

Members Present:

Chairman Hayes
Vice Chairman Stewart
Mr. Banner
Mr. Brady
Mr. Coulter
Mr. Fielding
Mr. Horn
Mr. Malone
Mr. Polish
Mr. Prengaman
Mr. Sena

Members Absent:

None

Guests Present:

Kirk L. Adams
Albert Cartlidge
Cal Dunlap
Virginia Edwards
Martha Fleischmann
Toni Hensley
John Holmes
Ernest Jesch
Gene Milligan
Steve Parsons
Ted Scharf

Thomas Day School
No. NV Apartment Association
Washoe County D.A.
No. NV Tenants Association
No. NV Tenants Association
Dept. of Rehabilitation

Washoe County Sheriffs Office
NV Association of Realtors
Clark County D.A.
No. NV Tenants Association

ASSEMBLY BILL 644

Revises methods of serving notices of evictions.

Mr. Dan Alstrom, Justice of the Peace and Jeannie McCuen testified on this bill. He feels that if you require a signature when the papers are served, many people won't sign or if a certified letter must be signed for they won't go and pick it up. This happens in about 98% of the cases. Ms. McCuen feels that this would not be a workable solution.

Mr. Stewart questioned as to why an affidavit of service is required.

Mr. Alstrom answered that when tenants go to court, they will say that they were not served.

At the present time you must have a hearing with summary evictions. This is when there is an affidavit that indicates the tenant was served and he does not respond; therefore eviction is

carried out on the judges signature. They would like to have the bill amended where no hearing is required.

Mr. Ernest Jesch, Washoe County Sheriffs Office testified for A.B. 644. He feels that requiring a signature on eviction papers would be an almost impossible task. He feels that this would allow the tenants to harrass their landlords by not signing the eviction papers.

Mr. John Leftcourt testified on this bill. He agrees with the previous testimony but he would also like to see the bill amended to include that all eviction papers be served by a law enforcement officer. He stated that the cases that have failed are where the landlord himself tries to serve the papers and the tenants refuse them.

ASSEMBLY BILL 652

Permits appointment of psychologists to examine sanity of criminal defendants.

Cal Dunlap, Washoe County District Attorneys Office, testified against A.B. 652. This bill would provide for the substitution of Psychologists for Psychiatrists. He feels that this could bring in a broad category of people with various degrees of training. He stated that at the present time they are finding it difficult to find qualified Psychiatrists. In order to find out who would be competent, it would result in lengthy cross examination which would cost the counties more money.

Mr. Horn stated that a Psychiatrist is a person with a medical degree who specializes in psychology, and a Psychologist is a person with a Masters Degree.

ASSEMBLY BILL 671

Regulates termination of rental agreements by landlords of certain dwellings.

Mr. Tod Bedrosian, Assemblyman, testified on this bill; stating that it would not carve out more legislation, but emphasize and make a policy statement. The landlord would still have the right to evict a person for due cause. It would not take any rights away from the landlord but would clarify the relationship and stipulations under which a tenant could be evicted. Mr. Bedrosian felt that the tenants were too much at the mercy of the landlord.

Mrs. Martha Fleischmann, Northern Nevada Tenants Association, testified for A.B. 671. Mrs. Fleischmann testified that most senior citizens are afraid to say anything because they might have to move. With a limited income, it would be impossible.

Mrs. Virginia Edwards, Northern Nevada Tenants Association, testified for this bill. She stated that every senior citizen has the right to live in a decent place of residence and not some run down apartment because of the high increases and possibly eviction.

Ted Scharf, Northern Nevada Tenants Association, testified for A.B. 671. For his testimony, please see Exhibit A.

John Leftcourt, Northern Nevada Tenants Association, testified for A.B. 671. He stated that tenants who have had any experience with landlords are living under the gun. At present it costs from \$750 to \$1,000 to move. You must have first and last months rent along with a deposit. Also, in order to find a place to live, they almost always have to overlap (pay double rent). More and more people are becoming tenants because of the high cost of housing. Mr. Leftcourt said the basic right of security for the tenant must be recognized. This would not interfere with the landlords rights, but would protect the tenants from undue harassment.

Mr. Sena questioned whether the housing was owned by local or out of state people.

Mr. Leftcourt stated that most of the owners are out of state people.

Mr. Bedrosian stated that he would like to see something come out for the tenants because of the fact that they make up approximately 40% of the population.

The meeting was in recess at 9:00 a.m.

The Committee was reconvened at 9:11 a.m. in a joint session with the Senate Judiciary Committee in room 131. All Senate Committee members were present.

The Committees discussed Senate Bill 420. This bill provides for gaming licenses for limited partnerships. Please see Senate Judiciary for tapes in regards to this meeting.

The Assembly Judiciary Committee reconvened at 10:25 a.m.

ASSEMBLY BILL 694

Increases scope of certain prohibitions against improperly influencing, interfering with, or intimidating certain persons acting in official capacity, and provides penalties.

Steve Parson, Clark County District Attorney's Office testified on A.B. 694. He stated that this could be labeled a victims bill. This bill would be broken down to two categories:

1. Influencing someone
2. Keeping someone

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from attending to their duties. This bill would make a threat or threat of force a crime. He feels that it should be a crime if a person is dissuaded in any way from their duties. At this point he feels that it is very hard to keep integrity intact.

Mr. Malone stated that this could jeopardize some of the District Attorneys. If they confer with a witness during recess, it could be called dissuading the witness.

ASSEMBLY BILL 551

Sets qualifications for interpreters for certain handicapped persons who are witnesses or have been arrested.

Kirk Adams, Principal for the Thomas Day School for the deaf, testified for this bill. This bill would provide that any court or federal court proceeding must have a qualified interpreter present. There are quite a number of people who rely on sign language. The deaf do not have intonations in their voice and they are usually very frustrated, shy people. There is also a problem in providing a competent interpreter. At present there are no qualified interpreters in Clark and three qualified interpreters in Washoe County. There are between three and four hundred deaf people in the State.

Tony Hensley, Department of Rehabilitation, testified for A.B. 551. Ms. Hensley stated that they are presently sponsoring S.B. 143. She stated that they have come across people in the rural areas where they do sign. The bill would allow the deaf person an interpreter of his choice.

Mr. Stewart feels that you will not get many people to qualify even though the federal law requires an interpreter to be certified.

Chairman Hayes adjourned the meeting at 10:55 a.m.

Respectfully submitted,

Judy E. Williams

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Secretary

THE TRUCKEE MEADOWS HOUSING SERVICE CENTER
in conjunction with Voluntary Action Center

790 Sutro Street , Suite 3
Reno , Nevada 89512
(702) 329-4630

A Division of The Nevada Urban Indians, Inc.

April 16, 1979

To The Assembly Judiciary:

As we are involved in finding housing for people, the staff at Truckee Meadows Housing receives a number of calls from tenants who have been given notice of eviction. In many cases, it appears as though these evictions may be without just cause. It is my understanding, as the law now reads "just cause" is not a factor; to follow the correct process is all that is necessary for eviction. I feel this causes hardship for many families and is extremely unfair.

We are not set up to offer legal advice, so these calls are generally referred to agencies possessing the expertise to handle them. As our function is only referrals in this area, statistics have not been kept. It is estimated we receive three or four calls weekly concerning evictions. We share a phone line with Voluntary Action Center and Mr. John Walker of that agency indicates they receive approximately the same number of calls.

It is our hope that the Committee will pass some form of legislation that will alleviate these problems. We would support Assembly Bill 671 as being a reasonable solution.

Respectfully,

Barbara Ashley

Barbara Ashley
Director

Testimony in Support:
 Ted Scharf, Chairperson
 Northern Nevada Tenants Association

April 17, 1979

Judiciary Committee members, Nevada residents, members of the Press:

My name is Ted Scharf. I am a renter in Sparks. I am also chairman of the Northern Nevada Tenants Association (N.N.T.A.). I have been a member of the steering committee of the NNTA since the organization's founding in 1977. At present, the Northern Nevada Tenants Association has over five hundred members, primarily in Washoe County.

In my capacity as an NNTA volunteer, I have had an opportunity to become familiar with the experiences of hundreds of Truckee Meadows tenants. As many legislators may be aware, the Reno area currently faces a severe housing shortage. One major cause of this shortage is limited sewage capacity. Consequently, housing starts are inadequate and likely to remain inadequate for at least the next several years. As summer approaches and more casino jobs become available, the vacancy rate is likely to fall to one percent.

Under these conditions, tenants are experiencing difficulties in every aspect of rental housing. In my testimony today in support of A.B. 671, I would like to focus on just two types of problems that tenants experience.

First, the housing shortage has disrupted the normal operation of the market. This disruption has allowed the unscrupulous and greedy landlords to reap windfall profits from their rental housing. To be sure, these landlords constitute a minority in the Reno area. But in order to maximize their profits, some landlords impose unreasonable and arbitrary demands on their tenants. These restrictions may include unethical, if not immoral regulations and practices. Restrictions on friends and associates, length of visits of guests, and personal life style are but a few examples.

A.B. 671 is an important step in holding down arbitrary and unnecessary evictions by landlords trying to take unfair advantage of the housing shortage. Further, A.B. 671 will not substantially affect the majority of honest, ethical landlords. By requiring specific reasons for an eviction, this bill will help curb evictions based on prejudice and dislike.

The second effect of the housing shortage I would like to focus on is the conditions experienced by senior citizens and others on fixed incomes. Seniors have been particularly hard hit and have the fewest alternatives. Often they are too frightened about losing what little they have by risking a complaint. It is to the discredit of all of us that the people who have built this region are forced to live in substandard housing at inflated rents. My support for A.B. 671 is based in part on the belief that by requiring specific cause for evictions, seniors will have a better chance to resist the exploitation of some area landlords.

Testimony in Support of ASSEMBLY BILL NO. 671
Ted Scharf, Chairperson
Northern Nevada Tenants Association

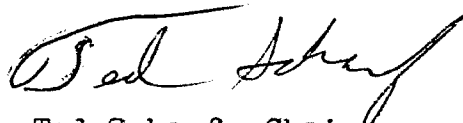
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April 17, 1979

To summarize, A.B. 671 will help curb the excesses of the unethical landlords without placing an unreasonable burden on the honest landlords. In addition, this bill will help prevent exploitation and abuse of tenants, particularly those most seriously affected by the housing shortage — our senior citizens and others living on a fixed income.

Thank you very much for the opportunity to speak today. I am ready to answer any questions you may have.

Respectfully submitted,



Ted Scharf, Chairperson
Northern Nevada Tenants Association

EXHIBIT A]