Senate Bill No. 370–Senator Taylor

CHAPTER.....

AN ACT relating to manufactured housing; revising provisions governing the issuance of a new certificate of title by the Housing Division of the Department of Business and Industry for a manufactured home, mobile home or commercial coach when the previously issued certificate of title is unavailable; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth various requirements and restrictions relating to the issuance of a certificate of title 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) Under existing law, if a person who is applying for the issuance of a certificate of ownership for a manufactured home, mobile home or commercial coach from the Division is unable to present the previously issued certificate of title because it is unavailable, the Division is authorized to: (1) receive the application, examine the circumstances of the case and require the filing of affidavits or other information; and (2) issue a new certificate of title to the applicant when the Division is satisfied that the applicant is entitled to the certificate. (NRS 489.561) Existing law: (1) provides an additional procedure for obtaining a certificate of title if the applicant is unable to provide satisfactory information to the Division that the applicant is entitled to the certificate, which involves the provision of a bond by the applicant and an inspection by the Division; and (2) requires the Administrator of the Division to adopt regulations regarding this procedure. (NRS 489.562, 489.585) **Sections 2 and 3** of this bill require, under either procedure, the Division to either issue a new certificate of title to an applicant or deny the application within 45 days after the date on which the requirements for applying for a certificate of title have been completed. **Sections 2 and 3** require the Division to provide an applicant with written notification of and the reasons for the denial of the application. **Section 4** of this bill requires the Administrator to adopt regulations to establish an expedited process for the issuance of a new certificate of title by the Division under either procedure.

Existing law requires the Division to adopt regulations providing for fees for services provided by the Division. (NRS 489.481) **Section 1** of this bill specifically requires the adoption by regulation of a fee for the expedited process for the issuance of a certificate of title required to be established in **section 4**.

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 489.481 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 title ~~[,]~~ ***, including, without limitation, a fee for the expedited process for the issuance of a certificate of title required by NRS 489.585;***
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. 2. NRS 489.561 is hereby amended to read as follows:

489.561 ***1.*** 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 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]~~

2. Within 45 days after the date on which the Division ~~[is satisfied that the applicant is entitled to a certificate of title, or pursuant to NRS 489.562, it may issue the]~~ ***receives the application and any information required pursuant to subsection 1, the Division shall:***

(a) Issue to the applicant a new certificate ~~[on]~~ ***of title for*** the manufactured home, mobile home or commercial coach ~~[.]~~ ***if the Division is satisfied that the applicant is entitled to the certificate; or***

(b) Deny the application. If the Division denies the application, the Division shall provide written notification of the denial and the reasons for the denial to the applicant within 10 days after the denial.

Sec. 3. NRS 489.562 is hereby amended to read as follows:

489.562 1. If ~~[an applicant]~~ ***the application of a person*** who is seeking a certificate of 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 title pursuant to that section,]~~ ***is denied,*** the ~~[applicant]~~ ***person*** may ~~[obtain]~~ ***:***

(a) Submit an application for a new certificate of title ~~[from]~~ ***to*** the Division ~~[by:~~

~~(a) Filing]~~ ***pursuant to this section;***

(b) File a bond with the Division that meets the requirements of subsection ~~[3.]~~ ***4;*** and

~~[(b) Allowing]~~

(c) Allow 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. ***Within 45 days after the date on which the Division receives an application and bond pursuant to paragraphs (a) and (b) of subsection 1 and completes the inspection required pursuant to paragraph (c) of subsection 1, the Division shall:***

(a) Issue to the applicant a new certificate of title for the manufactured home, mobile home or commercial coach if the Division finds that:

(1) The bond meets the requirements of subsection 4; and

(2) The manufactured home, mobile home or commercial coach complies with the standards and other requirements set forth in paragraph (c) of subsection 1; or

(b) Deny the application. If the Division denies the application, the Division shall provide written notification of the denial and the reasons for the denial to the applicant within 10 days after the denial.

3. Any person damaged by the issuance of a certificate of 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.]~~ ***4.*** 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) Prior owner or lienholder of the manufactured home, mobile home or commercial coach, and his or her successors in interest;

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

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

➥ against any expense, loss or damage because of the issuance of the certificate of title or because of any defect in or undisclosed security interest in the applicant's right or title to the manufactured home, mobile home or commercial coach or the applicant's interest in the manufactured home, mobile home or commercial coach.

~~[4.]~~ ***5.*** A right of action does not exist in favor of any person by reason of any action or failure to act on the part of the Division or any officer or employee thereof in carrying out the provisions of this section, or in giving or failing to give any information concerning the legal ownership of a manufactured home, mobile home or commercial coach or the existence of a certificate of title obtained pursuant to this section.

Sec. 4. NRS 489.585 is hereby amended to read as follows:

489.585 The Administrator shall adopt regulations pertaining to:

1. ***The establishment of an expedited process for the issuance of a certificate of title pursuant to NRS 489.561 or 489.562;***

2. The issuance of a certificate of title pursuant to NRS 489.562; and

~~[2.]~~ ***3.*** The issuance and revocation of a certificate of title in beneficiary form and a change in beneficiary for such a certificate of title pursuant to NRS 489.564.

Sec. 5. 1. This section becomes effective upon passage and approval.

2. Sections 2 and 3 of this act become effective on October 1, 2025.

3. Sections 1 and 4 of this act become effective:

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

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

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