Assembly Bill No. 38–Committee
on Commerce and Labor

CHAPTER.....

AN ACT relating to housing; revising provisions governing manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing; revising provisions relating to certain investigations by the Administrator; revising provisions governing the payment of certain claims from the Account for Housing Inspection and Compliance; revising provisions governing certain disclosures required to be made to a tenant by a landlord of a manufactured home park; revising requirements relating to the maintenance of lots by tenants in a manufactured home park; requiring a purchaser or transferee of a mobile home park to notify the Housing Division of the Department of Business and Industry of the sale or transfer; eliminating certain provisions relating to travel trailers; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law regulates various activities relating to manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing. (Chapter 489 of NRS) **Sections 1.3 and 24-28** of this bill make the requirements and prohibitions in existing law relating to trip permits applicable to manufactured buildings. (NRS 489.122, 489.611-489.661) **Section 2** of this bill makes certain provisions in existing law relating to the issuance of certificates and labels of compliance applicable to manufactured buildings. (NRS 489.241, 489.461) **Sections 3 and 14-18** of this bill make the requirements in existing law relating to regulations governing certain sales and the issuance of certificates of title by the Housing Division of the Department of Business and Industry applicable to manufactured buildings. (NRS 489.272, 489.531-489.581) **Sections 4-6** of this bill make the enforcement authority of the Division in existing law relating to notice of violations, orders to vacate and orders to stop work applicable to manufactured buildings. (NRS 489.291, 489.295, 489.297) **Section 8** of this bill makes the provisions relating to advance fees in existing law applicable to sales of manufactured buildings and factory-built housing. (NRS 489.426)

Existing law authorizes, in certain circumstances, and requires, upon receiving a complaint, the Administrator of the Division to investigate certain actions of a licensee or other person suspected to violate any provision of existing law regulating various activities relating to manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing and take certain disciplinary action. (NRS 489.431) **Section 8.5** of this bill: (1) provides, with certain exceptions, that the documents, files and communications made or received relating to such an investigation are confidential and not a public record; and (2) requires the Administrator, to the extent feasible, to communicate or cooperate with a licensing board or any other agency conducting an investigation relating to such acts. **Section 39.7** of this bill makes a conforming change to indicate that such records are not public records.

Existing law creates the Account for Housing Inspection and Compliance in the State General Fund and requires that this Account be administered by the Division. (NRS 319.169) Under existing law, a person is required to obtain a license from the Division to engage in the business of a dealer, distributor, manufacturer, general serviceperson, specialty serviceperson, salesperson or certain managing employee in connection with the sale, lease, distribution, alteration, repair, remodeling or manufacture of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. (NRS 489.311, 489.341) Existing law provides a procedure pursuant to which certain persons who obtain judgments against such licensees for acts of fraud, misrepresentation or deceit made in connection with their licenses are authorized to make a claim for payment from the Account of any unpaid damages, subject to certain monetary limitations. (NRS 489.4971-489.4989) **Sections 10 and 11** of this bill clarify that an eligible claimant for such a payment is not only a purchaser of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing but any person who entered into an agreement for the sale, purchase, lease, distribution, alteration, repair, remodeling or manufacture of such housing. **Sections 10 and 11** also expand the actions regarding which such claims are authorized to be made to include any action against a licensee in which damages are recovered for an act or omission of the licensee that violates the laws governing manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing. Additionally, **sections 10 and 11** reorganize the existing procedure for making a claim for payment from the Account. **Section 7** of this bill makes a conforming change to refer to a provision that has been renumbered by **section 10**. (NRS 489.325)

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 complete a report of sale in a form prescribed by the Division and submit the report of sale and certain other documents to the Division within certain time periods after the sale. (NRS 489.501, 489.511) **Sections 12 and 13** of this bill require that the report of sale submitted to the Division be completed.

Sections 19-23 of this bill make the provisions in existing law relating to the issuance of labels and certificates of installation applicable to manufactured buildings and commercial coaches. (NRS 489.591-489.5965) **Section 29** of this bill makes the exemption of a dealer from property taxes for inventory in existing law applicable to the dealer's inventory of manufactured buildings and factory-built housing. (NRS 489.711) **Section 30** of this bill makes the requirements for offers to sell, buy or lease used manufactured homes, mobile homes and commercial coaches applicable to such offers for used manufactured buildings and factory-built housing. (NRS 489.715) **Section 31** of this bill expands the forms of contracts in existing law that the Administrator is required to prescribe for use by a dealer to include contracts for the sale or listing for sale of a manufactured building or factory-built housing. (NRS 489.7152)

Existing law: (1) authorizes the Division to investigate and audit any financial account related to the business of a dealer or distributor of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing to investigate potential insolvency or to administer or enforce any law; and (2) requires the Administrator to adopt regulations prescribing the scope of such an audit. (NRS 489.7235) Instead of investigating for potential insolvency, **section 32** of this bill authorizes the Division to investigate whether the dealer or distributor violated laws governing manufactured homes, mobile homes, manufactured

buildings, commercial coaches and factory-built housing. **Section 32** also broadens the authority of the Division for adoption of the regulations to include the investigation and other related matters.

Sections 33 and 35 of this bill expand the prohibition in existing law against a dealer commingling his or her money with money or other property of a seller or purchaser of a manufactured home or mobile home to apply to sales or purchases of manufactured buildings, commercial coaches and factory-built housing. (NRS 489.727, 489.821) **Section 34** of this bill expands the prohibition against manufacturing a manufactured home, mobile home or commercial coach unless the components and system are constructed or assembled according to certain standards to include manufactured buildings and factory-built housing. (NRS 489.801)

Existing law requires a landlord of a manufactured home lot or manufactured home park to: (1) provide certain written disclosures to each tenant, including certain contact information for the manufactured home park owner, manager, assistant manager and person authorized to receive service of process for the landlord; and (2) post or provide to each tenant the office hours or the landlord's availability at the park. (NRS 118B.080) **Section 37** of this bill revises such disclosure requirements to mandate certain contact information for the representative of the manufactured home park instead of the manager or assistant manager and adds to such disclosure requirements an electronic mail address, if available, for the manufactured home park and the person authorized to receive service of process for the landlord. **Section 37** requires that the office hours be during regular business hours. **Section 37** also requires that the manager or assistant manager of a manufactured home park consisting of 75 or more lots: (1) be available at the park location for a minimum of 8 hours each week during regular business hours; and (2) post such hours.

Existing law authorizes a landlord or his or her agent or employee to require a tenant to landscape and maintain the tenant's lot if the landlord advises the tenant in writing of reasonable requirements for landscaping. (NRS 118B.120) **Section 38** of this bill changes the authority of the landlord regarding landscaping to only allow the landlord, with certain exceptions, to require the tenant to reasonably maintain the tenant's lot to control weeds and any grass or other vegetation and only if the landlord had provided the tenant with 30 days' advance written notice of the requirement.

Existing law sets forth various requirements and restrictions relating to a mobile home park. (NRS 461A.215-461A.237) **Section 40** of this bill requires a purchaser or transferee of a mobile home park to notify the Division of the sale or transfer of the park, in a form prescribed by the Division, within 10 business days after the sale or transfer.

Section 40.5 of this bill repeals the definition of the term "travel trailer," which has the effect of eliminating the applicability to travel trailers of the provisions of law regulating various activities relating to manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing. **Sections 1-1.2, 1.4-2, 9, 28.5, 34-35 and 39.3** of this bill make conforming changes as a result of the elimination of the term.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

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

Section 1. NRS 489.021 is hereby amended to read as follows:

489.021 1. The Legislature finds that the construction, assembly and use of manufactured homes, mobile homes, ~~[travel trailers,]~~ manufactured buildings, commercial coaches and factory-built housing and their systems, components and appliances, and the alteration, transportation and installation of manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing, like other products having concealed vital parts, may present hazards to the health, life and safety of persons and the safety of property unless they are properly manufactured, altered, transported and installed.

2. In the sale of manufactured homes, mobile homes, ~~[travel trailers,]~~ manufactured buildings, commercial coaches and factory-built housing, there is also the possibility of unascertained defects in them even though they are inspected by purchasers.

3. It is the policy and purpose of this State to protect the public against these hazards and to prohibit the manufacture, sale, distribution, alteration, transportation and installation in this State of manufactured homes, mobile homes, ~~[travel trailers,]~~ manufactured buildings, commercial coaches and factory-built housing which are not constructed in a manner which provides reasonable safety and protection to owners and users.

4. The Legislature further intends to provide a procedure to ensure that this State assumes the fullest responsibility for the administration and enforcement of federal safety and construction standards for manufactured homes in Nevada in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq.

Sec. 1.1. NRS 489.115 is hereby amended to read as follows:

489.115 "Manufacturer" means every person, including, without limitation, a partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or a corporation, engaged in the business of manufacturing manufactured homes, mobile homes, ~~[travel trailers,]~~ manufactured buildings, commercial coaches or factory-built housing.

Sec. 1.2. NRS 489.120 is hereby amended to read as follows:

489.120 1. "Mobile home" means a structure which is:

(a) Built on a permanent chassis;

(b) Designed to be used with or without a permanent foundation as a dwelling when connected to utilities; and

(c) Transportable in one or more sections.

2. The term includes the design of the body and frame and the plumbing, heating, air-conditioning and electrical systems of the mobile home.

3. The term does not include a recreational park trailer, ~~[travel trailer,]~~ commercial coach or manufactured home or any structure built in compliance with the requirements of chapter 461 of NRS.

Sec. 1.3. NRS 489.122 is hereby amended to read as follows:

489.122 "Movement" means the act of towing, pushing or otherwise propelling a manufactured home, mobile home ***, manufactured building*** or commercial coach upon a highway or road.

Sec. 1.4. NRS 489.125 is hereby amended to read as follows:

489.125 "New manufactured home," "new mobile home," ~~["new travel trailer,"]~~ "new manufactured building," "new commercial coach" or "new factory-built housing" means a manufactured home, mobile home, ~~[travel trailer,]~~ manufactured building or commercial coach or factory-built housing, respectively, which has never been sold at retail or occupied either before or after sale for the purpose intended by the manufacturer and has never been registered with or been the subject of a certificate of title issued by the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or any foreign state, province or country.

Sec. 1.5. NRS 489.155 is hereby amended to read as follows:

489.155 "Used manufactured home," "used mobile home," ~~["used travel trailer,"]~~ "used manufactured building," "used commercial coach" or "used factory-built housing" means a manufactured home, mobile home, ~~[travel trailer,]~~ manufactured building or commercial coach or factory-built housing, respectively, which has been:

1. Sold, rented or leased and occupied before or after the sale, rental or lease; or

2. Registered with or been the subject of a certificate of title issued by the appropriate agency of authority of any other state, the District of Columbia, or any territory or possession of the United States or any foreign state, province or country.

Sec. 1.6. NRS 489.221 is hereby amended to read as follows:

489.221 An employee of the Division shall not hold an interest in any firm which sells, distributes, manufactures, rebuilds or

services any manufactured home, mobile home, ~~[travel trailer,]~~ manufactured building, commercial coach or factory-built housing or which installs any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, or act as an agent for any of them.

Sec. 1.7. 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 title and certificates and labels of compliance and installation in such form as he or she may deem 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. 2. NRS 489.241 is hereby amended to read as follows:

489.241 The Administrator shall adopt regulations:

1. Consistent with the federal regulations governing procedure and enforcement respecting manufactured homes to administer and enforce federal construction and safety standards respecting manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.).

2. For the construction of commercial coaches that are reasonably consistent with nationally recognized standards.

3. For the:

(a) Reconstruction; and

(b) Alteration, including that done to a plumbing, heating or electrical system,

➥ of mobile homes and commercial coaches that are reasonably consistent with nationally recognized standards.

4. For the issuance of certificates and labels of compliance. The regulations must provide for, without limitation:

(a) Inspection at the place of manufacture;

(b) Submission and approval of plans and specifications or for the actual inspection and approval of the ***manufactured home,*** mobile home, ~~[travel trailer]~~ ***manufactured building*** or commercial coach or acceptance of a label of compliance issued by another state or a private organization which the Administrator finds has a competent inspection program reasonably consistent with this chapter; and

(c) Revocation for cause, upon notice and hearing, of the right of a manufacturer to sell ***manufactured homes,*** mobile homes, ~~[travel trailers]~~ ***manufactured buildings*** or commercial coaches in this state for use in this state.

~~[5. Consistent with nationally recognized standards governing the minimum requirements for the design of travel trailers.]~~

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 ***, manufactured building*** 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 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 of a mobile home, manufactured home ***, manufactured building*** or commercial coach in cases involving:

(a) More than one transferor or transferee;

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

(c) A sale to satisfy a lien.

Sec. 4. NRS 489.291 is hereby amended to read as follows:

489.291 1. If the Administrator finds a violation of this chapter or of the prohibition in NRS 118B.140 against charging or receiving an entrance or exit fee, or of any regulation adopted pursuant to this chapter, the Administrator may issue a notice of violation to the person alleged to have violated the provision. The notice of violation must set forth the violation which the Administrator alleges with particularity and specify the corrective action which is to be taken and the time within which the action must be taken. If the person is alleged to have violated the prohibition in NRS 118B.140 against charging or receiving an entrance or exit fee, the notice of violation must specify that the fee be repaid in full, and may specify any other corrective action which the Administrator deems necessary.

2. Any person who fails to take the corrective action required in a notice of violation is guilty of a misdemeanor and the Administrator may:

(a) Apply to the district court for the judicial district in which the violation is alleged to have occurred for an injunction and any other relief which the court may grant to compel compliance;

(b) Request that the district attorney of the county in which the violation is alleged to have occurred prosecute the person for the violation;

(c) If the person is alleged to have violated the prohibition in NRS 118B.140 against charging or receiving an entrance or exit fee, assess a penalty against the person equal to three times the amount of the fee which was charged or received; or

(d) If the person is alleged to have violated NRS 489.311 and while acting without a license is alleged to have caused damage to a mobile home, manufactured home ***, manufactured building*** or commercial coach, require that the person reimburse the owner of the mobile home, manufactured home ***, manufactured building*** or commercial coach for the cost of repairing such damage and assess a penalty against that person equal to the estimated cost of such repairs.

3. The assessment of a penalty pursuant to paragraph (c) or (d) of subsection 2 is a contested case.

4. Any person who is found to have violated a provision of this chapter, the prohibition in NRS 118B.140 against charging or receiving an entrance or exit fee, or a regulation adopted pursuant to this chapter, is liable for the cost incurred by the Division in enforcing the provision or regulation.

Sec. 5. NRS 489.295 is hereby amended to read as follows:

489.295 1. If an inspection reveals that a used manufactured home, used mobile home ***, used manufactured building*** or used commercial coach is constructed or maintained in violation of this chapter, the Division may order its use discontinued and the used manufactured home, used mobile home ***, used manufactured building*** or used commercial coach, or any portion thereof, vacated.

2. The order to vacate must be served upon the person using the used manufactured home, used mobile home ***, used manufactured building*** or used commercial coach and copies of the order must also be posted at or upon each exit of the used manufactured home, used mobile home ***, used manufactured building*** or used commercial coach.

3. The order to vacate must include a reasonable time within which the violation may be corrected.

4. A person shall not occupy or use the used manufactured home, used mobile home ***, used manufactured building*** or used commercial coach in violation of the order to vacate.

Sec. 6. NRS 489.297 is hereby amended to read as follows:

489.297 1. Whenever any construction, rebuilding or other work is performed in violation of this chapter or any regulation adopted pursuant to this chapter, the Division may order the work stopped.

2. The order to stop work must be served upon the person doing the work or upon the person causing the work to be done. The person served with the order shall immediately cease the work until authorized by the Division to continue it.

3. A copy of the order to stop work must be posted at or upon a recognized entrance of the used manufactured home, used mobile home ***, used manufactured building*** or used commercial coach.

Sec. 7. NRS 489.325 is hereby amended to read as follows:

489.325 1. The Administrator may adopt regulations which provide for the licensing of specialty servicepersons. A person licensed as a specialty serviceperson pursuant to this section must be limited in the scope of the work he or she may perform to installation or repair in one of the following categories:

(a) Awnings, roofing or skirting;

(b) Plumbing;

(c) Heating and air-conditioning systems;

(d) Electrical systems; or

(e) Any other category that may be similarly licensed by the State Contractors' Board.

2. The Administrator shall provide in those regulations for:

(a) The imposition of reasonable fees for application, examination and licensure.

(b) The creation and administration of a written or oral examination for each category of limited licensure.

(c) Minimum qualifications for such a license, including, without limitation, the passage of any applicable examination required pursuant to subsection 1 of NRS 489.351, unless waived pursuant to subsection 2 of NRS 489.351.

3. A person who is licensed as a specialty serviceperson shall comply with each statute and regulation which applies to general servicepersons, including, without limitation, the payment of a fee required pursuant to subparagraph ***(1)*** of paragraph (c) of subsection ~~[2]~~ ***1*** of NRS 489.4971.

Sec. 8. NRS 489.426 is hereby amended to read as follows:

489.426 1. A person who charges or collects an advance fee shall, within 3 months after charging or collecting such a fee, furnish to his or her principal an accounting of the use of the money.

The Administrator also may require an accounting by the person of the use of the money.

2. A person shall not accept an advance fee listing unless the person is a dealer, responsible managing employee or salesperson who is licensed pursuant to this chapter.

3. The Administrator may adopt regulations concerning advance fee listings and the charging and collecting of an advance fee, including, but not limited to:

(a) Forms to be used for advance fee agreements; and

(b) Reports and forms of accounting required to be kept, made or submitted to the Division.

4. A violation of this section or the regulations adopted pursuant to this section constitutes grounds for disciplinary action against a licensee.

5. As used in this section:

(a) "Advance fee" means the money contracted for, charged, claimed, collected, demanded or received for an advance fee listing of, an advertisement for or an offer to sell a manufactured home, mobile home ***, manufactured building*** or commercial coach ~~[,]~~ ***or factory-built housing,*** if the advance fee listing, advertisement or offer is issued to promote the sale of a manufactured home, mobile home ***, manufactured building*** or commercial coach ***or factory-built housing*** or for referral to a business, to dealers or to salespersons, before the last printing or other last issuance thereof, other than by a newspaper of general circulation.

(b) "Advance fee listing" includes, but is not limited to:

(1) The name or a list of the names of owners, prospective buyers or exchangers, or the location of a manufactured home, mobile home ***, manufactured building*** or commercial coach ***or factory-built housing*** that is offered for sale or exchange.

(2) The location at which prospective or potential buyers or exchangers of manufactured homes, mobile homes ~~[or]~~ ***, manufactured buildings,*** commercial coaches ***or factory-built housing*** may be communicated with or found.

(3) An agreement by which a person who is engaged in the business of promoting the sale of manufactured homes, mobile homes ~~[or]~~ ***, manufactured buildings,*** commercial coaches ***or factory-built housing*** agrees to render to an owner or buyer any service to promote the sale of the manufactured home, mobile home ~~[or]~~ ***, manufactured building,*** commercial coach ***or factory-built housing*** for an advance fee.

(4) An agreement by which a person agrees to locate or to promote the sale of a manufactured home, mobile home ***,***

manufactured building or commercial coach ***or factory-built housing*** for an advance fee.

➥ The term does not include any publication issued for general circulation.

Sec. 8.5. NRS 489.431 is hereby amended to read as follows:

489.431 1. The Administrator may on his or her own motion, and shall upon receiving a complaint, investigate the actions of any licensee or any other person who assumes to act in the capacity of a licensee in this State. A complaint must be verified and filed with the Division within 2 years after the act complained of.

2. If the Administrator finds that the licensee or other person has acted in violation of this chapter, and that the violation is not repeated or continuing, the Administrator may attempt to secure a correction of the violation or satisfaction for the complainant from the licensee or other person. If the Administrator's attempt fails or if the Administrator determines that disciplinary action is necessary, the Administrator may take disciplinary action.

3. If the Administrator finds that the violation is being repeatedly or continuously committed, or if in the Administrator's discretion the violation warrants disciplinary action, the Administrator may take disciplinary action without seeking correction or satisfaction.

4. Except as otherwise provided in this section and NRS 239.0115, a complaint filed with the Division, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action against a licensee or other person who assumes to act in the capacity of a licensee are confidential.

5. The charging documents filed with the Administrator to initiate disciplinary action pursuant to this chapter and all documents and information considered by the Administrator or a hearing officer when determining whether to impose discipline are public records.

6. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

7. The Administrator shall, to the extent feasible, communicate or cooperate with or provide any documents or other information to any other licensing board or any other agency that is investigating a person, including, without limitation, a law enforcement agency.

Sec. 9. NRS 489.461 is hereby amended to read as follows:

489.461 Except as otherwise provided in NRS 278.02095, a manufactured home, mobile home ~~[, travel trailer]~~ or commercial coach for which a certificate and label of compliance has been issued pursuant to the provisions of this chapter is not required to comply with any local building codes or ordinances prescribing standards for plumbing, heating, electrical systems, body and frame design and construction requirements.

Sec. 10. NRS 489.4971 is hereby amended to read as follows:

489.4971 1. ~~[Any person who entered into an agreement for the sale, purchase, lease, distribution, alteration, repair, remodeling or manufacture of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing may file a claim against a person licensed pursuant to the provisions of this chapter. Such a claim may be satisfied by the Account.~~

~~2.]~~ Upon the issuance or renewal of the following licenses by the Division, the licensee must pay, in addition to the original or renewal license fee, a fee:

(a) For a dealer's, distributor's or manufacturer's original license, or for any original limited dealer's license which authorizes a limited dealer to act as a repossessor or liquidator, of $1,000.

(b) For a dealer's, distributor's or manufacturer's renewal license, or a renewal of any limited dealer's license which authorizes a limited dealer to act as a repossessor or liquidator, of $600.

(c) For an original or renewal license for:

(1) A general serviceperson or specialty serviceperson, of $150.

(2) A salesperson, of $75.

(3) A responsible managing employee, of $100.

➥ Except as otherwise provided in NRS 489.265, fees collected pursuant to this section must be deposited in the State Treasury for credit to the Account.

~~[3. A payment from the Account to satisfy the claim of a person specified in subsection 1 against a person who is licensed pursuant to this chapter must be made only upon an appropriate court order that is issued in an action for fraud, misrepresentation or deceit relating to an act for which a license is required pursuant to this chapter.~~

~~4. If a person specified in subsection 1 commences an action specified in subsection 3 against a person who is licensed pursuant to this chapter, the person specified in subsection 1 must serve a~~

~~copy of the complaint upon the Administrator within 30 days after the action is commenced.]~~

2. Money in the Account must, within the limitations set by NRS 489.4975 and 489.4983, be used to pay a claim for which:

(a) A court entered an order directing payment of the claim from the Account pursuant to NRS 489.4979; or

(b) The Administrator compromised the claim pursuant to NRS 489.4977.

Sec. 11. NRS 489.4975 is hereby amended to read as follows:

489.4975 1. If a ~~[purchaser]~~ ***person who entered into an agreement for the sale, purchase, lease, distribution, alteration, repair, remodeling or manufacture*** of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing ***commences an action against a person who is licensed pursuant to this chapter relating to an act or omission of the licensee that is in violation of this chapter or the regulations adopted pursuant thereto, the person who commenced the action must serve a copy of the complaint in the action upon the Administrator within 30 days after the action is commenced.***

2. If the person who commenced the action obtains a final judgment in any court of competent jurisdiction ***for the recovery of damages*** against ~~[any]~~ ***the*** licensee ***,*** ~~[under this chapter in an action specified in subsection 3 of NRS 489.4971,]~~ the judgment creditor may, ~~[upon]~~ ***within 1 year after*** the termination of all proceedings, including appeals in connection with any judgment, ~~[file]~~ ***make a claim for payment from the Account by filing*** a verified petition in the court in which the judgment was entered for an order directing payment from the Account in the amount of actual damages included in the judgment and unpaid, but not more than $25,000 per judgment and the liability of the Account may not exceed $100,000 for any licensee.

~~[2.]~~ ***3.*** A copy of the petition must be served upon the Administrator and an affidavit of service filed with the court. The petition and each copy of the petition served pursuant to this subsection must set forth the grounds which entitle the judgment creditor to recover from the Account and must include a copy of:

(a) The final judgment specified in subsection ~~[1,]~~ ***2;***

(b) The complaint upon which the final judgment was entered; and

(c) If assets are known to exist, the writ of execution that was returned unsatisfied.

~~[3.]~~ ***4.*** The court shall act upon the petition within 30 days after service and, upon the hearing of the petition, the judgment creditor must show that:

(a) The judgment creditor is not the spouse of the judgment debtor, or the personal representative of that spouse.

(b) The judgment creditor has complied with all the requirements of NRS 489.4971 to 489.4989, inclusive.

(c) The judgment creditor has obtained a judgment of the kind described in subsection ~~[1,]~~ ***2,*** stating the amount of the judgment and the amount owing on it at the date of the petition.

(d) A writ of execution has been issued upon the judgment and that no assets of the judgment debtor liable to be levied upon in satisfaction of the judgment could be found, or that the amount realized on the sale of any of them that were found under the execution was insufficient to satisfy the judgment, stating the amount so realized and the balance remaining due.

(e) The judgment creditor and the Division have made reasonable searches and inquiries to ascertain whether the judgment debtor possesses real or personal property or other assets, liable to be sold or applied in satisfaction of the judgment.

(f) The petition has been filed not more than 1 year after the termination of all proceedings, including reviews and appeals, in connection with the judgment.

~~[4.]~~ ***5.*** A person licensed pursuant to this chapter shall not recover from the Account for damages related to a transaction in which the person acted in his or her capacity as a licensee.

Sec. 12. 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.

2. The dealer shall require the buyer to sign an acknowledgment of taxes, on a form prescribed by the Division. A dealer who sells a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing shall deliver the buyer's copy of the acknowledgment of taxes to the buyer at the time of sale and submit another copy within 30 days after the date of the sale to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing will be located.

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

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

Sec. 13. NRS 489.511 is hereby amended to read as follows:

489.511 1. If a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold in this State by a dealer, the dealer shall complete a dealer's report of sale. The report must be in a form prescribed by the Division.

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

3. The dealer shall require the buyer to sign an acknowledgment of taxes, on a form prescribed by the Division. The dealer shall deliver the buyer's copy of the acknowledgment to the buyer at the time of sale and submit another copy to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is to be located.

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

Sec. 14. NRS 489.531 is hereby amended to read as follows:

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

Sec. 15. 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 ***, manufactured building*** or commercial coach previously titled and the applicant is unable to present the certificate of 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 title, or pursuant to NRS 489.562, it may issue the certificate on the manufactured home, mobile home ***, manufactured building*** or commercial coach.

Sec. 16. NRS 489.564 is hereby amended to read as follows:

489.564 1. The owner or joint owners of a manufactured home, mobile home ***, manufactured building*** or commercial coach may request the Division to issue a certificate of title in beneficiary form for the manufactured home, mobile home ***, manufactured building*** or commercial coach, as applicable, which includes a directive to the Division to transfer the certificate of title upon the death of the owner or upon the death of all joint owners to a beneficiary named on the face of the certificate of title.

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

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

(b) Be accompanied by the fee for the issuance of a certificate of title.

3. A certificate of title in beneficiary form may not be issued to a person who holds an interest in a manufactured home, mobile home ***, manufactured building*** or commercial coach as a tenant in common with another person.

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

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

(a) The signature or consent of the beneficiary is not required for any transaction relating to a manufactured home, mobile home ***, manufactured building*** or commercial coach for which a certificate of title in beneficiary form has been issued; and

(b) The certificate of title in beneficiary form may be revoked or the beneficiary changed at any time by:

(1) Sale of the manufactured home, mobile home ***, manufactured building*** or commercial coach with proper assignment and delivery of the certificate of title to another person; or

(2) Filing an application with, and paying a fee to, the Division to reissue the certificate of title with no designation of a beneficiary or with the designation of a different beneficiary.

6. The interest of the beneficiary in a manufactured home, mobile home ***, manufactured building*** or commercial coach on the death of the sole owner or on the death of the last surviving joint owner is subject to any contract of sale, assignment or ownership or security interest to which the owner or owners of the manufactured home, mobile home ***, manufactured building*** or commercial coach were subject during their lifetime.

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

8. The Division shall, upon:

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

(b) Payment of the fee for a certificate of title,

➥ issue a new certificate of title for the manufactured home, mobile home ***, manufactured building*** or commercial coach to the surviving owner or owners or, if none, to the beneficiary, subject to any security interest.

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

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

11. As used in this section:

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

(b) "Certificate of title in beneficiary form" means a certificate of title of a manufactured home, mobile home ***, manufactured building*** or commercial coach that indicates the present owner or owners of the manufactured home, mobile home ***, manufactured building*** or commercial coach and designates a beneficiary.

Sec. 17. NRS 489.571 is hereby amended to read as follows:

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

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

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

Sec. 18. NRS 489.581 is hereby amended to read as follows:

489.581 Compliance with the provisions of this chapter relating to a security interest in a manufactured home, mobile home ***, manufactured building*** or commercial coach is sufficient for the perfection and release of that security interest. In all other respects the rights and duties of the debtor and secured party are governed by the Uniform Commercial Code—Secured Transactions and chapter 97 of NRS to the extent applicable.

Sec. 19. NRS 489.591 is hereby amended to read as follows:

489.591 The Division shall adopt regulations concerning the issuance of:

1. Certificates of installation issued by the Division which certify that the manufactured home, mobile home ***, manufactured building*** or commercial coach was installed in compliance with regulations adopted by the Division.

2. Labels of installation issued by the Division which must be attached to a manufactured home, mobile home ***, manufactured building*** or commercial coach after the certificate of installation has been issued and removed when the manufactured home, mobile home ***, manufactured building*** or commercial coach is moved from the location it occupied when the certificate was issued.

Sec. 20. NRS 489.593 is hereby amended to read as follows:

489.593 Each certificate of installation issued by the Division for a manufactured home ***,*** ~~[or]~~ mobile home ***, manufactured building or commercial coach*** must include the following information:

1. The name of the Administrator;

2. The address and telephone number of each office of the Division;

3. The legal rights of owners of manufactured homes ***,*** ~~[and]~~ mobile homes ~~[.]~~ ***, manufactured buildings and commercial coaches;***

4. The procedure for filing a complaint with the Administrator;

5. The procedure for resolution of disputes between owners of manufactured homes ***,*** ~~[or]~~ mobile homes ***, manufactured buildings or commercial coaches*** and persons licensed by the Division; and

6. Any other information prescribed by the Administrator.

Sec. 21. NRS 489.595 is hereby amended to read as follows:

489.595 A dealer shall provide a copy of the certificate of installation described in NRS 489.593 to each purchaser of a new manufactured home ~~[.]~~ ***, new mobile home, new manufactured building or new commercial coach.*** The Division shall make available sample copies of certificates of installation to all licensed dealers for distribution to prospective purchasers.

Sec. 22. NRS 489.596 is hereby amended to read as follows:

489.596 1. The Division, in cooperation with manufacturers and organizations concerned with manufactured homes ***,*** ~~[and]~~ mobile homes, ***manufactured buildings and commercial coaches,*** shall conduct one or more training programs each year regarding appropriate methods and techniques for conducting any inspections necessary for the issuance of certificates of installation and labels of installation for manufactured homes ***,*** ~~[and]~~ mobile homes ~~[.]~~ ***manufactured buildings and commercial coaches.***

2. The Division shall pay for the expenses of conducting the programs from money in the Account.

Sec. 23. NRS 489.5965 is hereby amended to read as follows:

489.5965 No person may issue a certificate of installation or label of installation for a manufactured home ***,*** ~~[or]~~ mobile home ***, manufactured building or commercial coach*** unless the person has successfully completed, within the preceding 12 months, a training program conducted pursuant to NRS 489.596.

Sec. 24. NRS 489.611 is hereby amended to read as follows:

489.611 1. Except as otherwise provided in subsection 2, no manufactured home, mobile home ***, manufactured building*** or commercial coach may be moved upon the highways or roads of this state through use of any valid license plate unless a proper trip permit is obtained and displayed.

2. NRS 489.621 to 489.661, inclusive, do not apply to manufactured homes, mobile homes ***, manufactured buildings*** or commercial coaches moved:

(a) Through this state from and to points outside Nevada.

(b) Into this state with a valid license plate or permit from another state.

(c) With any valid license plate when movement is from:

(1) The place of manufacture of the manufactured home, mobile home ***, manufactured building*** or commercial coach to the place of business of a dealer licensed under this chapter;

(2) One dealer lot to another; or

(3) A dealer lot to the place of delivery to that dealer's buyer.

Sec. 25. NRS 489.621 is hereby amended to read as follows:

489.621 1. Except as otherwise provided in NRS 489.611, any person who moves a manufactured home, mobile home ***, manufactured building*** or commercial coach upon any highway or road in this state shall, before that movement, apply to the county assessor for a trip permit. The assessor of the county from which the manufactured home, mobile home ***, manufactured building*** or commercial coach is to be moved shall issue a trip permit for each section of the manufactured home, mobile home ***, manufactured building*** or commercial coach upon application presented in the form prescribed by the Division, payment of a fee of $5 for each permit, and proof satisfactory to the assessor of ownership and that all property taxes, for the full year in which the permit is to be used, and use taxes if applicable, levied against the manufactured home, mobile home ***, manufactured building*** or commercial coach and its contents have been paid.

2. The trip permit authorizes movement over the highways and roads for not more than 5 consecutive working days following the date of issuance and the application and permit respectively must be used in lieu only of any certificate of registration and vehicle license number plate required by law.

Sec. 26. NRS 489.631 is hereby amended to read as follows:

489.631 1. The application for a trip permit must contain any information required by the Division, and the name of the owner of the manufactured home, mobile home ***, manufactured building*** or commercial coach, the make, model and serial number of the manufactured home, mobile home ***, manufactured building*** or commercial coach, the location of the place from which it was moved, the address of the place to which it is to be moved, the amount of all property taxes paid for the manufactured home, mobile home ***, manufactured building*** or commercial coach for the year in which the permit will be used, the expiration date of the permit and the signature of the county assessor or designee of the county assessor.

2. The county assessor shall, within 10 days after issuing the trip permit, forward a copy of the application:

(a) To the Division; and

(b) To the assessor of the county where the manufactured home, mobile home ***, manufactured building*** or commercial coach will be located, unless the manufactured home, mobile home ***, manufactured building*** or commercial coach is to leave this state.

3. The county assessor shall also provide a copy of the application:

(a) For use by the operator of the vehicle moving the manufactured home, mobile home ***, manufactured building*** or commercial coach and the operator shall keep a copy of the application in his or her possession at all times during the movement.

(b) To the owner of the manufactured home, mobile home ***, manufactured building*** or commercial coach.

Sec. 27. NRS 489.641 is hereby amended to read as follows:

489.641 1. The Division shall determine the size, shape and form of the trip permit which may be part of a single form also containing the application for the permit. Each permit must bear the month and day of expiration in numerals of sufficient size to be plainly readable from a reasonable distance during daylight.

2. The trip permit must be prominently displayed on the rear of each section of the manufactured home, mobile home ***, manufactured building*** or commercial coach in the manner

prescribed by the Division at all times during which the manufactured home, mobile home ***, manufactured building*** or commercial coach is moved upon any highway or road. The permit must be made and displayed in a manner that renders the permit unusable when removed from the manufactured home, mobile home ***, manufactured building*** or commercial coach.

Sec. 28. NRS 489.661 is hereby amended to read as follows:

489.661 1. Any person who moves a manufactured home, mobile home ***, manufactured building*** or commercial coach in violation of the provisions of NRS 489.611 to 489.651, inclusive, is guilty of a misdemeanor.

2. If a manufactured home, mobile home ***, manufactured building*** or commercial coach is moved upon any highway or road in the State in violation of any of the provisions of NRS 489.611 to 489.651, inclusive, the Division, any member of the Nevada Highway Patrol or any peace officer in the State shall seize and hold the manufactured home, mobile home ***, manufactured building*** or commercial coach until presented with a copy of the application and trip permit required by NRS 489.621 to 489.661, inclusive.

Sec. 28.5. NRS 489.701 is hereby amended to read as follows:

489.701 1. Any mobile home ~~[,]~~ ***or*** commercial coach ~~[or travel trailer]~~ sold or used for residential purposes in this State must be equipped with a smoke detector which meets standards approved by the State Fire Marshal.

2. Any manufactured home sold or used for residential purposes in this State must be equipped with a smoke detector which meets federal construction and safety standards for manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.).

3. An interconnectivity device for smoke detectors is not required to be installed in a mobile home or manufactured home that was not designed and produced by the manufacturer to accommodate such a device.

Sec. 29. NRS 489.711 is hereby amended to read as follows:

489.711 Notwithstanding the provisions of chapters 361 and 482 of NRS or any other law, no dealer may be required to pay any property tax, either as tax on inventory or on individual manufactured homes, mobile homes ***, manufactured buildings*** or commercial coaches ~~[,]~~ ***or factory-built housing,*** on any manufactured home, mobile home ***, manufactured building*** or commercial coach ***or factory-built housing*** of which the dealer

takes possession and holds for sale in the ordinary course of business.

Sec. 30. NRS 489.715 is hereby amended to read as follows:

489.715 1. Full disclosure of all terms and conditions of an offer to sell, buy or lease a used ***or rebuilt*** manufactured home, used ***or rebuilt*** mobile home ***, used or rebuilt manufactured building*** or used ***or rebuilt*** commercial coach ***or used or rebuilt factory-built housing*** must be set forth in writing and signed by the seller, buyer and dealer.

2. Any offer to purchase or lease a used ***or rebuilt*** manufactured home, used ***or rebuilt*** mobile home ***, used or rebuilt manufactured building*** or used ***or rebuilt*** commercial coach ***or used or rebuilt factory-built housing*** must be submitted within 5 days after the offer is made to the owner or the authorized agent of the owner for approval or disapproval. The offer must be in writing and signed and dated by the person making the offer and by the dealer.

3. As used in this section, "authorized agent" does not include a dealer or an employee or agent of the dealer.

Sec. 31. NRS 489.7152 is hereby amended to read as follows:

489.7152 The Administrator shall prescribe the form of the contracts that must be used by a dealer for the sale and listing for sale of a manufactured home, mobile home ***, manufactured building*** or commercial coach ~~[.]~~ ***or factory-built housing.*** A dealer who fails to use the forms prescribed by the Administrator pursuant to this section is subject to disciplinary action pursuant to NRS 489.381.

Sec. 32. NRS 489.7235 is hereby amended to read as follows:

489.7235 1. The Division may investigate and audit any financial account, including, without limitation, any trust account, related to the business of a dealer or distributor if ~~[~~:

~~(a) The]~~ ***the*** Division ~~[has reasonable cause to believe that the dealer or distributor is using or has used the account to carry on the business of the dealer or distributor; and~~

~~(b) The Division:~~

~~(1)]~~ ***:***

(a) Has reasonable cause to believe ~~[or has received a credible complaint]~~ that the dealer or distributor ~~[is insolvent or is in a financial condition, or has engaged in a financial practice, which creates a substantial risk of insolvency; or~~

~~(2)]~~ ***has violated a provision of this chapter or the regulations adopted pursuant thereto; or***

(b) Determines that the investigation and audit are reasonably necessary to assist the Division in administering or enforcing any provision of law.

2. The Administrator shall adopt regulations ***to carry out the provisions of this section, including, without limitation,*** prescribing the scope of an ***investigation or*** audit conducted pursuant to this section.

~~[3. As used in this section, "insolvency" or "insolvent" means a condition under which a dealer or distributor is unable to meet the liabilities of his or her business as they become due in the regular course of business and which creates a substantial risk of harm to the public or a consumer.]~~

Sec. 33. NRS 489.727 is hereby amended to read as follows:

489.727 A dealer shall not commingle the money or other property of a seller or purchaser of a manufactured home ***,*** ~~[or a]~~ mobile home ***, manufactured building or commercial coach or factory-built housing*** with his or her own.

Sec. 34. NRS 489.801 is hereby amended to read as follows:

489.801 1. It is unlawful for any person to manufacture any manufactured home, mobile home, ~~[travel trailer or]~~ ***manufactured building,*** commercial coach ***or factory-built housing*** unless the manufactured home, mobile home, ~~[travel trailer or]~~ ***manufactured building,*** commercial coach ***or factory-built housing*** and its components and systems are constructed and assembled according to the standards prescribed pursuant to the provisions of this chapter.

2. It is unlawful for any person knowingly to sell or offer for sale any manufactured home which has been constructed on or after June 15, 1976, unless the manufactured home and its components and systems have been constructed and assembled according to the standards prescribed pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.).

3. Any person who knowingly sells or offers to sell in this state any manufactured home, mobile home or commercial coach for which a certificate or label of compliance is required under this chapter, which does not bear a certificate or label of compliance, is liable for the penalties provided in NRS 489.811 and 489.821.

4. It is unlawful for any person to issue a certification which states that a manufactured home conforms to all applicable federal standards for safety and construction if that person, in the exercise of due care, has reason to know that the certification is false or misleading in any material respect.

5. It is unlawful for a manufacturer to fail to furnish notification of defects relating to construction or safety, as required by the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C. § 5414).

6. It is unlawful for any person to fail or refuse to permit access by the Administrator to the documentary materials set forth in NRS 489.231.

7. It is unlawful for any person, without authorization from the Division, to disclose or obtain the contents of an examination given by the Division.

8. It is unlawful for any person to use a manufactured home or mobile home as living quarters or for human occupancy, respectively, if the manufactured home or mobile home violates a standard of safety set forth in regulations adopted pursuant to subsection 1 of NRS 489.251, concerning installation, tie down, and support of manufactured homes and mobile homes.

Sec. 34.5. NRS 489.811 is hereby amended to read as follows:

489.811 1. ~~[Except as otherwise provided in subsection 5, any]~~ ***Any*** person who violates any of the provisions of this chapter is liable to the State for a civil penalty of not more than $1,000 for each violation. Each violation of this chapter or any regulation or order issued under it constitutes a separate violation with respect to each manufactured home, mobile home, manufactured building, commercial coach or factory-built housing and with respect to each failure or refusal to allow or perform an act required by this chapter or regulation or order, except that the maximum civil penalty is $1,000,000 for any related series of violations occurring within 1 year after the first violation.

2. Before the adoption of any regulation for whose violation a civil penalty may be imposed, the Administrator shall give at least 30 days' written notice to every licensed manufacturer, dealer, distributor, general serviceperson and specialty serviceperson, and every other interested party who has requested the notice.

3. An action to enforce a civil penalty must be brought in a court of competent jurisdiction in the county in which the defendant has his or her principal place of business.

4. All money collected as civil penalties pursuant to the provisions of this chapter must be deposited in the Account.

~~[5. This section does not apply to a manufacturer, distributor or dealer of travel trailers.]~~

Sec. 35. NRS 489.821 is hereby amended to read as follows:

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

(a) Makes any false entry on any certificate of origin or certificate of title.

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

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

(d) Whether acting individually or as a director, officer or agent of a corporation, violates a provision of 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, causing a condition which endangers the health or safety of a purchaser of a manufactured home.

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

(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 ***commercial coach 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. 36. (Deleted by amendment.)

Sec. 37. NRS 118B.080 is hereby amended to read as follows:

118B.080 1. The landlord shall disclose in writing to each tenant the:

(a) Name, address and telephone number of the owner ~~[and manager]~~ or ~~[assistant manager]~~ ***representative*** of the manufactured home park ~~[;]~~ ***and the electronic mail address of the manufactured home park, if available;*** and

(b) Name ***, electronic mail address, if available,*** and address of a person authorized to receive service of process for the landlord,

➥ and any change thereof.

2. The information must be furnished in writing to each new tenant on or before the commencement of the tenancy and to each existing tenant.

3. A landlord shall post ~~[, or]~~ ***in a conspicuous place in a common area of the park and*** provide to each tenant ~~[,]~~ the office hours ~~[or]~~ ***, which must be during regular business hours, and the*** landlord's availability at the park location.

4. If the manufactured home park consists of 75 or more lots, the manager or assistant manager:

(a) Must be available at the park location for at least 8 hours each week, which must be during regular business hours; and

(b) Shall post the hours of availability of the manager or assistant manager required pursuant to paragraph (a) in a conspicuous place in a common area of the park.

Sec. 38. NRS 118B.120 is hereby amended to read as follows:

118B.120 1. The landlord or his or her agent or employee may:

(a) ~~[Require]~~ ***Except as otherwise provided in the rental agreement or lease or subsection 4, require*** that the tenant ~~[landscape and]~~ ***reasonably*** maintain the tenant's lot ***to control weeds and any grass or other vegetation*** if the landlord ~~[advises]~~ ***has provided*** the tenant ~~[in writing of reasonable requirements for the landscaping.]~~ ***with 30 days' advance written notice of this requirement.***

(b) If the tenant does not comply with the provisions of paragraph (a), maintain the tenant's lot ***to control weeds and any grass or other vegetation*** and charge the tenant a service fee for the actual cost of that maintenance.

(c) Require that the manufactured home be removed from the park if it is unoccupied for more than 90 consecutive days and the tenant or dealer is not making good faith and diligent efforts to sell it.

2. The landlord shall maintain, in the manner required for the other tenants, any lot on which is located a manufactured home within the park which has been repossessed, abandoned or held for rent or taxes. The landlord is entitled to reimbursement for the cost of that maintenance from the repossessor or lienholder or from the proceeds of any sale for taxes, as the case may be.

3. Before dismantling a manufactured home that was abandoned, the landlord or manager must:

(a) Conduct a title search with the Division to determine the owner of record of the manufactured home. If the owner of record is not found, the landlord or manager may use the records of the

county assessor for the county in which the manufactured home is located to determine the owner of the manufactured home.

(b) Send a certified letter notifying the owner and any lienholder of the intent of the landlord or manager to dismantle the manufactured home.

(c) If the owner does not respond within 30 days after the date of mailing the certified letter, submit to the Division an affidavit of dismantling.

4. The landlord shall trim all the trees located within the park and dispose of the trimmings from those trees absent a written voluntary assumption of that duty by the tenant for trees on the tenant's lot.

5. For the purposes of this section, a manufactured home shall be deemed to be abandoned if:

(a) It is located on a lot in a manufactured home park, other than a cooperative park, for which no rent has been paid for at least 60 days;

(b) It is unoccupied; and

(c) The manager of the manufactured home park reasonably believes it to be abandoned.

Sec. 39. (Deleted by amendment.)

Sec. 39.3. 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 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 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) 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 the tenant was unable to pay the rent at the manufactured home park from which the tenant moved or because that park was closed.

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

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

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

➥ whichever is greater.

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

(a) Illness;

(b) Disability; or

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

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

4. The Administrator shall adopt regulations establishing:

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

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

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

6. As used in this section:

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

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

(c) "Travel trailer" ~~[has the meaning ascribed to it in NRS 489.150.]~~ ***means a portable structure mounted on wheels, consisting of a vehicular chassis primarily designed as temporary living quarters for recreational, camping or travel use and designed to be drawn by another vehicle, and designated by the manufacturer as a travel trailer. The term does not include a recreational park trailer.***

Sec. 39.7. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 164.041, 172.075, 172.245,

176.01334, 176.01385, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 178.5717, 179.495, 179A.070, 179A.165, 179D.160, 180.600, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 218G.615, 224.240, 226.462, 226.796, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1285, 231.1473, 232.1369, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.545, 247.550, 247.560, 250.087, 250.130, 250.140, 250.145, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.909, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 353D.250, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 427A.940, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360, 439.4941, 439.4988, 439.5282, 439.840, 439.914, 439A.116, 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407,

463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833, 484E.070, 485.316, ***489.431,*** 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710, 604D.500, 604D.600, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.043, 629.047, 629.069, 630.133, 630.2671, 630.2672, 630.2673, 630.2687, 630.30665, 630.336, 630A.327, 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283, 633.301, 633.427, 633.4715, 633.4716, 633.4717, 633.524, 634.055, 634.1303, 634.214, 634A.169, 634A.185, 634B.730, 635.111, 635.158, 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090, 641.221, 641.2215, 641A.191, 641A.217, 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 670B.680, 671.365, 671.415, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies,

abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate, including, without limitation, electronically, the confidential information from the information included in the public book or record that is not otherwise confidential.

4. If requested, a governmental entity shall provide a copy of a public record in an electronic format by means of an electronic medium. Nothing in this subsection requires a governmental entity to provide a copy of a public record in an electronic format or by means of an electronic medium if:

(a) The public record:

(1) Was not created or prepared in an electronic format; and

(2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

(1) Give access to proprietary software; or

(2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 40. Chapter 461A of NRS is hereby amended by adding thereto a new section to read as follows:

When a mobile home park is sold or otherwise transferred, the purchaser or transferee of the mobile home park shall complete and submit a report of transfer to the Division within 10 business days after the sale or transfer. The report of transfer must be in a form prescribed by the Division.

Sec. 40.5. NRS 489.150 is hereby repealed.

Sec. 41. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 40.5, inclusive, of this act become effective:

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

(b) On July 1, 2025, for all other purposes.

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