

MINUTES

ASSEMBLY COMMERCE COMMITTEE

February 16, 1977

Members Present:

Chairman Harmon  
Vice Chairman Mello  
Mr. Barengo  
Mrs. Hayes  
Mr. Moody  
Mr. Price  
Mr. Sena

Members Excused:

Mr. Demers  
Mr. Weise

Guests Present:

See Guest List attached.

The meeting was called to order by Chairman Harmon at 3:15 p.m. Vice Chairman Mello moved that the minutes of the meeting of February 7, 1977, be approved. Seconded by Mr. Sena and unanimously carried.

Assembly Bill 201

Assemblyman Darrell H. Dreyer, one of the sponsors of the bill, presented a letter from Rick Kuhlmeier and asked that it be made a part of the record. The letter is attached as Exhibit 1.

Mr. Dreyer explained that A.B. 201 puts more "teeth" in the present law. He also submitted proposed amendments to the bill which are attached as Exhibit 2. Mr. Dreyer presented all the new aspects of the bill regulating the relationship of landlord and tenants in mobile home parks and explained why these provisions were necessary for the protection of the tenants.

The next speaker in support of the bill was Althea Thomas of Clark County. She quoted from a report of Dan J. Quinan, State Fire Marshal, and from interviews with two members of the

Governor's Advisory Committee, on mobile home living. It is estimated that there are 175,000 to 200,000 people living in mobile homes in Nevada. These people generate \$15 million annually in general taxes. The investment in mobile homes amounts to approximately \$1,680,000,000 in Nevada, and people who own them come from all walks of life. All these mobile home owners and tenants need protection and they certainly support A.B. 201.

Mr. Ray Yannayon, President of the Mobile Home Owners' League of Nevada, a resident of Clark County, stated that the purpose of the league is to promote harmony between owners, managers and mobile home owners, and to formulate legislation that is favorable to both the mobile home park owner and a mobile home owner. Everything that is proposed in A.B. 201 is a result of current complaints by mobile home owners and directed to cover their needs. Mr. Yannayon also went over all the provisions in the bill.

Mr. Yannayon presented a letter from Michael L. Melner, Director, Department of Commerce, attached as Exhibit 3, and a memorandum to the Governor from Shelley Levine, Chief Assistant to the Director of Commerce, attached as Exhibit 4. Mr. Yannayon further stated that the amendments submitted by Mr. Dreyer are refinements that the Department of Commerce and the Consumer Affairs Division have suggested.

Florence Trout of Las Vegas also appeared in support of A.B. 201. She described her experience in being evicted from a mobile home park because of attempting to get some form of legislation that would protect the park tenants. The cost of moving to another park was over \$4,200 in addition to the great inconvenience.

Mary Van Kirk, Deputy Commissioner, Consumer Affairs, pointed out that while this bill was not initiated by their department, it is favored by the Governor and they have tried to give it as much input as possible. The majority of complaints come from the Las Vegas area and pertain mostly to lack of communication between owners and tenants. The tenants should know who the manager is, where he lives, what his responsibilities are and how he can be contacted. Many of the tenants are afraid to complain or to form groups to enact rules.

Charles Damus, attorney for Mobile Home Owners' League, assisted in drafting A.B. 201. Since mobile homes are no longer very mobile, owners are compelled to go to considerable expense and investment to set up a mobile home and yet are largely on a month to month tenancy. This bill is designed to protect the owners of mobile homes by attempting to encourage more long-term rental agreements.

## Assembly Committee on Commerce

Mr. Damus explained various portions of the bill. Mr. Barengo questioned why there was no fiscal note if the Consumers Affairs Division was to act as arbitrator. Ms. Van Kirk said it would take some time to evaluate but at the present time she feels it would take at least one additional person to handle the arbitration cases. Mr. Damus did not know why a fiscal note was not included.

Mr. Barengo further questioned Mr. Damus about Section 15, Subsection 2 (d) and asked if the rules and regulations would have to be followed by an owner of the park who also acted as manager. Mr. Damus said perhaps it could be amended to exclude a resident owner-manager.

Mr. Barengo commented that Section 7 on page 2 could be construed to mean that anything that interrupted utility services, even though not the landlord's fault, could become abatement procedures. Mr. Damus said that was not the intent of the section and perhaps it could be reworded. In a subsequent statement, Mr. Damus said he would like to change his statement and that the section did state the intent. He also felt that most of the parks were insured for this type of situation.

Mr. Joe Midmore, speaking for the Southern Nevada Mobile Home Park Association which has approximately 35 members, said they did not find any major difficulties with this bill and felt they could live with it. However, if the amendments submitted by Mr. Dreyer are considered, Mr. Midmore would like to be able to discuss them since they might go a little further than his clients would like. Chairman Harmon said that no action would be taken on this bill today and Mr. Midmore could go back and check with his clients.

Chairman Harmon further asked that Ms. Van Kirk ascertain what additional staff would be necessary if Consumer Affairs becomes arbitrator and submit such information to him in writing.

Mrs. Hayes pointed out that the Judiciary Committee passed out numerous bills that had to be prosecuted by the District Attorney's office but no fiscal note was required and she feels the committee would be "getting into a can of worms" if they talk about additional staff required for this bill.

Chairman Harmon said that Ms. Van Kirk had already stated that they could need additional staff. He does not want a bill passed out of the committee which requires a fiscal note and does not have one.

Mr. Mello stated this whole problem has been the downfall of many department and agency heads. They try to come through

the back door looking for legislation, well knowing that it will cost money but do not want to go to the budget committees to talk about it until after it is passed and is law. They then say because of the law they need money to enforce it. Ms. Van Kirk said she would talk to Mr. Melner. Mr. Mello informed Ms. Van Kirk he would like to talk to Mr. Melner personally.

Ms. LaVonne Selbach of Reno, a member of the Mobile Home and R.V. Association, appeared in opposition to the bill. One thing she objects to is permitting signs on the tenants' premises. Another objection is to the time limit on changing rules and regulations. Any complaint by a tenant concerning a violation of the safety or health code should be in writing, signed and dated.

The next speaker in opposition to A.B. 201 was Bill Kerns, operator of two Reno-Sparks parks. He feels that the whole society works on agreements. If he breaks the speed limit he is given a ticket for violating his agreement with the state. Mr. Kerns said he familiarizes each new tenant with requirements which must be met in his parks and these agreements must not be violated. Mr. Kerns then went over various provisions of the bill and explained his objections thereto.

Mr. Price questioned Mr. Kerns about various aspects of his operations. Mr. Price said that mobile home owners have a big investment in their homes and they should not be required to give up their rights because they have moved into a park. He felt that some of the landlord-tenant agreements are "like moving out of the United States" for the tenant.

Mrs. Hayes said that one of her constituents received an eviction notice from a park because she took envelopes for him to stuff during her campaign. She further stated she could not get into any of the parks to go door to door. Mr. Mello had the same experience.

Mr. Paul Havas, Sierra Shadows Mobile Home Community, also felt there were problems with the proposed legislation. He felt that Section 14 paragraph 3 could be more explicit. He questioned Section 7 since it did not give a valid interpretation of the landlord's responsibility. Mr. Havas also pointed out various sections of the bill he objected to.

Chairman Harmon requested Mr. Havas to submit his suggested amendments in writing in order that a subcommittee could take them into consideration.

Ms. Helen Close, owner of a mobile home park in Reno, appeared

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in oppositon to A.B. 201. A summary of her statement and suggestions is attached as Exhibit 5.

Mr. Barengo announced that he had just received a copy of The Mobile Home & Recreational Vehicle Arbitration Program of Northern Nevada and asked that it be reproduced and given to members of the committee. A copy is attached as Exhibit 6.

Chairman Harmon appointed Mr. Barengo, Mrs. Hayes and Mr. Price as a subcommittee to study A.B. 201 and prepare suggested amendments.

The meeting was adjourned at 5 p.m.

Respectfully submitted,

Jane Dunne  
Assembly Attache

GUEST LIST

<u>NAME</u> (Please print)	<u>REPRESENTING</u>	<u>WISH TO SPEAK</u>	
		Yes	No
MARY VAN KIRK	(201) CONSUMER AFFAIRS	✓	
ALTHEA THOMAS	201	✓	
RAY YANNAYON	201	✓	
Flora Trout	201	✓	
J. ...	201	✓	
McCl. Barber	201		
Don Christensen	Nev. Indian Lgl Services		✓
Ernest Adlen	NILS		✓
Evelyn ...			✓
ANDREW J HELLMAN		✓	
Roy ...	Consumer ...		
Walter Edmondson	AG		X
Tom Case	Central Telephone Company		X
Jeery Cockrell	Skylinc mobile Home Park		X
Joe ...	201		X
Shirley Richards	Sierra Shadows		X
M. E. ...	" "		X
Clifford ...	NEV. apt owners Assoc.	✓	
ALBERT CARTLIDGE	Nev. Ap's Assoc	✓	
Bill Cozart	Nev. Assoc of REALTORS		
Gene Milligan	" " " "		
Sallorne ...	Mobile Home & P.O. ...	✓	



3104 Demetrius  
Las Vegas, Nevada 89101  
February 14, 1977

Mr. Harley L. Harmon  
Chairman  
Committee on Commerce  
Nevada State Legislature  
Carson City, Nevada 89701

Dear Mr. Harmon,

I must apologise for not testifying in person before your Committee on Commerce on this very important matter. Unfortunately, I must attend a meeting in Las Vegas, and therefore do submit the following remarks in this letter.

As a homeowner, a person who has many close friends living in mobile homes and as a former candidate for the office of Assemblyman in District 14, which has some thirty percent of its residents living in mobile homes, I most strongly urge the passage of AB 201.

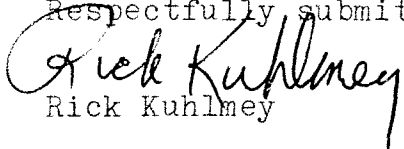
I have many close friends and acquaintances who have spoken to me of their problems when living in mobile homes and on several occasions I have been involved in trying to resolve those problems. They have always been either extremely difficult or impossible to resolve because of the lack of statutory authority necessary.

As a candidate, I met many more mobile home owners and became even more aware of the extent of these problems.

Mobile home owners are no longer transients, but stable residents fulfilling the same obligations as owners of homes of traditional construction do and deserving of the same respect under the laws of this State.

I believe the provisions contained in AB 201 will provide the statutory authority so necessary for these fine stable residents of the State of Nevada to live in their homes in peace, without the worries they have so often expressed to me.

Thank you for your consideration of these matters.

Respectfully submitted,  
  
Rick Kuhlmeier

RFK:rk



ON PAGE ONE..LINE SEVEN...AFTER THE WORD REGARDING...ADD THE WORDS..  
"BUT NOT LIMITED TO"

PAGE ONE LINE TEN..AFTER THE WORD BY, INSERT..AND RESTRICTIONS ON"

PAGE ONE LINE 11...added after lot rental.."AND RESPONSIBILITIES FOR  
MAINTENANCE AND REPAIRS."

PAGE ONE AFTER LINE 15..ADD TWO NEW SUB SECTIONS...

7..MAINTENANCE AND IMPROVEMENTS ON THE MOBILE HOME LOT WHICH  
THE TENANT IS REQUIRED TO PERFORM.

8..SECURITY, LAUNDRY AND RECREATION AREAS TO BE PROVIDED OR  
MAINTAINED BY THE LANDLORD.

PAGE TWO..LINE 18...AFTER THE WORD TENANCY..ADD.."AND TO ALL TENANTS WHO  
COMMENCED POSSESSION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION."

PAGE TWO..LINE 30..AFTER THE WORD TENANT...ADD..."AND RETURN BALANCE WITHIN  
21 DAYS.

PAGE TWO...AFTER LINE 43...ADD A SUBSECTION 3..WHICH WILL READ...

3..COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE BUILDING,  
SAFETY AND HEALTH CODES OR OTHER REGULATIONS PERTAINING TO MOBILE HOME  
PARKS.

PAGE THREE..AFTER LINE 33..ADD A NEW SUBSECTION 6 WHICH WILL READ

6..THE TENANT HAS FAILED OR REFUSED TO GIVE WRITTEN CONSENT TO  
A RULE OR REGULATION ADOPTED OR AMENDED AFTER THE TENANT HAS ENTERED INTO  
THE RENTAL AGREEMENT.

PAGE FOUR LINE 48...change subsection a to read.

(a) FAILURE OF THE TENANT TO MAKE REASONABLE EFFORTS WITHIN  
14 DAYS TO CORRECT ANY NONCOMPLIANCE WITH A LAW ORDIANCE OR  
GOVERNMENTAL REGULATIONS PERTAINING TO MOBILE HOMES...

PAGE FIVE LINE 25...add a new subsection E which reads.."IT SHALL BE THE  
LANDLORD'S OBLIGATIONS TO ENFORCE ALL RULES AND REGULATIONS."

PAGE FIVE LINE 30..AFTER WORDS TENANT CONSENTS TO IT..INSERT THE WORDS  
"IN WRITING"...

PAGE SIX..LINE 2 subsection b..AFTER THE WORD INCREASE..~~LET~~ INSERT THESE  
WORDS..."AND THE REASON FOR THE INCREASE."



STATE OF NEVADA

DEPARTMENT OF COMMERCE

NYE BUILDING, ROOM 321  
201 SOUTH FALL STREET  
CARSON CITY, NEVADA 89710  
(702) 885-4250

DIVISIONS  
BANKING  
CONSUMER AFFAIRS  
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FIRE MARSHAL  
HOUSING  
INSURANCE  
REAL ESTATE  
SAVINGS AND LOAN

MIKE O'CALLAGHAN  
GOVERNOR  
MICHAEL L. MELNER  
DIRECTOR

February 3, 1977

Senator Floyd R. Lamb  
Room 233 Legislative  
Building  
Carson City, Nevada 89710

Dear Senator Lamb:

During hearings before your committee on the Consumer Affairs Division budget, you asked this department to develop legislation to protect the rights of tenants in mobile homes.

I had Shelley Levine review the matter, meet with attorneys for mobile home park tenants associations, and develop proposed legislation. She met with Chuck Damus of the Silver State Mobile Home Tenants Association. He advised her that his association had assisted Assemblyman Dreyer in the preparation of AB 201, which was introduced in the Assembly on January 31, 1977.

Shelley has suggested some additions to the bill which would further effectuate solution of the problems you mentioned during the budget hearings.

I have discussed this matter with Governor O'Callaghan. He strongly supports this legislation and has asked this agency to assist both you and Assemblyman Dreyer in any way that we can to protect the rights of mobile home tenants. Please let us know what we can do.

Sincerely,

Michael L. Melner  
Director

MLM/JK

c: Assemblyman Darrell H. Dreyer  
Shelley Levine ✓  
Rex Lundberg  
Mary VanKirk

Governor Mike O'Callaghan

Shelley Levine, Chief Asst to Dir of Commerce

2/2/77

Mobile Home Legislation

In mid-September 1976, I received a letter from Mrs Cleve Kaufman regarding the service problems she and several other residents of the Tropicana West Mobile Home Village were experiencing. I immediately responded to the letter with a phone call and later, a personal meeting with Mrs Kaufman. At that time she further explained the unpleasant conditions under which she and other residents were living. A tour of the park convinced me that these people had a legitimate problem.

I then called the manager of the mobile home park, Mr Hammershlag, who invited me to tour the area. Although he showed me the exact same things that Mrs Kaufman did, his explanation of the situation was quite different. He assured me that he was doing everything possible to rectify the problem and bring the park up to "four-star quality".

Another month went by, and I began receiving several telephone calls and letters from other irate residents of the park. Not one of the promises Mr Hammershlag made had been fulfilled. A call to him brought the same response as our first meeting. He was doing all he could, but the tenants were extremely uncooperative. One of the most prevalent tenant complaints is that Mr Hammershlag is uncooperative and even hostile.

Realizing that all parties had reached an impasse, I contacted the absentee owner, Mr Wenner, in Los Angeles. He listened to the problems and consented to attend a meeting December 7, at the mobile home park between the tenants and management.

As I became more involved with the problems at the Tropicana West Mobile Home Park, several complaints regarding other parks in Las Vegas were channeled to me, and I began touring those parks as well. I have also met and have attended several meetings with Mr Ray Yannayan who is the President of the Silver State Mobile Home Tenant's Association.

It is apparent that the conditions at the Tropicana West park are not unique. All the parks are plagued with the same problems. The most obvious appear to be:

- 1) lack of enforcement of park rules and regulations;
- 2) lack of communication between tenants, managers and owners;
- 3) no supervision of children and pets;
- 4) unsanitary and unsafe recreational and laundry facilities;
- 5) poor lighting and security;
- 6) unsanitary and unsafe empty lots and public areas;
- 7) no posting of existing mobile home park laws.

I attended the December 7 meeting at the Tropicana West park. It was unsatisfactory. Nothing was resolved, and the tenants left the four hour meeting more frustrated than ever.

The following week, I accompanied Mr Yannayon to a meeting with Mr Hammerslag. A change in his attitude was evident. He expressed the desire to cooperate with the tenants.

In early January, I initiated a meeting between Wenner, Hammerslag, Yannayon and myself to discuss the progress being made in the Park. It was a very cheerful meeting, and I thought we were making great strides in improving conditions. The next day, however, I received several calls from tenants complaining that nothing had been done as of that date to correct the problems.

I could continue, but I'm certain that you get the picture of what's going on. My recommendation is that the Governor meet with Mrs Kaufman and Mr Yannayan and listen to their problems. They are representative of several thousands of people in Nevada who live in mobile home parks with little legal protection. These people are extremely demoralized and I believe speaking with the Governor will be beneficial.

Although several thousand families live in mobile homes, there is very little legislation to regulate the rights and obligations of the parties. Assemblyman Dreyer has just introduced a good piece of mobile home legislation as AB 201. The Governor should support this necessary bill.

Ref: A. B. 201

SEC. 2

1. Duration of tenancy---this is an unknown

SEC. 3

1, 2, and 4 explain

SEC. 5

6. Deposit, term of rental agreement generally is not known, maybe one month or years This leads to a lease which some tenants and managers do not want. This bill could create rental problems, not being able to take a deposit for utilities or cleaning and or security, unless a tenant would stay over 6 months. Nevada is a transient State, floaters would soon learn this way to beat management, moving around is their customary habit, also those that are looking for work. Customers could easily take advantage of property owners.

SEC. 16

1. Pets, This bill would permit tenants to babysit friends' pets to avoid boarding bills, would permit tenants to require management to do the clean up after their pets, without charge, would permit tenants to breed animals, which they sometimes do go into this business. Spaces are constantly changing, more tenants than ever do not want to rent where animals have been kept, this is an expensive change in removing animal runs and re-installing them in different spaces.

I have old people, some are deaf, their pet is their ears. Presently, their space does not have a dog run. Owners would not use it anyway, as the pet is part of the family, the neighbor does not want the run near his lot either. There would be no control of pets unless they are registered in the office, thereby alerting mgm. to watch for unsanitary conditions, and or dogs running loose. If this bill is passed in present form I would have to make some serious changes, as one example: Will mgm. be required to build a dog run where there is presently a pet, or run the risk of not having the tenant register the pet and learning at a later date that many dogs now live at that space, etc. No controls would be very serious. After 20 years in park management I will say that the only way to control pets is to require that they register each one and pay a small fee for general complaints, supervision and control.

In so doing the customer does not take in boarders, in the case of one park in town, built into the mobile home were rabbit hutches. A business was existing.

I personally had a music teacher keeping a pet goose in her mobile home, --until I found out about it and threatened to put it in the pot if I saw it again etc.

2. Rent increases, to all tenants the same amount, is wrong. Spaces being different, conditions being different, improvements and locations different. One tenant may want a large well landscaped yard with all the amenities and services, such as the gardner, et yet another might have a very old, but paid for, 8 wide trailer, living on a limited income and cannot afford much else, is it possible that the State laws require that they should have a rent increase because of the first mentioned tenant.

SEC. 16 (cont)

Many older parks have newer sections, there is no comparison in old and new spaces. I would not like to be guilty of moving senior citizens out of their little home and sending them on their way to live with children or worse a welfare type of home because they could not afford the more affluent type of living with the requested amenities that exists today in the new luxurious parks. To say their rent increases should be the same is a question up to management, not to a State law.

It is well known that there is a problem with absentee management in the larger parks, where as the owner never sees the development, it is only an investment. It is my belief that these problems are caused by unscrupulous managers hired by the investor, and without the consent of the absentee owner, can be and must be dealt with in another manner, instead of taking management away from the resident park owner-manager who is honest, ethical and dedicated to the operation of his business.

SEC. 16

2B Rent increase notice. Thirty days is ample. One reason being that 60 days in advance for the inflationary management increases given to the park owner do not reflect a 60 day notice. One example is my sewer bill increased 100% or (\$6500.00) without 60 days notice. Real estate taxes increased will be another eye opener as well as utility increases given without 60 day notice. The bill in present form will create an equity problem in timing for the increases.

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DESIGNER-BUILDER - HELEN CLOSE

Exhibit 5 (Page 2)  
Minutes of February 16, 1977

THE  
MOBILE HOME & RECREATIONAL VEHICLE  
ARBITRATION PROGRAM

Sponsored By: Better Business Bureau of Northern Nevada, Inc.  
and  
Mobile Home and RV Association of Nevada

1. NAME

This program shall be known as the Mobile Home and Recreational Vehicle Arbitration Program.

2. PURPOSE

The purpose of the program is to arbitrate complaints of customers of participating firms that have not been resolved in the normal handling by either the participating firm or the Better Business Bureau. Complaints submitted for arbitration shall be limited to those where allegations are made of incomplete or unsatisfactory service after the sale.

3. PARTICIPATION

Participation in the program shall be limited to those mobile home and recreational vehicle firms and service companies that are members of the Mobile Home and RV Association of Nevada.

4. OPERATION

The Better Business Bureau will handle all written complaints involving members of the Mobile Home & RV Association of Nevada. In each case the Better Business Bureau will attempt to resolve the complaint in the normal manner. Should the complaint be unresolved as a result of normal handling, and the complaint falls within the type described in the PURPOSE section of this program, the complainant will be invited to submit the matter to the Arbitration Panel.

Should the customer elect to submit the complaint to the Arbitration Panel, the Better Business Bureau will provide the customer with a special complaint form on which detailed information can be obtained. The customer will be asked to sign a statement contained on the form to the effect that he agrees to abide by the decision of the Arbitration Panel. Should the customer decline to complete the form or sign the statement agreeing to abide by the decision of the Arbitration Panel, the Better Business Bureau will not proceed further in the matter. However, should the customer complete the form and return it to the Better Business Bureau, with his signed agreement to abide by the decision of the Arbitration Panel, the complaint will then be submitted to the participating firm on whom the complaint is against, to obtain his written response. The participating dealer will also be asked to sign a statement in which he also agrees to abide by the decision of the Arbitration Panel. (This signed statement by the firm will be in addition to the signed pledge given to the Mobile Home and RV Association of Nevada in which the firm pledged to submit disputed complaints to arbitration and to abide by the decision of the Arbitration Panel)

5. PROGRAM PANEL

A Program Panel, composed of three (3) members of the Board of Directors of the Better Business Bureau of Northern Nevada, Inc., chosen by the Better Business Bureau, and three (3) members of the Mobile Home & RV Association of Nevada, chosen by that association, will, at the request of the General Manager of the Better Business Bureau, or his designee, or at the request of an Arbitration Panel Chairman, review submitted complaints to determine:

- (a) That the substance of the complaint is included within the provisions of the PURPOSE section of this program;
- (b) That the issues presented by the complaint for determination by an Arbitration Panel are not of such complexity that the matter might be more reasonably reserved for judicial action in the proper courts; and

- (c) That a fair determination of the issues presented will not require the physical inspection of a mobile home or recreational vehicle which is located, in the opinion of the Program Panel, an excessive distance from Reno, Nevada.

If at least three (3) members of the Program Panel agree that the complaint is appropriate for consideration by an Arbitration Panel pursuant to the provisions of this program, the General Manager of the Better Business Bureau, or his designee, shall submit the complaint to an Arbitration Panel.

If the parties to a complaint agree, the Program Panel may narrow or limit the issues presented by such complaint in a manner designed to render the complaint appropriate for consideration by an Arbitration Panel, pursuant to the provisions of this program.

6. ARBITRATION PANEL

To insure impartiality, an Arbitration Panel shall be composed of two (2) dealer members and one (1) lender member of the Mobile Home & RV Association of Nevada; three (3) consumers; and one (1) member of the Board of Directors of the Better Business Bureau of Northern Nevada, Inc. A representative of the Better Business Bureau of Northern Nevada, Inc. shall serve as Chairman of the Arbitration Panel, but will take no part in the decision making. A vote by the majority of the Arbitration Panel shall determine the Panel's decision.

The Chairman shall select the dealer and lender representatives on the Arbitration Panel from a roster of the members of the Mobile Home & RV Association of Nevada. The Chairman shall select the consumer representatives on the Arbitration Panel from among the members of the Consumer Section of the Better Business Bureau of Northern Nevada, Inc., or from other groups or organizations whose members express an interest in serving in such capacity. The Chairman shall select the Better Business Bureau Board of Director representative on the Arbitration Panel from a roster of the members of the Board of Directors of the Better Business Bureau of Northern Nevada, Inc.

The Chairman may also select one (1) or more Technical Advisors, as necessary, to assist the Arbitration Panel in determining the facts. Such Technical Advisors shall not be members of the Mobile Home & RV Association of Nevada, and shall not have a vote on any Arbitration Panel decision.

Should it become necessary to perform a physical inspection of the mobile home or recreational vehicle involved in the complaint, the Arbitration Panel, or a segment of it, will be dispatched to the location of such mobile home or recreational vehicle. Such physical inspection shall be limited, however, to those areas within the greater Reno, Sparks and Carson City areas. In the event a segment of the Arbitration Panel is dispatched to such location, it shall present an inspection report of its findings to the full Arbitration Panel.

To further insure impartiality, the Better Business Bureau will not reveal to the voting members of an Arbitration Panel the names of the firm or customer involved in the complaint, nor will it reveal the names of the members of the Arbitration Panel to the customer or firm involved in the complaint. The Chairman shall not select any representative to serve on the Arbitration Panel that is involved in the complaint to be arbitrated.

Both the involved firm and customer will be notified of the findings of the Arbitration Panel and shall abide by the decision rendered.

7. FEES

A fee of \$50.00 will be charged to cover the cost of arbitration. Fees will be paid to the Better Business Bureau of Northern Nevada, Inc. by the Mobile Home & RV Association of Nevada, who in turn will request reimbursement for said fee from the firm involved. Fees are subject to change depending on the Better Business Bureau's administrative cost experience. No fees will be charged to the customer whose complaint is presented for arbitration.



8. APPEARANCE BEFORE ARBITRATION PANEL

The parties to a complaint submitted for arbitration will not be permitted to appear before the Arbitration Panel, either personally or by an attorney. The parties may submit any reports or other documentation they desire, which shall be considered by the Arbitration Panel in reaching its decision.

9. ADVERTISING

No firm or trade association within the mobile home or recreational vehicle industries may utilize advertising or other promotional materials which make any reference, express or implied, to the Better Business Bureau of Northern Nevada, Inc., or the Better Business Bureau, unless:

- (a) Such firm is a member of the Mobile Home & Recreational Vehicle Association of Nevada; and
- (b) The management of such firm has presented such material to the Better Business Bureau of Northern Nevada, Inc. and has obtained approval from the Bureau for the use of such material.

The provisions of paragraph (b) of this section apply to any promotional or advertising material intended to be utilized by the Mobile Home & Recreational Vehicle Association of Nevada.

10. CANCELLATION OF PROGRAM

If either the Better Business Bureau of Northern Nevada, Inc. or the Mobile Home & RV Association of Nevada, in the opinion of the Board of Directors of either organization, believes that the continued existence of this program is not in the best interest of their organization, they may, after providing thirty (30) days written notice to the other, cancel its participation in the program.

If the program should be cancelled, as provided, neither the Mobile Home & Recreational Vehicle Association of Nevada, any of its members, nor any other person or firm in the mobile home or recreational vehicle industries may use any oral or written representations which suggest or could be expected to suggest, to a reasonable man, that the Better Business Bureau of Northern Nevada, Inc. is sponsoring or in any manner endorsing any means of settling disputes within the industry.

11. RESPONSIBILITY

Members of the Program and Arbitration Panels will serve at the request of the Better Business Bureau of Northern Nevada, Inc., and such members will furnish their time, knowledge and expertise voluntarily and without compensation.

12. PROCEDURES

The Better Business Bureau of Northern Nevada, Inc. shall establish procedures and necessary forms to implement the provisions of this program.