohibition in NRS 118B.140 against charging or receiving any entrance or exit fee. A magistrate shall issue a warrant to permit an inspection if the Administrator has shown:

(a) Evidence that a violation of a provision of this chapter or of the prohibition in NRS 118B.140 against charging or receiving any entrance or exit fee has been committed or is being committed; or

(b) That the business has been chosen for an inspection on the basis of a general administrative plan for the enforcement of the provisions of this chapter.

**Sec. 3.** NRS 489.272 is hereby amended to read as follows:

489.272 The Administrator shall adopt regulations:

1. Requiring a person who is buying or selling a manufactured home, mobile home or commercial coach pursuant to:

(a) A sale to satisfy a lien; or

(b) A contract for sale or other agreement by which the certificate of title ~~for certificate of ownership~~ does not pass immediately from the seller to the buyer upon the sale,

to submit to the Administrator such information regarding the sale as the Administrator deems necessary.

2. Establishing requirements for the issuance or transfer of a certificate of title ~~for certificate of ownership~~ of a mobile home, manufactured home or a commercial coach in cases involving:

(a) More than one transferor or transferee;

(b) A transferor or transferee who holds a certificate of title ~~for certificate of ownership~~ in trust for another person; or

(c) A sale to satisfy a lien.

**Sec. 4.** NRS 489.481 is hereby amended to read as follows:

489.481 The Division shall adopt regulations providing fees for:

1. Certificates of installation;

2. Labels of installation;

3. Certificates of compliance;

4. Labels of compliance;

5. Certificates of ~~ownership;~~ **title;**

6. Licenses of manufacturers, dealers, distributors, salespersons, responsible managing employees, general servicepersons and specialty servicepersons;

7. Licenses for branch offices; and

8. Any other services provided by the Division.

**Sec. 5.** NRS 489.501 is hereby amended to read as follows:

489.501 1. When a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing is sold in this State by a dealer, the dealer shall complete a report of sale. The report of sale must be in a form prescribed by the Division. ~~and include a description of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, the name and address of the seller and the name and address of the buyer. If in connection with the sale a security interest is taken or retained by the seller or dealer to secure all or part of the purchase price, or a security interest is taken by a person who gives value to enable the buyer to acquire rights in the manufactured home, mobile home, manufactured building, commercial coach or~~

1 ~~factory built housing, the name and address of the secured party or an assignee~~  
2 ~~thereof must be entered on the report of sale.]~~

3 2. The dealer shall require the buyer to sign an acknowledgment of taxes, on a  
4 form prescribed by the Division . ~~[, which includes a statement that a manufactured~~  
5 ~~home, mobile home, manufactured building or commercial coach or factory built~~  
6 ~~housing is taxable in the county in which it is located.]~~ A dealer who sells a new  
7 manufactured home, new mobile home, new manufactured building or new  
8 commercial coach or new factory-built housing shall deliver the buyer's copy of the  
9 acknowledgment of taxes to the buyer at the time of sale and submit another copy  
10 within 30 days after the date of the sale to the county assessor of the county in  
11 which the manufactured home, mobile home, manufactured building, commercial  
12 coach or factory-built housing will be located.

13 3. The dealer shall submit the ~~[original of the]~~ report of sale and the  
14 manufacturer's certificate or statement of origin to the Division within 30 days after  
15 the execution of all instruments which the contract of sale required to be executed  
16 at the time of sale or within 30 days after the date of sale, whichever is later, unless  
17 an extension of time is granted by the Division.

18 4. A dealer who sells a new manufactured home, new mobile home, new  
19 manufactured building or new commercial coach or new factory-built housing shall  
20 deliver [the buyer's] a copy of the report of sale to the buyer at the time of sale and  
21 submit another copy within 30 days after the date of the sale to the county assessor  
22 of the county in which the manufactured home, mobile home, manufactured  
23 building, commercial coach or factory-built housing will be located.

24 **Sec. 6.** NRS 489.511 is hereby amended to read as follows:

25 489.511 1. If a used or rebuilt manufactured home, mobile home,  
26 manufactured building or commercial coach or used or rebuilt factory-built housing  
27 is sold in this State by a dealer, the dealer shall complete a dealer's report of sale.  
28 The report must be in a form prescribed by the Division . ~~[and include a description~~  
29 ~~of the manufactured home, mobile home, manufactured building, commercial coach~~  
30 ~~or factory built housing, the name and address of the seller and the name and~~  
31 ~~address of the buyer. If a security interest exists at the time of the sale, or if in~~  
32 ~~connection with the sale a security interest is taken or retained by the seller or~~  
33 ~~dealer to secure all or part of the purchase price, or a security interest is taken by a~~  
34 ~~person who gives value to enable the buyer to acquire rights in the manufactured~~  
35 ~~home, mobile home, manufactured building, commercial coach or factory built~~  
36 ~~housing, the name and address of the secured party must be entered on the dealer's~~  
37 ~~report of sale.]~~

38 2. The dealer shall submit the ~~[original of the]~~ dealer's report of sale to the  
39 Division within 45 days after the execution of all instruments which the contract of  
40 sale requires to be executed at the time of the sale, unless an extension of time is  
41 granted by the Division, together with the endorsed certificate of title ~~[or certificate~~  
42 ~~of ownership]~~ previously issued. The dealer shall furnish one copy of the report of  
43 sale to the buyer at the time of the sale. Within 45 days after the sale, the dealer  
44 shall furnish one copy of the report of sale to the assessor of the county in which  
45 the manufactured home, mobile home, manufactured building, commercial coach or  
46 factory-built housing will be located.

47 3. The dealer shall require the buyer to sign an acknowledgment of taxes, on a  
48 form prescribed by the Division . ~~[, which includes a statement that the~~  
49 ~~manufactured home, mobile home, manufactured building, commercial coach or~~  
50 ~~factory built housing is taxable in the county in which it is located.]~~ The dealer  
51 shall deliver the buyer's copy of the acknowledgment to the buyer at the time of  
52 sale and submit another copy to the county assessor of the county in which the

1 manufactured home, mobile home, manufactured building, commercial coach or  
2 factory-built housing is to be located.

3 4. If a used or rebuilt manufactured home, mobile home, manufactured  
4 building or commercial coach or used or rebuilt factory-built housing is sold by a  
5 dealer pursuant to an installment contract or other agreement by which the  
6 certificate of title ~~[or certificate of ownership]~~ does not pass immediately from the  
7 seller to the buyer upon the sale, the dealer shall submit to the Division any  
8 information required by the regulations adopted by the Administrator pursuant to  
9 NRS 489.272.

10 **Sec. 7.** NRS 489.521 is hereby amended to read as follows:

11 489.521 1. If a used or rebuilt manufactured home, mobile home,  
12 manufactured building or commercial coach or used or rebuilt factory-built housing  
13 is sold in this State by a person who is not a dealer, the seller or buyer, or both,  
14 shall :

15 (a) *Within 45 days after the sale*, submit to the Division ~~[ ]~~ and ~~[a copy]~~ to the  
16 county assessor of the county in which the manufactured home, mobile home,  
17 manufactured building, commercial coach or factory-built housing is located ~~[ ]~~  
18 *within 45 days after the sale;*

19 ~~— (a) If a certificate of ownership has been issued in this State, that certificate~~  
20 ~~properly endorsed.] the information required by the regulations adopted by the~~  
21 ~~Administrator pursuant to subsection 2; and~~

22 (b) If ~~[a certificate of title or other document of title has been issued by a~~  
23 ~~public authority of another state, territory or country;~~

24 ~~— (1) The certificate or document properly endorsed; and~~

25 ~~— (2) A statement showing, if not included on the endorsed certificate or~~  
26 ~~document, the description of the manufactured home, mobile home, manufactured~~  
27 ~~building, commercial coach or factory built housing, the names and addresses of~~  
28 ~~the buyer and seller, and the name and address of any person who takes or retains a~~  
29 ~~purchase money security interest. The statement must be signed and acknowledged~~  
30 ~~by the seller and buyer.~~

31 ~~— (c) If a document of title has not been issued by any public authority, a~~  
32 ~~statement showing all the information and signed and acknowledged in the manner~~  
33 ~~required by subparagraph (2) of paragraph (b).~~

34 ~~2. If a] the~~ used or rebuilt manufactured home, mobile home, manufactured  
35 building or commercial coach or used or rebuilt factory-built housing is sold by a  
36 person who is not a dealer pursuant to an installment contract or other agreement by  
37 which the certificate of title ~~[or certificate of ownership]~~ does not pass immediately  
38 from the seller to the buyer upon the sale, ~~[the seller or buyer, or both, shall]~~ submit  
39 to the Division any information required by the regulations adopted by the  
40 Administrator pursuant to NRS 489.272.

41 *2. The Administrator shall adopt regulations prescribing the information*  
42 *that is required to be submitted to the Division and county assessor pursuant to*  
43 *paragraph (a) of subsection 1.*

44 **Sec. 8.** NRS 489.531 is hereby amended to read as follows:

45 489.531 ~~[ ]~~ The Division shall not issue a certificate of ~~[ownership]~~ *title* of  
46 a used manufactured home or used mobile home unless the county assessor of the  
47 county in which the manufactured home or mobile home was situated at the time of  
48 sale has ~~[endorsed on]~~ *provided to* the ~~[certificate]~~ *Division, on a form prescribed*  
49 *by the Division, verification* that all personal property taxes on that manufactured  
50 home or mobile home for the fiscal year have been paid.

51 ~~[2.— Every certificate of ownership issued for a used manufactured home or~~  
52 ~~mobile home must contain a warning, printed or stamped on its face, to the effect~~  
53 ~~that title to a used manufactured home or used mobile home does not pass until the~~



~~county assessor of the county in which the manufactured home or mobile home was situated at the time of the sale has endorsed on the certificate that all personal property taxes on that manufactured home or mobile home for the fiscal year have been paid.]~~

**Sec. 9.** NRS 489.541 is hereby amended to read as follows:

489.541 1. Except as otherwise provided in subsections 4 and 5, upon receipt of the documents required by the Division, the Division shall issue a certificate of ~~{ownership}~~ **title**.

2. If no security interest is created or exists in connection with the sale, the certificate of ~~{ownership}~~ **title** must be issued to the buyer.

3. If a security interest is created by the sale, the certificate of ~~{ownership}~~ **title** must be issued to the secured party or an assignee thereof, and must show the name of the registered owner.

4. The Division shall not issue a certificate of ~~{ownership}~~ **title** for a mobile home that has been determined to be substandard until the conditions that rendered the mobile home substandard are abated.

5. The Division shall not issue a certificate of title ~~{or certificate of ownership}~~ for factory-built housing that constitutes real property pursuant to subsection 4 of NRS 361.244.

**Sec. 10.** NRS 489.561 is hereby amended to read as follows:

489.561 Whenever an application is made to the Division for title of a manufactured home, mobile home or commercial coach previously titled and the applicant is unable to present the certificate of ~~{ownership}~~ **title** previously issued because it is lost or being unlawfully detained by one in possession or is not otherwise available, the Division may receive the application and examine the circumstances of the case and require the filing of affidavits or other information. When the Division is satisfied that the applicant is entitled to a certificate of ~~{ownership}~~ **title**, or pursuant to NRS 489.562, it may issue the certificate on the manufactured home, mobile home or commercial coach.

**Sec. 11.** NRS 489.562 is hereby amended to read as follows:

489.562 1. If an applicant who is seeking a certificate of ~~{ownership}~~ **title** is unable to provide the information required by the Division pursuant to NRS 489.561 and satisfy the Division that the applicant is entitled to a certificate of ~~{ownership}~~ **title** pursuant to that section, the applicant may obtain a new certificate of ~~{ownership}~~ **title** from the Division by:

(a) Filing a bond with the Division that meets the requirements of subsection 3; and

(b) Allowing the Division to inspect the manufactured home, mobile home or commercial coach for compliance with the safety standards and other requirements provided in regulations adopted by the Administrator pursuant to NRS 489.251.

2. Any person damaged by the issuance of a certificate of ~~{ownership}~~ **title** pursuant to this section has a right of action to recover on the bond for any breach of its conditions, except the aggregate liability of the surety to all persons must not exceed the amount of the bond.

3. The bond required pursuant to subsection 1 must be:

(a) In a form prescribed by the Division;

(b) Executed by the applicant as principal and by a corporation qualified under the laws of this State as surety;

(c) In an amount equal to one and one-half times the most recent assessed value assigned by the relevant county assessor to the manufactured home, mobile home or commercial coach; and

(d) Conditioned to indemnify any:

1 (1) Prior owner or lienholder of the manufactured home, mobile home or  
2 commercial coach, and his or her successors in interest;

3 (2) Subsequent purchaser of the manufactured home, mobile home or  
4 commercial coach, and his or her successors in interest; or

5 (3) Person acquiring a security interest in the manufactured home, mobile  
6 home or commercial coach, and his or her successors in interest,

7 against any expense, loss or damage because of the issuance of the certificate of  
8 ~~{ownership}~~ title or because of any defect in or undisclosed security interest in the  
9 applicant's right or title to the manufactured home, mobile home or commercial  
10 coach or the applicant's interest in the manufactured home, mobile home or  
11 commercial coach.

12 4. A right of action does not exist in favor of any person by reason of any  
13 action or failure to act on the part of the Division or any officer or employee thereof  
14 in carrying out the provisions of this section, or in giving or failing to give any  
15 information concerning the legal ownership of a manufactured home, mobile home  
16 or commercial coach or the existence of a certificate of ~~{ownership}~~ title obtained  
17 pursuant to this section.

18 **Sec. 12.** NRS 489.564 is hereby amended to read as follows:

19 489.564 1. The owner or joint owners of a manufactured home, mobile  
20 home or commercial coach may request the Division to issue a certificate of  
21 ~~{ownership}~~ title in beneficiary form for the manufactured home, mobile home or  
22 commercial coach, as applicable, which includes a directive to the Division to  
23 transfer the certificate of ~~{ownership}~~ title upon the death of the owner or upon the  
24 death of all joint owners to a beneficiary named on the face of the certificate of  
25 ~~{ownership}~~ title.

26 2. A request made pursuant to subsection 1 must be submitted on an  
27 application made available by the Division and must:

28 (a) Contain a notarized signature of the owner or each joint owner; and

29 (b) Be accompanied by the fee for the issuance of a certificate of ~~{ownership}~~ title.  
30

31 3. A certificate of ~~{ownership}~~ title in beneficiary form may not be issued to a  
32 person who holds an interest in a manufactured home, mobile home or commercial  
33 coach as a tenant in common with another person.

34 4. A certificate of ~~{ownership}~~ title in beneficiary form must include after the  
35 name of the owner or after the names of joint owners the words "transfer on death  
36 to" or the abbreviation "TOD" followed by the name of the beneficiary.

37 5. During the lifetime of a sole owner or before the death of the last surviving  
38 joint owner:

39 (a) The signature or consent of the beneficiary is not required for any  
40 transaction relating to a manufactured home, mobile home or commercial coach for  
41 which a certificate of ~~{ownership}~~ title in beneficiary form has been issued; and

42 (b) The certificate of ~~{ownership}~~ title in beneficiary form may be revoked or  
43 the beneficiary changed at any time by:

44 (1) Sale of the manufactured home, mobile home or commercial coach  
45 with proper assignment and delivery of the certificate of ~~{ownership}~~ title to another  
46 person; or

47 (2) Filing an application with, and paying a fee to, the Division to reissue  
48 the certificate of ~~{ownership}~~ title with no designation of a beneficiary or with the  
49 designation of a different beneficiary.

50 6. The interest of the beneficiary in a manufactured home, mobile home or  
51 commercial coach on the death of the sole owner or on the death of the last  
52 surviving joint owner is subject to any contract of sale, assignment or ownership or

1 security interest to which the owner or owners of the manufactured home, mobile  
2 home or commercial coach were subject during their lifetime.

3 7. Except as otherwise provided in paragraph (b) of subsection 5, the  
4 designation of a beneficiary in a certificate of ~~ownership~~ title in beneficiary form  
5 may not be changed or revoked by will, any other instrument or a change in  
6 circumstances, or otherwise changed or revoked.

7 8. The Division shall, upon:

8 (a) Proof of death of one of the owners, of two or more joint owners or of a  
9 sole owner; and

10 (b) Payment of the fee for a certificate of ~~ownership~~ title,  
11 ➤ issue a new certificate of ~~ownership~~ title for the manufactured home, mobile  
12 home or commercial coach to the surviving owner or owners or, if none, to the  
13 beneficiary, subject to any security interest.

14 9. For the purposes of complying with the provisions of subsection 8, the  
15 Division may rely on a death certificate, record or report that constitutes prima facie  
16 evidence of death.

17 10. The transfer on death of a manufactured home, mobile home or  
18 commercial coach pursuant to this section is not considered as testamentary and is  
19 not subject to administration pursuant to the provisions of title 12 of NRS.

20 11. As used in this section:

21 (a) "Beneficiary" means a person or persons designated to become the owner  
22 or owners of a manufactured home, mobile home or commercial coach on the death  
23 of the preceding owner or owners.

24 (b) "Certificate of ~~ownership~~ title in beneficiary form" means a certificate of  
25 ~~ownership~~ title of a manufactured home, mobile home or commercial coach that  
26 indicates the present owner or owners of the manufactured home, mobile home or  
27 commercial coach and designates a beneficiary.

28 **Sec. 13.** NRS 489.571 is hereby amended to read as follows:

29 489.571 1. Whenever a security interest is created in a manufactured home,  
30 mobile home or commercial coach, the certificate of ~~ownership~~ title must be  
31 delivered to the Division with a statement signed by the debtor showing the date of  
32 the security agreement, the names and addresses of the debtor and the secured  
33 party.

34 2. The Division shall issue to the secured party a certificate of ~~ownership~~  
35 title with the name and address of the secured party and the name and address of the  
36 registered owner noted on it. If the security interest is subsequently acquired by  
37 another person, or if there is a change in the name or address of the secured party,  
38 the secured party shall apply to the Division for a corrected certificate of  
39 ~~ownership~~ title.

40 3. When the contract or terms of the security agreement have been fully  
41 performed, the seller or other secured party who holds the certificate of ~~ownership~~  
42 title shall deliver the certificate to the person legally entitled to it with proper  
43 evidence of the termination or release of the security interest.

44 **Sec. 14.** NRS 489.585 is hereby amended to read as follows:

45 489.585 The Administrator shall adopt regulations pertaining to:

46 1. The issuance of a certificate of ~~ownership~~ title pursuant to NRS 489.562;  
47 and

48 2. The issuance and revocation of a certificate of ~~ownership~~ title in  
49 beneficiary form and a change in beneficiary for such a certificate of ~~ownership~~  
50 title pursuant to NRS 489.564.

51 **Sec. 15.** NRS 489.723 is hereby amended to read as follows:

52 489.723 1. Any money that a dealer receives from a client or other person  
53 concerning the sale or exchange of an interest in a manufactured home, mobile

1 home, manufactured building or commercial coach or factory-built housing must be  
2 accounted for by the dealer when:

3 (a) The sale or exchange of the interest in the manufactured home, mobile  
4 home, manufactured building, commercial coach or factory-built housing is  
5 executed; or

6 (b) The contract for the sale or exchange of the interest in the manufactured  
7 home, mobile home, manufactured building, commercial coach or factory-built  
8 housing is rescinded by the dealer, client or any other person,

9 **↳** whichever occurs earlier.

10 2. The dealer shall:

11 (a) Prepare or cause to be prepared a written itemized statement concerning  
12 each expenditure or deduction of money made by the dealer;

13 (b) Deliver or cause to be delivered to each person from whom the dealer  
14 received money a copy of the written itemized statement; and

15 (c) Maintain a copy of the written itemized statement at the dealer's place of  
16 business.

17 3. Except as otherwise provided in a brokerage agreement or an escrow  
18 agreement signed by the parties to a sale or exchange of an interest in a  
19 manufactured home, mobile home, manufactured building or commercial coach or  
20 factory-built housing and the escrow agent or escrow officer licensed pursuant to  
21 the provisions of chapter 645A or 692A of NRS, no money concerning that sale or  
22 exchange held by a dealer may be distributed until:

23 (a) An application for:

24 (1) A certificate of ~~ownership~~ **title** for the manufactured home, mobile  
25 home, manufactured building, commercial coach or factory-built housing; or

26 (2) A certificate of title ~~for certificate of ownership~~ that does not pass  
27 immediately upon the sale or transfer of the manufactured home, mobile home,  
28 manufactured building, commercial coach or factory-built housing,

29 **↳** has been submitted to the Division ~~(f)~~ **in a form prescribed by the Division;**

30 (b) Each person who has a financial interest in the manufactured home, mobile  
31 home, manufactured building, commercial coach or factory-built housing has  
32 executed a document **in a form prescribed by the Division** that releases or waives  
33 the person's interest; and

34 (c) Each party to the sale or exchange has complied with the requirements for  
35 the sale or exchange that are set forth in the regulations adopted pursuant to the  
36 provisions of this chapter.

37 **Sec. 16.** NRS 489.821 is hereby amended to read as follows:

38 489.821 1. A person is guilty of a gross misdemeanor who knowingly:

39 (a) Makes any false entry on any certificate of origin or certificate of  
40 ~~ownership~~ **title.**

41 (b) Furnishes false information to the Division concerning any security  
42 interest.

43 (c) Files with the Administrator any notice, statement or other document  
44 required under the provisions of this chapter which is false or contains any material  
45 misstatement of fact.

46 (d) Whether acting individually or as a director, officer or agent of a  
47 corporation, violates a provision of the National Manufactured Housing  
48 Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., this  
49 chapter and chapter 461 of NRS, and any regulations adopted pursuant thereto,  
50 causing a condition which endangers the health or safety of a purchaser of a  
51 manufactured home.

52 2. A dealer is guilty of a gross misdemeanor who knowingly:

53 (a) Fails to maintain a trust account as required by NRS 489.724.

(b) Commingles the money or other property of a seller or purchaser of a manufactured home, manufactured building or mobile home or factory-built housing with his or her own.

(c) Fails to cooperate or comply with or knowingly impedes or interferes with any investigation or audit conducted by the Division pursuant to NRS 489.7235.

(d) Acts as a dealer while insolvent or engages in any financial practice which creates a substantial risk of insolvency.

3. Except as otherwise provided in this section, any person who knowingly or willfully violates any provision of this chapter is guilty of a misdemeanor.

4. Subsection 3 does not apply to a manufacturer of travel trailers.

**Sec. 17.** ~~NRS 118B.025 is hereby amended to read as follows:~~

~~118B.025 The Administrator shall collect economic and demographic data annually from each manufactured home park, including, without limitation, the amount of rent and rate of vacancy for each type of lot in the park, and shall prescribe the form for the collection of such data.~~ **(Deleted by amendment.)**

**Sec. 18.** NRS 118B.215 is hereby amended to read as follows:

118B.215 1. In addition to the requirements set forth in NRS 319.510, money in the Account may be used to pay necessary administrative costs and to assist eligible persons by supplementing their monthly rent for the manufactured home lot on which their manufactured home is located. Except as otherwise provided in subsection 3, to be eligible for assistance from the Account, a person must:

(a) Except as otherwise provided in this subsection, have been a tenant in the same manufactured home park in this State for at least 1 year immediately preceding his or her application for assistance;

(b) Be the registered owner of the manufactured home which is subject to the tenancy, as indicated on the certificate of ~~ownership~~ **title** that is issued by the Division pursuant to NRS 489.541;

(c) Have a monthly household income, as determined by the Administrator in accordance with subsection 2, which is at or below:

(1) ~~The federally designated level signifying poverty or \$750, whichever is greater, if the person is the sole occupant.~~ **Thirty percent of the median family income, as prescribed by the HOME Investment Partnerships Act, 42 U.S.C. §§ 12701 et seq., adjusted for household size, which the United States Department of Housing and Urban Development has established for the area of the State in which the manufactured home is located, whichever is greater;**  
or

(2) ~~The federally designated level signifying poverty or \$1,125, whichever is greater, if the person is not the sole occupant of the manufactured home;~~ **A maximum monthly household income that the Administrator has established by regulation pursuant to subsection 5;**

(d) Be a tenant in a manufactured home park that is operated for profit and maintain continuous tenancy in that park during the duration of the supplemental assistance; and

(e) Not have assets whose value is more than \$12,000, excluding the value of:

(1) The manufactured home which is subject to the tenancy;

(2) The contents of that manufactured home; and

(3) One motor vehicle.

➤ A person who has been a tenant of a manufactured home park in this State for at least 1 year, but has not been a tenant of the manufactured home park in which the tenant resides at the time the tenant applies for assistance for at least 1 year, is eligible for assistance from the Account if the tenant moved to the manufactured home park in which the tenant resides at the time of his or her application because

1 the tenant was unable to pay the rent at the manufactured home park from which  
2 the tenant moved or because that park was closed.

3 2. In determining the monthly household income of an applicant pursuant to  
4 subsection 1, the Administrator shall exclude from the calculation:

5 (a) The value of any food stamps the applicant received pursuant to the Food  
6 Stamp Act of 1977, as amended, 7 U.S.C. §§ 2011 et seq., during the year  
7 immediately preceding his or her application for assistance; or

8 (b) If the applicant is receiving coverage pursuant to Medicare Part B, 42  
9 U.S.C. §§ 1395j et seq., the value of the cost of that coverage during the year  
10 immediately preceding his or her application for assistance,

11 ➤ whichever is greater.

12 3. The Administrator may waive the requirements for eligibility set forth in  
13 subsection 1 upon the written request of an applicant if the applicant demonstrates  
14 to the satisfaction of the Administrator that the circumstances of the applicant  
15 warrant a waiver as a result of:

16 (a) Illness;

17 (b) Disability; or

18 (c) Extreme financial hardship based upon a significant reduction of income,  
19 when considering the applicant's current financial circumstances.

20 ➤ An applicant shall include with his or her request for a waiver all medical and  
21 financial documents that support his or her request.

22 4. The Administrator shall adopt regulations establishing:

23 (a) The annual reporting requirements for persons receiving assistance  
24 pursuant to this section. The regulations must require that each such person provide  
25 the Division with a written acknowledgment of his or her continued eligibility for  
26 assistance.

27 (b) The maximum amount of assistance which may be distributed to a person  
28 to supplement his or her monthly rent pursuant to this section.

29 5. *The Administrator may adopt regulations establishing a maximum*  
30 *monthly household income for a person to be eligible for assistance from the*  
31 *Account pursuant to subparagraph (2) of paragraph (c) of subsection 1.*

32 6. As used in this section:

33 (a) "Manufactured home" includes a travel trailer that is located on a  
34 manufactured home lot within a manufactured home park.

35 (b) "Monthly household income" means the combined monthly incomes of the  
36 occupants of a manufactured home which is subject to the tenancy for which  
37 assistance from the Account is requested.

38 (c) "Travel trailer" has the meaning ascribed to it in NRS 489.150.

39 **Sec. 19.** NRS 278.02095 is hereby amended to read as follows:

40 278.02095 1. Except as otherwise provided in this section, in an ordinance  
41 relating to the zoning of land adopted or amended by a governing body, the  
42 definition of "single-family residence" must include a manufactured home.

43 2. Notwithstanding the provisions of subsection 1, a governing body shall  
44 adopt standards for the placement of a manufactured home that will not be affixed  
45 to a lot within a mobile home park which require that:

46 (a) The manufactured home:

47 (1) Be permanently affixed to a residential lot;

48 (2) Be manufactured within the 6 years immediately preceding the date on  
49 which it is affixed to the residential lot;

50 (3) Have exterior siding and roofing which is similar in color, material and  
51 appearance to the exterior siding and roofing primarily used on other single-family  
52 residential dwellings in the immediate vicinity of the manufactured home, as  
53 established by the governing body;

(4) Consist of ~~more than~~ one ~~section~~ or more sections; and

(5) Consist of at least ~~1,200~~ 400 square feet of living area unless the governing body, by administrative variance or other expedited procedure established by the governing body, approves a lesser amount of square footage based on the size or configuration of the lot or the square footage of single-family residential dwellings in the immediate vicinity of the manufactured home; and

(b) If the manufactured home has an elevated foundation, the foundation is masked architecturally in a manner determined by the governing body.

➤ The governing body of a local government in a county whose population is less than 45,000 may adopt standards that are less restrictive than the standards set forth in this subsection.

3. Standards adopted by a governing body pursuant to subsection 2 must be objective and documented clearly and must not be adopted to discourage or impede the construction or provision of affordable housing, including, without limitation, the use of manufactured homes for affordable housing.

4. Before a building department issues a permit to place a manufactured home on a lot pursuant to this section, other than a new manufactured home, the owner must surrender the certificate of ~~ownership~~ title to the Housing Division of the Department of Business and Industry. The Division shall provide proof of such a surrender to the owner who must submit that proof to the building department.

5. The provisions of this section do not abrogate a recorded restrictive covenant prohibiting manufactured homes, nor do the provisions apply within the boundaries of a historic district established pursuant to NRS 384.005 or 384.100. An application to place a manufactured home on a residential lot pursuant to this section constitutes an attestation by the owner of the lot that the placement complies with all covenants, conditions and restrictions placed on the lot and that the lot is not located within a historic district.

6. As used in this section:

(a) "Manufactured home" has the meaning ascribed to it in NRS 489.113.

(b) "New manufactured home" has the meaning ascribed to it in NRS 489.125.

**Sec. 20.** NRS 319.169 is hereby amended to read as follows:

319.169 1. The Account for Housing Inspection and Compliance is hereby created in the State General Fund.

2. The Account must be administered by the Division. Except as otherwise provided in NRS 118B.213 and 489.265, all money received by the Division pursuant to NRS 118B.185 or any other source must be deposited into the Account.

3. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.

4. Claims against the Account must be paid as other claims against the State are paid.

5. The Administrator shall adopt regulations setting forth the use of the money in the Account, including, without limitation:

(a) Licensing, regulating and inspecting:

(1) Housing for persons of low-income that is financed pursuant to this chapter; and

(2) Manufactured homes, mobile homes, manufactured buildings, commercial coaches, factory-built housing or manufactured home parks pursuant to chapters 118B, 461, 461A and 489 of NRS;

(b) Licensing, regulating and inspecting manufacturers, general servicepersons, dealers, responsible managing employees, salespersons, distributors and specialty servicepersons pursuant to chapter 489 of NRS;



(c) Maintaining title records, and issuing certificates of ~~ownership,~~ title, property liens and conversions to real property of a mobile home or manufactured home;

(d) Investigating complaints, including, without limitation, complaints:

(1) Between a landlord and a tenant of a mobile home park; and

(2) Alleging unlicensed activity; and

(e) Administering any educational and training program for a provider of manufactured housing.

6. As used in this section:

(a) "Commercial coach" has the meaning ascribed to it in NRS 489.062.

(b) "Dealer" has the meaning ascribed to it in NRS 489.076.

(c) "Distributor" has the meaning ascribed to it in NRS 489.081.

(d) "Factory-built housing" has the meaning ascribed to it in NRS 461.080.

(e) "General serviceperson" has the meaning ascribed to it in NRS 489.102.

(f) "Manufactured building" has the meaning ascribed to it in NRS 461.132.

(g) "Manufactured home" has the meaning ascribed to it in NRS 489.113.

(h) "Manufactured home lot" has the meaning ascribed to it in NRS 118B.016.

(i) "Manufactured home park" has the meaning ascribed to it in NRS 118B.017.

(j) "Manufacturer" has the meaning ascribed to it in NRS 489.115.

(k) "Mobile home" has the meaning ascribed to it in NRS 489.120.

(l) "Mobile home park" has the meaning ascribed to "manufactured home park" in NRS 118B.017.

(m) "Responsible managing employee" has the meaning ascribed to it in NRS 489.1353.

(n) "Salesperson" has the meaning ascribed to it in NRS 489.137.

(o) "Specialty serviceperson" has the meaning ascribed to it in NRS 489.147.

**Sec. 21.** NRS 361.2445 is hereby amended to read as follows:

361.2445 1. A mobile or manufactured home which has been converted to real property pursuant to NRS 361.244 may not be removed from the real property to which it is affixed unless, at least 30 days before removing the mobile or manufactured home:

(a) The owner:

(1) Files with the Division an affidavit stating that the sole purpose for converting the mobile or manufactured home from real to personal property is to effect a transfer of the title to the mobile or manufactured home;

(2) Files with the Division the affidavit of consent to the removal of the mobile or manufactured home of each person who holds any legal interest in the real property to which the mobile or manufactured home is affixed; and

(3) Gives written notice to the county assessor of the county in which the real property is situated; and

(b) The county tax receiver certifies in writing that all taxes for the fiscal year on the mobile or manufactured home and the real property to which the mobile or manufactured home is affixed have been paid.

2. The county assessor shall not remove a mobile or manufactured home from the tax rolls until:

(a) The county assessor has received verification that there is no security interest in the mobile or manufactured home or the holders of security interests have agreed in writing to the conversion of the mobile or manufactured home to personal property; and

(b) An affidavit of conversion of the mobile or manufactured home from real to personal property has been recorded in the county recorder's office of the county



in which the real property to which the mobile or manufactured home was affixed is situated.

3. A mobile or manufactured home which is physically removed from real property pursuant to this section shall be deemed to be personal property immediately upon its removal.

4. The Department shall adopt:

(a) Such regulations as are necessary to carry out the provisions of this section; and

(b) A standard form for the affidavits required by this section.

5. Before the owner of a mobile or manufactured home that has been converted to personal property pursuant to this section may transfer ownership of the mobile or manufactured home, he or she must obtain a certificate of ~~ownership~~ title from the Division.

6. For the purposes of this section, the removal of a mobile or manufactured home from real property includes the detachment of the mobile or manufactured home from its foundation, other than temporarily for the purpose of making repairs or improvements to the mobile or manufactured home or the foundation.

7. An owner who physically removes a mobile or manufactured home from real property in violation of this section is liable for all legal costs and fees, plus the actual expenses, incurred by a person who holds any interest in the real property to restore the real property to its former condition. Any judgment obtained pursuant to this section may be recorded as a lien upon the mobile or manufactured home so removed.

8. As used in this section:

(a) "Division" means the Housing Division of the Department of Business and Industry.

(b) "Owner" means any person who holds an interest in the mobile or manufactured home or the real property to which the mobile or manufactured home is affixed evidenced by a conveyance or other instrument which transfers that interest to him or her and is recorded in the office of the county recorder of the county in which the mobile or manufactured home and real property are situated, but does not include the owner or holder of a right-of-way, easement or subsurface property right appurtenant to the real property.

**Sec. 22.** NRS 372.383 is hereby amended to read as follows:

372.383 1. If a certificate of ~~ownership~~ title has been issued for a used manufactured home or used mobile home by the Department of Motor Vehicles or the Housing Division of the Department of Business and Industry, it is presumed that the taxes imposed by this chapter have been paid with respect to that manufactured home or mobile home.

2. As used in this section, "manufactured home" and "mobile home" have the meanings ascribed to them in NRS 372.316.

**Sec. 23.** NRS 374.388 is hereby amended to read as follows:

374.388 1. If a certificate of ~~ownership~~ title has been issued for a used manufactured home or used mobile home by the Department of Motor Vehicles or the Housing Division of the Department of Business and Industry, it is presumed that the taxes imposed by this chapter have been paid with respect to that manufactured home or mobile home.

2. As used in this section, "manufactured home" and "mobile home" have the meanings ascribed to them in NRS 374.321.

**Sec. 24.** Notwithstanding the amendatory provisions of this act, any valid certificate of ownership for a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing that was issued by the Housing Division of the Department of Business and Industry before July 1, 2023,

1 shall be deemed to be a certificate of title issued by the Housing Division of the  
2 Department of Business and Industry.

3 **Sec. 25.** The Legislative Counsel shall:

4 1. In preparing the Nevada Revised Statutes, make such changes as necessary  
5 so that references to a “certificate of ownership” issued by the Housing Division of  
6 the Department of Business and Industry are changed to a “certificate of title”  
7 issued by the Housing Division of the Department of Business and Industry; and

8 2. In preparing supplements to the Nevada Administrative Code, make such  
9 changes as necessary so that references to a “certificate of ownership” issued by the  
10 Housing Division of the Department of Business and Industry are changed to a  
11 “certificate of title” issued by the Housing Division of the Department of Business  
12 and Industry.

13 **Sec. 26.** NRS 489.551 is hereby repealed.

14 **Sec. 27.** 1. This section and section 26 of this act become effective upon  
15 passage and approval.

16 2. Sections 1 to 25, inclusive, of this act become effective:

17 (a) Upon passage and approval for the purpose of adopting any regulations and  
18 performing any other preparatory administrative tasks that are necessary to carry  
19 out the provisions of this act; and

20 (b) On July 1, 2023, for all other purposes.

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### TEXT OF REPEALED SECTION

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**489.551 Endorsement of certificate upon transfer.** Except as otherwise provided in NRS 489.564, upon a transfer of the title to or the interest of an owner in a manufactured home, mobile home or commercial coach for which a certificate of ownership is issued pursuant to the provisions of this chapter, the person whose title or interest is to be transferred and the transferee shall write their signatures with ink upon the certificate of ownership issued for the manufactured home, mobile home or commercial coach, together with the residence address of the transferee, in the appropriate spaces provided upon the reverse side of the certificate. The signature of the person whose title or interest is to be transferred that is written upon a certificate of ownership pursuant to the provisions of this section must be notarized.