

ASSEMBLY COMMERCE SUBCOMMITTEE MINUTES  
Monday, April 18, 1977

PRESENT: ASSEMBLYMAN PRICE

GUESTS: John Pisciotta, Director, Building and Safety,  
Clark County  
David Hoy, Northern Nevada Mobile Home Dealers  
Richard Hoy, " " " " "  
Pam Wilmore, Department of Commerce  
Larry Johnson, " " "  
Mike Mellnor, Director, Department of Commerce  
Lynn Krupp, Washoe County Building and Safety  
Tom Terry, Sun City Mobile Home Dealers;  
Home Sales in Las Vegas  
Roland Tate, Chief Building Inspector, City of North Las Vegas  
Mrs. Olsen, mobile home transport operator

Assemblyman Price called the meeting to order at 9:15 a.m. and explained that the purpose of the subcommittee meeting was to hopefully work out whatever difficulties each entity had with SB 474 and AB 607. He stated that he had received several letters from people concerned with methods of inspections of mobile home installations. He said the responsibility of inspections two years ago had been given to the Fire Marshall. He felt the Legislature, at that time, didn't realize that this responsibility could be passed onto private third-party inspectors.

Pam Wilmore of the Department of Commerce, stated that though the Fire Marshall retains the same employees, the Commerce Department, in order to properly inspect mobile home installations, was required to hire third-party inspectors which is allowable under the statutes. She said that though the local building departments were contacted, Clark County inspectors did not want this responsibility and when they were doing it, were not doing it on a "same day" basis. She said she doesn't know what the problems are in Clark County; that 501-A is a very broad document. She said that the problems in mobile homes are extensive and that the Commerce Division does not have enough people to cover all mobile home parks. She continued by saying that SB 474 mandates that the Division promulgate rules and regulations and enforce inspections. Senator Hilbrecht, she pointed out, would like to see the cities and counties do the inspections.

She said their inspections cover only to the pedestal point and it is very important that their Division promulgate the rules because they must conform to HUD regulations and standards. She also said that manufacturers want only one set of standards which also must be coordinated with HUD. She said the Commerce Division is not in the best position to say what is the best method of installation. To Mr. Price's question, she said that no request had been made of the present Legislature for additional staff for inspections.

Mr. Price also asked Ms. Wilmore how the \$20 inspection fee was established. She said that it was established at a public hearing. She said there is a bill pending in the Legislature to give them authority

to raise this fee, but she doesn't know where it is. Mr. Price asked Ms. Wilmore how, when they hire a third-party inspector, they can be assured that he is qualified. She said that she asks Mr. Johnson from the Department of Commerce or Mr. Bates to interview the third-party inspectors to see what kind of work they do.

Mr. Roland Tate, Chief Building Inspector of the City of North Las Vegas, said that in the past the problem has been with inspections in mobile home installations. Either the inspectors have not been knowledgeable about plumbing and electrical work or these connections have been disregarded. He said many hazardous conditions exist. He said he has no questions about the mobile home itself, but that he is concerned with the mobile home standards and installation of mobile homes when they are set in the mobile home parks. That is his prime problem.

Mr. Price asked Mr. Tate if he was saying that inspectors representing the State have approved faulty installations of third party inspectors. Mr. Tate said that he knows of five installations that were inspected and were left in a very unsafe condition.

Mr. Price asked Mr. Tate if he had any objections to city inspectors contracting with the state to perform inspections under Federal and state regulations. Mr. Tate said that he felt the local authorities should have jurisdiction over installation of mobile homes in parks in compliance with local codes. He said this cannot be done with the trailer or mobile home or recreational vehicle because they are in transit, but a park doesn't move. He said the original intent of the Legislature was to allow mobile homes or trailers to travel anywhere in the state and be acceptable by all state standards. Therefore, it is logical that the mobile home should be inspected by the state and given a seal by the state which would be accepted by all cities and counties in the state. This doesn't apply to the park; it stays within the local jurisdiction. Connection standards are set up in the various codes adopted in both SB 607 and AB 474. He said the City of North Las Vegas could live with SB 607 and AB 474 is a vehicle by which the city can operate because it does not include connections of mobile homes to the park itself.

He said that Section 8 in SB 474 overrides the city and county zoning ordinances and should be amended to say that mobile homes and recreational vehicles should only be allowed in the properly zoned areas. AB 607 covers this. He answered Mr. Price's question re licensing by saying that only those persons moving trailers onto a site are licensed. Mr. Price asked if there are electricians involved in installation of the mobile homes who are not licensed. Mr. Tate said that there are electricians who are not licensed and hold no state certification.

Mr. John Pisciotta of Clark County Building said that he tried to work out a program with the Fire Marshall which lasted about four or five months. Problems then were encountered with the third-party inspectors which were passed onto the consumer. The inspection fee was

\$35.00, \$10 of which was returned to the Fire Marshall and the county retained \$25.00. The third-party inspector picked up "the gravy", he said, and the county would do all the work. He said that he and Mr. Johnson would sometimes do from 30 to 40 inspections a day because the county backed out of the responsibility. He complained that constant changes made in the rules and regulations by the state were very confusing and difficult to enforce.

He said that Clark County is 100% agreeable to enforce the provisions of SB 474, but they must be able to prosecute violations. A third-party inspector cannot prosecute violations, but the county, with the aid of the District Attorney, is in a position to do this.

Mr. Lynn Krupp, Chief Building Inspector for Washoe County, stated there were many objections to rules and regulations when they were set up covering inspections in Washoe County, though the better mobile home dealers understood the problems. He approved of a state-wide code with minor adjustments for individual areas. He said these standards have been in the process of being drawn up for three or four years and though they are "pretty good", they have a long way to go, though they're on the "right track". He said that he does not believe in third-party inspectors and doesn't think the government has the right to forego inspections and all inspection agencies in the state should uphold standards and regulations.

To Mr. Price's question, Ms. Wilmore said that the Commerce Division presently does not have an inspector and county inspector in the same place to avoid duplication. She said "Old Orchard" now does the inspections because the county refuses to do them.

Mr. Krupp said that Washoe County charges \$106 for inspections in Gerlach; \$20 for the seal; \$16 per hour for the inspector and 10¢ per mile. Reno Park is \$43 or \$47, 16 miles each way. He said on a private dwelling of 1500 square feet, the permits total about \$300 which includes six inspections. Fees in Washoe County, he said, are not excessive. He said the fees include only one inspection and if a second inspection is necessary because the mobile home is not ready to be inspected, another application is required with an additional fee. He said this is required because inspectors often made several trips to inspect mobile homes only to find that they were not ready to be inspected.

He admitted that the owner eventually pays the fees and that since they have no third-party inspectors, they have encountered no complaints.

Mr. Price asked about inspections in outlying areas. Ms. Wilmore said that this is where the services of a third-party inspector are advantageous. She said that \$100 is a top fee for these areas.

Mr. Price said that he hopes all problems are worked out before the bill returns to the Assembly Commerce Committee.

Mr. Krupp said that Section 8 of SB 474 could give a free set up for a mobile home and this could include local regulations.

Mr. Larry Johnson of the Department of Commerce said that locals have had 30 years in which to set up regulations and have done nothing. Now that the state is into these inspections, the local entities want them. He said that counties never reported problems to him with third-party inspectors even though he had asked them to. He said there are at least 50 mobile homes that have been inspected that are still hazardous. He said the state has no jurisdiction over older trailer parks though the local authorities do. Mr. Leek, the 3rd party inspector, he said, has been in business for 13 years and is very qualified. He said Mr. Leek could be removed if North Las Vegas would do their own inspections under the state's regulations. He said the state does not inspect underground wiring in mobile home parks; that they only inspect to the pedestal and have nothing to do with the parks. These inspections are referred to zoning or building departments.

Mr. Price asked who has jurisdiction if there is electrical wiring 50 feet away from the pedestal for a large mobile home and it is underground wiring. Mr. Johnson said that that is locally controlled by the county. Mr. Pisciotta said that their cut-off is at the pedestal. Mr. Larry Johnson said that their responsibility extends for 36-1/2 feet but does not cover underground wiring.

Mr. Price asked how it was known if the people doing underground work are qualified if the counties' cut-off is at the pedestal. Mr. Johnson said that they are trying to license these people as they have in the past. Mr. Price said that there should not be a "gray area" in this important safety area. He felt there was a problem if they allow flexible pipe to be laid on boards. Ms. Wilmore stated that the intent of this bill is to give the Department of Commerce the authority to make regulations; it doesn't say what the regulations will be. Mr. Price said there is a difference between setting up standards for the mobile homes and standards for hook-ups on those homes.

Mr. David Hoy spoke of possible amendments to SB 474. He said that AB 607 proposes to take out the references to NFPA 501-A with respect to mobile home parks. Testimony has indicated the only reason that the Fire Marshall ever sought to have that authority, he said, is to regulate the installation of the mobile homes. He continued, as had been indicated, nobody within the mobile home industry or the Department of Commerce or Fire Marshall's Office ever has attempted or wanted to regulate the installation, the building construction of mobile home parks. He said that what has been sought by the industry is a system whereby the regulation of installation and the inspection of installation throughout the state is uniform. He didn't think that the industry has any preference as to whether it's third-party or state or local government. He said the only requirement that industry has is

that it be uniform, that it be efficient and that it be reasonably inexpensive to the consumer. Delays in inspections and different standards or high costs hurt their business, he said. He said it works very well in Washoe County as well as outlying areas, both with local inspectors and third-party inspectors.

He suggested that in Section 27 of SB 474 a provision be included that the local governments shall retain jurisdiction over the construction of the mobile home park so that there is no question but that the local government agencies have jurisdiction over the inspection, installation and construction of the park itself. And, he continued, that from the pedestal to the coach itself, the regulations of 501-A are applicable. He assumed that the people who promulgated 501-A and the National Mobile Home Construction and Safety Standards Act have done some tests that will apply.

Regarding Section 8, he said it was never the intent to say that the local zoning is not applicable. Conversely, he said, the provision of AB 607, in Section 3, says that the mobile home is not required to comply with local building codes or ordinances so long as it's in properly zoned areas. He assumed that the effect of that is if it's not in a zoned area, then it must meet the building code. He didn't think that this was the intent; the intent, he thought, was that if it's not in a zoned area, it shouldn't be there and should be removed. He suggested that in SB 474, on line 14 on page 2, insert:..he complies with all applicable standards of zoning, sanitation, water, plumbing and electrical.

He then felt that the second half of AB 607 could be eliminated.

Mr. Tom Terry spoke on behalf of mobile home dealers and said that they have no qualms about the jurisdiction of inspections being placed with local entities as long as the standards they use are uniform. He said that consumers are sometimes held up for from 7 to 10 days waiting for inspections. He also pointed out that the many interpretations and changes in the regulations were a problem which led to much confusion and proper enforcement. He said that the statutes now authorize the licensing of installers. He agreed with Mr. Hoy's suggested amendments.

Mrs. Olsen, a licensed mobile home transporter, expressed her feelings regarding the high expense of inspecting out-of-the-area owners of mobile homes. She said this is a burden for people on fixed incomes, especially in the winter. She said an inspection could run up to \$130.00 from Washoe County. This is after the hook-up is made by a licensed installer from Washoe County. She would like to see a uniform law which would apply to the entire state, not just within each county.

To Mr. Price's question, she replied that the consumer ends up paying the cost of the inspection. She said that her company just sets up the mobile home but does not have anything to do with the utilities; that the owner must obtain his own licensed installer for that job.

Ms. Wilmore stated that she would be glad to meet with the representatives from Clark County and Charles Bates to hopefully come to a meeting of the minds on the bills.

Mr. Price stated that he felt it reasonable to amend Section 8 by adding zoning and third-party inspectors being retained in outlying areas. He also advised Ms. Witmore that her office should be looking to get more staff; that he wasn't at all comfortable with the State passing this responsibility off onto the third-party inspectors. He asked, "How does a consumer know who to complain to?"

Mr. Larry Johnson stated that he felt the counties and cities should do their own inspections where they can and leave the outlying areas to the state. Mr. Price stated that he recognized the need for third-party inspectors but maintained that the state should do its own.

Mrs. Olsen stated that some third-party inspectors have never set up mobile homes and have no idea of what they're doing.

Ms. Wilmore agreed that not all third-party inspectors are completely qualified, but that the Commerce Division is trying to improve the situation and asked for a meeting with the other people concerned with the matter.

Chairman Price adjourned the meeting at 10:45 a.m.

Respectfully submitted,

PHYLLIS BERKSON