



## **WORK SESSION DOCUMENT**

**Legislative Commission's Subcommittee to Study  
the Availability and Inventory of Affordable Housing**  
(Assembly Concurrent Resolution No. 11,  
File No. 97, *Statutes of Nevada 2005*)

**June 5, 2006**

This "Work Session Document" has been compiled by the staff of the Legislative Commission's Subcommittee to Study the Availability and Inventory of Affordable Housing (Assembly Concurrent Resolution No. 11, File No. 97, *Statutes of Nevada 2005*). It is designed to assist the Subcommittee members in determining which recommendations will be submitted to the Legislative Commission and be forwarded to the 2007 Session of the Nevada Legislature.

The document contains recommendations within the scope of the study that were presented in hearings and submitted in writing during the course of the study for the Subcommittee's consideration. The possible actions listed in the document do not necessarily have the support or opposition of the Subcommittee. Rather, these possible actions simply are compiled and organized so the members may review them to decide if they should be adopted, changed, rejected, or further considered. Sponsors of recommendations may be referenced in parentheses. Please note that specific sponsors of the recommendations may not be provided if the proposals were raised and discussed by numerous individuals and entities during the course of the study.

## RECOMMENDATIONS FOR LEGISLATIVE MEASURES

### 1. Housing Trust Funds

- Draft legislation to create a housing trust fund to provide money for affordable housing projects dedicated to workforce housing, targeted at families whose gross income is greater than 80 percent and equal to or less than 120 percent of area median income (AMI). The trust fund for workforce housing will be set up and administered in the same manner as the Account for Low-Income Housing (*Nevada Revised Statutes* [NRS] Chapter 319).

(Proposed by Assemblyman Marcus L. Conklin, Clark County, Assembly District No. 37, and Assemblywoman Marilyn Kirkpatrick, Clark County, Assembly District No. 1)

- Draft legislation to clarify that local governments may utilize money from the Account for Low-Income Housing to assemble and acquire property for the development of affordable housing.

(Proposed by the City of North Las Vegas)

#### **Tab A—Background Information for Recommendations Pertaining to Housing Trust Funds**

See attached memorandum to Chairman Conklin regarding NRS 319.510(1)(a).  
Copy of NRS Chapter 319 pertaining to the Account for Low-Income Housing.

### 2. Data Collection and Revision of Definitions

- Draft legislation to provide for the development and maintenance of a Statewide Housing Database as proposed by the Nevada Housing Database Partnership.
  - Allow existing revenue from the Account for Low-Income Housing to be used to provide funding for the database.
  - Include all housing, demographic, and economic elements required by ACR 11.
  - The Statewide Housing Database should also contain specific data on the number of housing authority units and Section 8 Housing Program units (Section 8 of the United States Housing Act of 1937 [42 U.S.C. Sec. 1437f]) that are available to victims of domestic violence, and the number of terminations of Section 8 housing vouchers of domestic violence victims. (This requirement could be modeled after similar language contained in Section 34328.1 of the *California Health and Safety Code*.)
  - Specifically require owners of rental properties in the State of Nevada currently receiving and/or those that have received funding from state, federal, or local

jurisdictions to report available disabled accessible units to the Nevada Housing Registry Web site. (This requirement could be modeled after similar language contained in Chapter 151B, Section 4(7A)(3) of the *Massachusetts General Laws*.)

(Proposed by the Nevada Housing Database Partnership and the Office of Disability Services with support from the Nevada Housing Coalition)

**Tab B—Background Information for Recommendation on Statewide Housing Database**

See operational plan submitted by the Nevada Housing Database Partnership.  
Copy of ACR 11.

Copy of *California Health and Safety Code* §34328.1, which addresses reporting requirements for public housing authorities in relation to victims of domestic violence.  
Copy of *Massachusetts General Law* Chapter 151B Section 4 § 7A(3), which addresses the Mass Access Housing Registry for disabled housing units.

See presentation submitted by Sherry Manning, Housing Development Specialist, Office of Disability Services, Governor’s Council on Developmental Disabilities.

- Draft legislation to amend various statutes throughout the NRS that relate to affordable housing to ensure consistency. Affordable housing should be defined as housing which is affordable to families whose income is equal to or less than 80 percent of the AMI; attainable housing should be defined as housing which is affordable to households whose income is greater than 80 percent and equal to or less than 120 of AMI. (See proposed conceptual language at Tab C.)

(Proposed by the Workforce Housing Subcommittee of the Southern Nevada Regional Planning Commission [SNRPC] and the Nevada Housing Coalition)

**Tab C—Background Information for Recommendation on Revision of Definitions Pertaining to Affordable and Attainable Housing**

Copy of NRS 278.0105 concerning the definition of affordable housing for purposes of planning and zoning.

See Proposed Legislative Initiatives submitted by the Workforce Housing Subcommittee of the SNRPC.

See Proposal for Addition of Definitions and References for “Affordable Housing” and “Attainable Housing” prepared by the Legal Division.

### **3. Mobile Home Parks**

- Draft legislation to extend the notice required by state statute to move a manufactured home from a mobile home park that is closing from 180 days to one year (possibly by amending NRS 118B.177 and NRS 118B.183).

- Draft legislation to require the submission of a resident impact statement by a mobile home park owner proposing to close or convert a mobile home park. The statement would be required to be submitted to and considered by the appropriate local zoning board, planning commission, or governing body. The statement should include a list of the names, addresses, and mobile home site identification numbers of all persons living in units within the existing park; an analysis of replacement housing needs or requirements for existing tenants; and an analysis of any sites proposed for relocated units.
- Draft legislation to provide funding for displaced manufactured home owners to receive a replacement unit of comparable size and amenities in a comparable mobile home park. The funding would be used to subsidize those manufactured home owners who (1) have received the fair market value of their manufactured home that cannot be moved for structural reasons or because there is no park willing to accept the home [similar language is found in subsection 3 of NRS 118B.177], and (2) are unable to afford a replacement unit.

(Proposed by Assemblywoman Chris Giunchigliani, Clark County, Assembly District No. 9)

**Tab D—Additional Background Information for Recommendations Regarding Mobile Home Parks**

See written remarks from Assemblywoman Chris Giunchigliani, Clark County, Assembly District No. 9.

Copy of NRS 118B.177 through 118B.183 relating to the closure and conversion of a mobile home park.

#### **4. Requests for Funding**

- Draft legislation to fund the Account for Low-Income Housing, Fund for Low-Income Owners of Manufactured Housing, and proposed workforce housing trust fund with a one-time appropriation from the current general fund surplus.

#### **5. Local Government**

- Draft legislation to require local governments to adopt fair share zoning practices. Fair share zoning requires local governments to develop a projection for the number of affordable housing units needed in that particular community, and requires that zoning ordinances be adopted or revised in order to accomplish the development of the number of units needed.

(Proposed by Assemblyman Marcus L. Conklin, Clark County, Assembly District No. 37)

- Draft legislation to clarify local governments may enact ordinances that provide for the acquisition, construction, improvement, rehabilitation, or expansion of affordable or attainable housing (possibly by amending NRS 244.189).

(Proposed by the Workforce Housing Subcommittee of the SNRPC)

- Draft legislation to require local governments to waive impact fees for developments, projects, or units designated as affordable housing.
- Draft legislation to clarify that local governments have the first option to acquire vacant or abandoned properties through the tax foreclosure process.
- Draft legislation to assist redevelopment agencies with regard to the bonding process. These changes would:
  - Allow parties aggrieved by the actions of a county assessor to appeal to the Nevada Tax Commission. Require that an appeal be decided within 30 days of receipt by the Commission.
  - Require a county assessor to reappraise all real property in redevelopment areas at least once per year, notwithstanding other existing provisions (such as NRS 279.676 and 279.678).
  - Require tax increment funds to be remitted to redevelopment agencies within a specific time period (possibly by amending 278C.250).
  - Grant local governments standing to refute reductions in assessed value of properties within redevelopment areas to Boards of Equalization.
  - Expand the applicability of NRS 279.685 by lowering the population threshold from 300,000 to 200,000 for cities and counties.

(Proposed by the City of Sparks and Assemblywoman Marilyn Kirkpatrick, Clark County, Assembly District No. 1)

**Tab E—Background Information for Recommendation on Redevelopment Area Assessments**

See letter from Robert F. Joiner, Government Affairs Manager, City of Sparks.  
Copy of NRS 244.189; NRS 279.676 and 279.678, NRS 278C.250, and NRS 279.685.

## RECOMMENDATIONS TO DRAFT A LETTER

### 6. Expressions of Support for Public Housing Policies

- Send a letter to each public housing agency urging consideration of a preference for admission of families that include victims of domestic violence, if they do not have such a preference already.
- Send a letter to each public housing agency directing their attention to and urging their compliance with the federal Violence Against Women Act of 2005.
- Send a letter to each participating jurisdiction urging them to use federal grants or funds received from the Account for Low-Income Housing to fund a bridge-gap source for persons currently in housing that are on a waiting list for a housing subsidy and that are at risk of becoming homeless or currently in a nursing facility and awaiting community transition.

#### **Tab F—Background Information for Recommendations to Draft a Letter**

See letter from Susan Meuschke, Executive Director, Nevada Network Against Domestic Violence.

See letter from Sherry Manning, Housing Development Specialist, Office of Disability Services, Governor's Council on Developmental Disabilities.