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WORK SESSION

Assembly Committee on Government Affairs

PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

ASSEMBLY BILL 245

Makes various changes regarding conversion of manufactured home park into individual manufactured home lots. (BDR 22-1080)

Sponsored by: Assemblyman Collins
Date Heard: March 11, 2003

Assembly Bill 245 facilitates the conversion of a manufactured home park into individual manufactured home lots by restricting the conditions that can be placed on such a conversion by a local government. The bill extends from 75 days to 90 days the period of time that a tenant has to accept an offer for the sale of such a lot and the period of time during which a landlord cannot sell the lot to a third party for a lower price. The bill also clarifies that notice of an application for a land use change or of an offer to sell does not constitute a notice of termination of the tenancy.

Amendments: Dan Musgrove, representing Clark County, proposed an amendment to address the conversion of lots in areas affected by airport accident zones and to acknowledge applicable building and fire codes.

A mock-up of the proposed amendment, as approved by the sponsor, is attached.

Opposition: Dan Musgrove, from Clark County, opposed the bill unless amended.

Fiscal Impact: Local Government: No
State Government: No

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3/31/2003

ASSEMBLY GOVERNMENT AFFAIRS K1-3
DATE: 4/1/03 ROOM: 3143 EXHIBIT K
SUBMITTED BY: Susan Scholley

MOCK-UP

PROPOSED AMENDMENT TO
ASSEMBLY BILL NO. 245

PREPARED FOR ASSEMBLY GOVERNMENT AFFAIRS
MARCH 31, 2003

PREPARED BY THE RESEARCH DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~green bold double strikethrough~~ is language proposed to be deleted in this amendment and (5) green bold dashed underlining is deleted language in the original bill that is proposed to be retained in this amendment.

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

- 1 Section 1. Chapter 278 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 *A governing board, commission or board whose approval is necessary*
4 *pursuant to NRS 278.010 to 278.630, inclusive, for the conversion of an*
5 *existing mobile home park into individually owned mobile home lots may*
6 *not require any change to existing lot sizes, setbacks or other restrictions*
7 *as a condition of the approval of the conversion unless the conversion*
8 *will result in the creation of a subdivision that would be in conflict with*
9 *an applicable building, health and safety or fire code.*
10 Sec. 2. NRS 278.010 is hereby amended to read as follows:
11 278.010 As used in NRS 278.010 to 278.630, inclusive, *and section 1*
12 *of this act*, unless the context otherwise requires, the words and terms
13 defined in NRS 278.0105 to 278.0195, inclusive, have the meanings
14 ascribed to them in those sections.
15 Sec. 3. NRS 118B.180 is hereby amended to read as follows:
16 118B.180 1. A landlord may convert an existing manufactured
17 home park into individual manufactured home lots for sale to

Amendment proposed
by Clark County to
restrict subdivisions
that violate certain
codes.

1 manufactured home owners if the change is approved by the appropriate
2 local zoning board, planning commission or governing body, and:

3 (a) The landlord gives notice in writing to each tenant within 5 days
4 after he files his application for the change in land use with the local
5 zoning board, planning commission or governing body;

6 (b) The landlord offers, *in writing*, to sell the lot to the tenant at the
7 same price the lot will be offered to the public and holds that offer open for
8 at least ~~{75 days before he offers the lot for sale to the public;}~~ *90 days or*
9 *until the landlord receives a written rejection of the offer from the*
10 *tenant, whichever occurs earlier;*

11 (c) The landlord does not sell ~~{an occupied lot for more than a vacant~~
12 ~~lot of similar location, size and shape;~~

13 ~~—(d) The~~ *lot to a person other than the tenant for 90 days after the*
14 *termination of the offer required pursuant to*
15 *paragraph (b) at a price or on terms that are more favorable than the*
16 *price or terms offered to the tenant;*

17 (d) *If a tenant does not exercise his option to purchase the lot*
18 *pursuant to paragraph (b), the landlord pays:*

19 (1) The cost of moving the tenant's manufactured home and its
20 appurtenances to a comparable location within 50 miles from the
21 manufactured home park; or

22 (2) If the new location is more than 50 miles from the manufactured
23 home park, the cost of moving the manufactured home for the first 50
24 miles,
25 including fees for inspection, any deposits for connecting utilities and the
26 cost of taking down, moving, setting up and leveling his manufactured
27 home and its appurtenances in the new lot or park; and

28 (e) After the landlord is granted final approval of the change by the
29 appropriate local zoning board, planning commission or governing body,
30 notice in writing is served on each tenant in the manner provided in NRS
31 40.280, giving the tenant at least 180 days after the date of the notice
32 before he is required to move his manufactured home from the lot.

33 2. *Notice sent pursuant to paragraph (a) of subsection 1 or an offer*
34 *to sell a manufactured home lot to a tenant required pursuant to*
35 *paragraph (b) of subsection 1 does not constitute notice of termination of*
36 *the tenancy.*

37 3. Upon the sale of a manufactured home lot and a manufactured
38 home which is situated on that lot, the landlord shall indicate what portion
39 of the purchase price is for the manufactured home lot and what portion is
40 for the manufactured home.

41 ~~{3-}~~ 4. The provisions of this section do not apply to a corporate
42 cooperative park.

H

K 3/3