
ASSEMBLY BILL NO. 139—COMMITTEE ON COMMERCE AND LABOR
(ON BEHALF OF THE LEGISLATIVE COMMISSION’S SUBCOMMITTEE
TO STUDY MORTGAGE LENDING AND HOUSING ISSUES)

FEBRUARY 6, 2009

Referred to Committee on Government Affairs

SUMMARY—Requires the compilation, analysis and reporting of information concerning low-income housing and housing suitable for use by persons with disabilities. (BDR 25-225)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

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

AN ACT relating to housing; requiring the Housing Division of the Department of Business and Industry to create and maintain a statewide low-income housing database; requiring certain owners of residential housing units to report to the Office of Disability Services of the Department of Health and Human Services information concerning each unit of housing that is available and suitable for use by a person with a disability; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Under existing law, the Housing Division of the Department of Business and
2 Industry is responsible for increasing the availability of decent, safe and sanitary
3 housing for persons of low and moderate income in this State. (Chapter 319 of
4 NRS) **Section 3** of this bill requires the Housing Division to create and maintain a
5 statewide low-income housing database. The Housing Division may spend up to
6 \$175,000 each year for the database.
- 7 Under existing law, the Office of Disability Services of the Department of
8 Health and Human Services is responsible for, among other things, providing
9 access to information about services or programs that are available in this State for
10 persons with disabilities. (NRS 426.235) **Section 4** of this bill requires owners of
11 residential rental housing that is affordable housing or accessible to persons with
12 disabilities who have received government or other public money for that
13 residential housing to report at least quarterly to the Office of Disability Services



14 information concerning each unit of the housing that is available and suitable for
15 use by persons with disabilities.

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

1 **Section 1.** Chapter 319 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *“Person with a disability” has the meaning ascribed*
4 *to it in NRS 433.5473.*

5 **Sec. 3. 1.** *The Division shall create and maintain a*
6 *statewide low-income housing database.*

7 **2.** *The database must include, without limitation, the*
8 *compilation and analysis of demographic, economic and housing*
9 *data from a variety of sources that:*

10 **(a)** *Provides for an annual assessment of the affordable*
11 *housing market at the city and county level, including data*
12 *relating to housing units, age of housing, rental rates and rental*
13 *vacancy rates, new home sales and resale of homes, new*
14 *construction permits, mobile homes, lots available for mobile*
15 *homes and conversions of multifamily condominiums;*

16 **(b)** *Addresses the housing needs of various population groups*
17 *in Nevada, such as households that rent, homeowners, elderly*
18 *households, veterans, persons with disabilities or special needs,*
19 *homeless persons, recovering drug abusers, persons suffering*
20 *from mental health ailments and victims of domestic violence, with*
21 *each group distinguished to show the percentage of the population*
22 *group at different income levels, and a determination of the*
23 *number of households within each special-needs group*
24 *experiencing housing costs greater than 50 percent of their*
25 *income, overcrowding or substandard housing;*

26 **(c)** *Contains an estimate of the number and condition of*
27 *subsidized and other low-income housing units at the county level*
28 *and the identification of any subsidized units that are forecast to*
29 *convert to market-rate units within a 2-year planning period;*

30 **(d)** *Provides a demographic and economic overview by local*
31 *and county jurisdiction, if feasible, for the population of Nevada,*
32 *including age, race and ethnicity, household size, migration,*
33 *current and forecast employment, household income and a*
34 *summary relating to the effects of demographics and economic*
35 *factors on housing demand;*

36 **(e)** *Provides the number of housing units available to a victim*
37 *of domestic violence from any housing authority, as defined in*
38 *NRS 315.021, and from participation in the program of housing*



1 *assistance pursuant to section 8 of the United States Housing Act*
2 *of 1937, 42 U.S.C. § 1437f; and*

3 *(f) Provides the number of terminations of victims of domestic*
4 *violence in this State from the program of housing assistance*
5 *pursuant to section 8 of the United States Housing Act of 1937,*
6 *42 U.S.C. § 1437f.*

7 **3. The costs of creating and maintaining the database:**

8 *(a) Must be paid from the Account for Low-Income Housing*
9 *created by NRS 319.500; and*

10 *(b) May not exceed \$175,000 per year.*

11 **Sec. 4. 1. If an owner of residential housing that is offered**
12 **for rent or lease in this State and is:**

13 *(a) Accessible to persons with disabilities; or*

14 *(b) Affordable housing,*

15 *↪ has received any loan, grant or contribution for the residential*
16 *housing from the Federal Government, the State or any public*
17 *body, the owner shall, not less than quarterly, report to the Office*
18 *of Disability Services of the Department of Health and Human*
19 *Services information concerning each unit of the residential*
20 *housing that is available and suitable for use by a person with a*
21 *disability.*

22 **2. The Department of Health and Human Services shall**
23 **adopt regulations to carry out the provisions of this section.**

24 **3. As used in this section, “affordable housing” has the**
25 **meaning ascribed to it in NRS 278.0105.**

26 **Sec. 5.** NRS 319.030 is hereby amended to read as follows:

27 319.030 As used in this chapter, the words and terms defined
28 in NRS 319.040 to 319.135, inclusive, *and section 2 of this act* have
29 the meanings ascribed to them in those sections.

30 **Sec. 6.** NRS 319.510 is hereby amended to read as follows:

31 319.510 1. Money deposited in the Account for Low-Income
32 Housing must be used:

33 (a) For the acquisition, construction or rehabilitation of housing
34 for eligible families by public or private nonprofit charitable
35 organizations, housing authorities or local governments through
36 loans, grants or subsidies;

37 (b) To provide technical and financial assistance to public or
38 private nonprofit charitable organizations, housing authorities and
39 local governments for the acquisition, construction or rehabilitation
40 of housing for eligible families;

41 (c) To provide funding for projects of public or private nonprofit
42 charitable organizations, housing authorities or local governments
43 that provide assistance to or guarantee the payment of rent or
44 deposits as security for rent for eligible families, including homeless
45 persons;



1 (d) To reimburse the Division for the costs of administering the
2 Account; and

3 (e) In any other manner consistent with this section to assist
4 eligible families in obtaining or keeping housing, including use as
5 the State's contribution to facilitate the receipt of related federal
6 money.

7 2. Except as otherwise provided in this subsection, the Division
8 may expend money from the Account as reimbursement for the
9 necessary costs of efficiently administering the Account and any
10 money received pursuant to 42 U.S.C. §§ 12701 et seq. In no case
11 may the Division expend more than \$40,000 per year or an amount
12 equal to 6 percent of any money made available to the State
13 pursuant to 42 U.S.C. §§ 12701 et seq., whichever is greater. *In*
14 *addition, the Division may expend not more than \$175,000 per*
15 *year from the Account to create and maintain the statewide low-*
16 *income housing database required by section 3 of this act.* Of the
17 remaining money allocated from the Account:

18 (a) Except as otherwise provided in subsection 3, 15 percent
19 must be distributed to the Division of Welfare and Supportive
20 Services of the Department of Health and Human Services for use in
21 its program developed pursuant to 45 C.F.R. § 233.120 to provide
22 emergency assistance to needy families with children, subject to the
23 following:

24 (1) The Division of Welfare and Supportive Services shall
25 adopt regulations governing the use of the money that are consistent
26 with the provisions of this section.

27 (2) The money must be used solely for activities relating to
28 low-income housing that are consistent with the provisions of this
29 section.

30 (3) The money must be made available to families that have
31 children and whose income is at or below the federally designated
32 level signifying poverty.

33 (4) All money provided by the Federal Government to match
34 the money distributed to the Division of Welfare and Supportive
35 Services pursuant to this section must be expended for activities
36 consistent with the provisions of this section.

37 (b) Eighty-five percent must be distributed to public or private
38 nonprofit charitable organizations, housing authorities and local
39 governments for the acquisition, construction and rehabilitation of
40 housing for eligible families, subject to the following:

41 (1) Priority must be given to those projects that qualify for
42 the federal tax credit relating to low-income housing.

43 (2) Priority must be given to those projects that anticipate
44 receiving federal money to match the state money distributed to
45 them.



1 (3) Priority must be given to those projects that have the
2 commitment of a local government to provide assistance to them.

3 (4) All money must be used to benefit families whose
4 income does not exceed 60 percent of the median income for
5 families residing in the same county, as defined by the United States
6 Department of Housing and Urban Development.

7 (5) Not less than 15 percent of the units acquired, constructed
8 or rehabilitated must be affordable to persons whose income is at or
9 below the federally designated level signifying poverty. For the
10 purposes of this subparagraph, a unit is affordable if a family does
11 not have to pay more than 30 percent of its gross income for housing
12 costs, including both utility and mortgage or rental costs.

13 (6) To be eligible to receive money pursuant to this
14 paragraph, a project must be sponsored by a local government.

15 3. The Division may, pursuant to contract and in lieu of
16 distributing money to the Division of Welfare and Supportive
17 Services pursuant to paragraph (a) of subsection 2, distribute any
18 amount of that money to private or public nonprofit entities for use
19 consistent with the provisions of this section.

20 **Sec. 7.** This act becomes effective on July 1, 2009.

