

ASSEMBLY BILL NO. 498—COMMITTEE ON COMMERCE AND LABOR

MARCH 24, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes to provisions governing manufactured home parks. (BDR 10-1296)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to manufactured home parks; revising the provisions governing the calculation of interest on deposits held by landlords; requiring a landlord to provide certain information to tenants; expanding the requirements for continuing education for managers and assistant managers of such parks; authorizing a landlord to require a security deposit for certain uses of facilities in such parks; providing for an expedited notice of termination of leases under certain circumstances; providing for the termination of a lease without notice for habitual nonpayment of rent; revising the provisions governing the obligations of a landlord upon converting a park to another use; and providing other matters properly relating thereto.

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

- 1     **Section 1.** Chapter 118B of NRS is hereby amended by adding  
2     thereto a new section to read as follows:  
3     ***1. The landlord of a manufactured home park shall post in a***  
4     ***conspicuous and readily accessible place in the community or***  
5     ***recreational facility in the manufactured home park, at or near***  
6     ***the entrance of the manufactured home park or in another***  
7     ***common area in the manufactured home park, a legible and***



\* A B 4 9 8 R 2 \*

1 *typewritten sign that contains the following contact information*  
2 *regarding the Division in substantially the following form:*

3  
4 **TENANTS OF MANUFACTURED HOME PARKS ARE**  
5 **ENTITLED TO CERTAIN RIGHTS UNDER NEVADA**  
6 **REVISED STATUTES**

7  
8 *To obtain information regarding your rights as a tenant*  
9 *under Nevada Revised Statutes, you may contact the*  
10 *Manufactured Housing Division of the Department of*  
11 *Business and Industry as follows:*

12  
13 **SOUTHERN NEVADA:**

14 *(The address of the Division in Southern Nevada)*  
15 *(The local telephone number of the Division in Southern*  
16 *Nevada)*

17  
18 **NORTHERN NEVADA:**

19 *(The address of the Division in Northern Nevada)*  
20 *(The local telephone number of the Division in Northern*  
21 *Nevada)*

22  
23 **INTERNET:**

24 *(The Internet address of the Division)*

25  
26 *2. The Division shall notify each landlord if any of the*  
27 *contact information regarding the Division changes. Not later*  
28 *than 30 days after receiving such a notice from the Division, the*  
29 *landlord shall replace the existing sign with a new sign that*  
30 *contains the new contact information regarding the Division.*

31 **Sec. 2.** NRS 118B.040 is hereby amended to read as follows:

32 118B.040 1. *An approved applicant for residency may*  
33 *request 72 hours to review the proposed rental agreement or lease,*  
34 *the rules and regulations of the manufactured home park and*  
35 *other residency documents. Upon receiving such a request, the*  
36 *landlord shall allow the approved applicant to review the*  
37 *documents for 72 hours. This review period does not, however,*  
38 *prevent the landlord from accepting another tenant for the space*  
39 *or residency while the 72 hours is pending.*

40 *2. A rental agreement or lease between a landlord and tenant to*  
41 *rent or lease any manufactured home lot must be in writing. The*  
42 *landlord shall give the tenant a copy of the agreement or lease at the*  
43 *time the tenant signs it.*

44 ~~2.~~ *3. A rental agreement or lease must contain, but is not*  
45 *limited to, provisions relating to:*



- 1 (a) The duration of the agreement.
- 2 (b) The amount of rent, the manner and time of its payment and
- 3 the amount of any charges for late payment and dishonored checks.
- 4 (c) Restrictions on occupancy by children or pets.
- 5 (d) Services and utilities included with the rental of a lot and the
- 6 responsibility of maintaining or paying for them, including the
- 7 charge, if any, for cleaning the lots.
- 8 (e) Deposits which may be required and the conditions for their
- 9 refund.
- 10 (f) Maintenance which the tenant is required to perform and any
- 11 appurtenances he is required to provide.
- 12 (g) The name and address of the owner of the manufactured
- 13 home park and his authorized agent.
- 14 (h) Any restrictions on subletting.
- 15 (i) Any recreational facilities and other amenities provided to the
- 16 tenant and any deposits or fees required for their use.
- 17 (j) Any restriction of the park to older persons pursuant to
- 18 federal law.
- 19 (k) The dimensions of the manufactured home lot of the tenant.
- 20 (l) A summary of the provisions of NRS 202.470.
- 21 (m) Information regarding the procedure pursuant to which a
- 22 tenant may report to the appropriate authorities:
  - 23 (1) A nuisance.
  - 24 (2) A violation of a building, safety or health code or
  - 25 regulation.
- 26 (n) The amount to be charged each month to the tenant to
- 27 reimburse the landlord for the cost of a capital improvement to the
- 28 manufactured home park. Such an amount must be stated separately
- 29 and include the length of time the charge will be collected and the
- 30 total amount to be recovered by the landlord from all tenants in the
- 31 manufactured home park.
- 32 **Sec. 3.** NRS 118B.060 is hereby amended to read as follows:
  - 33 118B.060 1. Any payment, deposit, fee or other charge which
  - 34 is required by the landlord in addition to periodic rent, utility
  - 35 charges or service fees and is collected as prepaid rent or a sum to
  - 36 compensate for any tenant default is a "deposit" governed by the
  - 37 provisions of this section.
  - 38 2. The landlord shall maintain a separate record of the deposits.
  - 39 3. Except as otherwise provided in subsection 4:
    - 40 (a) All deposits are refundable, and upon termination of the
    - 41 tenancy, or if the deposit is collected as a sum to compensate for a
    - 42 tenant default, not more than 5 years after the landlord receives the
    - 43 deposit, the landlord may claim from a deposit only such amounts as
    - 44 are reasonably necessary to remedy tenant defaults in the payment
    - 45 of rent, utility charges or service fees and to repair damage to the



1 park caused by the tenant. The landlord shall provide the tenant with  
2 an itemized written accounting of the disposition of the deposit.

3 (b) Any refund must be sent to the tenant within 21 days after  
4 the tenancy is terminated.

5 4. Each deposit collected as a sum to compensate for a tenant  
6 default must be refunded to the tenant not more than 5 years after  
7 the landlord receives the deposit or upon the termination of the  
8 tenancy, whichever is earlier. The refund must include interest *on*  
9 *the amount of the deposit* at the rate ~~[of 5 percent per year,]~~  
10 *required by this subsection*, compounded annually, for the entire  
11 period during which the deposit was held by the landlord. *For the*  
12 *purposes of this subsection, the rate of interest must be equal to*  
13 *the average of the prevailing rates of interest for deposits, as*  
14 *determined by the Administrator.*

15 5. Upon termination of the landlord's interest in the  
16 manufactured home park, the landlord shall transfer to his successor  
17 in interest that portion of the deposit remaining after making any  
18 deductions allowed pursuant to this section or refund that portion to  
19 the tenant.

20 6. If the former landlord fails to transfer that portion of the  
21 deposit remaining to the successor in interest or refund it to  
22 the tenant at the time the successor in interest takes possession, the  
23 successor becomes jointly and severally liable with the former  
24 landlord for refunding to the tenant that portion of the deposit to  
25 which he is entitled.

26 7. If the former landlord fails to transfer or refund the deposit,  
27 the tenant may not be required to pay another deposit until the  
28 successor in interest refunds the deposit to the tenant or provides  
29 him with an itemized written accounting of the statutorily authorized  
30 disposition of the deposit.

31 8. The claim of the tenant to any deposit to which he is entitled  
32 by law takes precedence over the claim of any creditor of the  
33 landlord.

34 9. The provisions of this section do not apply to a corporate  
35 cooperative park.

36 **Sec. 4.** NRS 118B.067 is hereby amended to read as follows:

37 118B.067 *1.* If a landlord approves the placement of a  
38 manufactured home on a lot in a park and it is determined after the  
39 home is placed on the lot that the placement of the home does not  
40 comply with the requirements of the local ordinances relating to that  
41 placement, the landlord shall pay the cost to ensure compliance with  
42 those requirements.

43 *2. A landlord shall notify any tenant who is bringing a*  
44 *manufactured home which is new to the manufactured home park*  
45 *into the manufactured home park that the provisions of NRS*



1 *489.311 require that only persons licensed by the State of Nevada*  
2 *as manufactured home installers are legally permitted to set up*  
3 *and install a manufactured home. Before the tenant may bring*  
4 *such a manufactured home into the manufactured home park, the*  
5 *tenant must provide to the landlord a copy of the license issued*  
6 *pursuant to NRS 489.311 to the person who will be installing the*  
7 *manufactured home.*

8 **Sec. 5.** NRS 118B.070 is hereby amended to read as follows:  
9 118B.070 **1.** The landlord shall provide:

10 ~~1.1~~ (a) Each new tenant with a *copy of the* current text of the  
11 provisions of this chapter with the rental agreement at the time the  
12 tenant signs the agreement.

13 ~~1.2~~ (b) Each tenant with a copy of each provision of this  
14 chapter which is added, amended or repealed within 90 days after  
15 the provisions become effective.

16 **2.** *When the landlord provides a tenant with a copy of any of*  
17 *the provisions of this chapter pursuant to subsection 1, the copy*  
18 *must contain a legible and typewritten statement that contains the*  
19 *following contact information regarding the Division in*  
20 *substantially the following form:*

21  
22 **TENANTS OF MANUFACTURED HOME PARKS ARE**  
23 **ENTITLED TO CERTAIN RIGHTS UNDER NEVADA**  
24 **REVISED STATUTES**

25  
26 *To obtain information regarding your rights as a tenant*  
27 *under Nevada Revised Statutes, you may contact the*  
28 *Manufactured Housing Division of the Department of*  
29 *Business and Industry as follows:*

30  
31 **SOUTHERN NEVADA:**

32 *(The address of the Division in Southern Nevada)*  
33 *(The local telephone number of the Division in Southern*  
34 *Nevada)*

35  
36 **NORTHERN NEVADA:**

37 *(The address of the Division in Northern Nevada)*  
38 *(The local telephone number of the Division in Northern*  
39 *Nevada)*

40  
41 **INTERNET:**

42 *(The Internet address of the Division)*

43 **Sec. 6.** NRS 118B.080 is hereby amended to read as follows:  
44 118B.080 **1.** The landlord shall disclose in writing to each

45 tenant the:



- 1 (a) Name, address and telephone number of the owner and
- 2 manager or assistant manager of the manufactured home park; and
- 3 (b) Name and address of a person authorized to receive service
- 4 of process for the landlord,
- 5 and any change thereof.

6 2. The information must be furnished in writing to each new  
7 tenant on or before the commencement of his tenancy and to each  
8 existing tenant.

9 **3. A landlord shall post, or provide to each tenant, the office**  
10 **hours or landlord's availability at the park location.**

11 **Sec. 7.** NRS 118B.086 is hereby amended to read as follows:

12 118B.086 1. Each manager and assistant manager of a  
13 manufactured home park which has ~~25~~ 2 or more lots shall  
14 complete annually 6 hours of continuing education relating to the  
15 management of a manufactured home park.

16 2. The Administrator shall adopt regulations specifying the  
17 areas of instruction for the continuing education required by  
18 subsection 1.

19 3. The instruction must include, but is not limited to,  
20 information relating to:

- 21 (a) The provisions of chapter 118B of NRS;
- 22 (b) Leases and rental agreements;
- 23 (c) Unlawful detainer and eviction as set forth in NRS 40.215 to
- 24 40.425, inclusive;
- 25 (d) The resolution of complaints and disputes concerning
- 26 landlords and tenants of manufactured home parks; and
- 27 (e) The adoption and enforcement of the rules and regulations of
- 28 a manufactured home park.

29 4. Each course of instruction and the instructor of the course  
30 must be approved by the Administrator. The Administrator shall  
31 adopt regulations setting forth the procedure for applying for  
32 approval of an instructor and course of instruction. The  
33 Administrator may require submission of such reasonable  
34 information by an applicant as he deems necessary to determine the  
35 suitability of the instructor and the course. The Administrator shall  
36 not approve a course if the fee charged for the course is not  
37 reasonable. Upon approval, the Administrator shall designate the  
38 number of hours of credit allowable for the course.

39 **Sec. 8.** NRS 118B.087 is hereby amended to read as follows:

40 118B.087 1. There are hereby created two regions to provide  
41 courses of continuing education pursuant to NRS 118B.086. One  
42 region is the northern region consisting of the counties of Washoe,  
43 Storey, Douglas, Lyon, Churchill, Pershing, Humboldt, Lander,  
44 Elko, Eureka, Mineral, White Pine and Carson City, and one region



1 is the southern region consisting of the counties of Lincoln, Nye,  
2 Esmeralda and Clark.

3 2. The person who applied for approval of a course or his  
4 designee shall notify the Administrator of the date and location each  
5 time the course is offered, as soon as practicable after scheduling the  
6 course.

7 3. The Administrator shall ensure that a course of continuing  
8 education is offered at least every 6 months in each region. If the  
9 Administrator finds that no approved course will be offered to meet  
10 the requirements of this subsection, he shall offer the course and  
11 charge a reasonable fee for each person enrolled in the course.

12 4. If the fees collected by the Administrator for the course do  
13 not cover the cost of offering the course, the Administrator shall  
14 determine the difference between the fees collected and the cost of  
15 offering the course, divide that amount by the number of  
16 manufactured home parks which have ~~25~~ 2 lots or more in the  
17 region in which the course was held and assess that amount to each  
18 landlord of such a manufactured home park. The landlord shall pay  
19 the assessment within 30 days after it was mailed by the  
20 Administrator.

21 **Sec. 9.** NRS 118B.150 is hereby amended to read as follows:

22 118B.150 1. Except as otherwise provided in ~~subsection 2,~~  
23 **subsections 2 and 3,** the landlord or his agent or employee shall not:

24 (a) Increase rent or additional charges unless:

25 (1) The rent charged after the increase is the same rent  
26 charged for manufactured homes of the same size or lots of the same  
27 size or of a similar location within the park, including, without  
28 limitation, manufactured homes and lots which are held pursuant to  
29 a long-term lease, except that a discount may be selectively given to  
30 persons who:

31 (I) Are handicapped;

32 (II) Are 55 years of age or older;

33 (III) Are long-term tenants of the park if the landlord has  
34 specified in the rental agreement or lease the period of tenancy  
35 required to qualify for such a discount;

36 (IV) Pay their rent in a timely manner; or

37 (V) Pay their rent by check, money order or electronic  
38 means;

39 (2) Any increase in additional charges for special services is  
40 the same amount for each tenant using the special service; and

41 (3) Written notice advising a tenant of the increase is  
42 received by the tenant 90 days before the first payment to be  
43 increased and written notice of the increase is given to prospective  
44 tenants before commencement of their tenancy. In addition to the  
45 notice provided to a tenant pursuant to this subparagraph, if the



1 landlord or his agent or employee knows or reasonably should know  
2 that the tenant receives assistance from the Fund created pursuant to  
3 NRS 118B.215, the landlord or his agent or employee shall provide  
4 to the Administrator written notice of the increase 90 days before  
5 the first payment to be increased.

6 (b) Require a tenant to pay for an improvement to the common  
7 area of a manufactured home park unless the landlord is required to  
8 make the improvement pursuant to an ordinance of a local  
9 government.

10 (c) Require a tenant to pay for a capital improvement to the  
11 manufactured home park unless the tenant has notice of the  
12 requirement at the time he enters into the rental agreement. A tenant  
13 may not be required to pay for a capital improvement after the  
14 tenant enters into the rental agreement unless the tenant consents to  
15 it in writing or is given 60 days' notice of the requirement in  
16 writing. The landlord may not establish such a requirement unless a  
17 meeting of the tenants is held to discuss the proposal and the  
18 landlord provides each tenant with notice of the proposal and  
19 the date, time and place of the meeting not less than 60 days before  
20 the meeting. The notice must include a copy of the proposal. A  
21 notice in a periodic publication of the park does not constitute notice  
22 for the purposes of this paragraph.

23 (d) Require a tenant to pay his rent by check or money order.

24 (e) Require a tenant who pays his rent in cash to apply any  
25 change to which he is entitled to the next periodic payment that is  
26 due. The landlord or his agent or employee shall have an adequate  
27 amount of money available to provide change to such a tenant.

28 (f) Prohibit or require fees or deposits for any meetings held in  
29 the park's community or recreational facility by the tenants or  
30 occupants of any manufactured home or recreational vehicle in the  
31 park to discuss the park's affairs, or any political ~~for social~~ meeting  
32 sponsored by a tenant, if the meetings are held at reasonable hours  
33 and when the facility is not otherwise in use, or prohibit the  
34 distribution of notices of those meetings.

35 (g) Interrupt, with the intent to terminate occupancy, any utility  
36 service furnished the tenant except for nonpayment of utility charges  
37 when due. Any landlord who violates this paragraph is liable to the  
38 tenant for actual damages.

39 (h) Prohibit a tenant from having guests, but he may require the  
40 tenant to register the guest within 48 hours after his arrival, Sundays  
41 and legal holidays excluded, and if the park is a secured park, a  
42 guest may be required to register upon entering and leaving.

43 (i) Charge a fee for a guest who does not stay with the tenant for  
44 more than a total of 60 days in a calendar year. The tenant of a  
45 manufactured home lot who is living alone may allow one other





1 person to live in his home without paying an additional charge or  
2 fee, unless such a living arrangement constitutes a violation of  
3 chapter 315 of NRS. No agreement between a tenant and his guest  
4 alters or varies the terms of the rental contract between the tenant  
5 and the landlord, and the guest is subject to the rules and regulations  
6 of the landlord.

7 (j) Prohibit a tenant from erecting a fence along the perimeter of  
8 the tenant’s lot if the fence complies with any standards for fences  
9 established by the landlord, including limitations established for the  
10 height of fences, the materials used for fences and the manner in  
11 which fences are to be constructed.

12 (k) Prohibit any tenant from soliciting membership in any  
13 association which is formed by the tenants who live in the park. As  
14 used in this paragraph, “solicit” means to make an oral or written  
15 request for membership or the payment of dues or to distribute,  
16 circulate or post a notice for payment of those dues.

17 (l) Prohibit a public officer, candidate for public office or the  
18 representative of a public officer or candidate for public office from  
19 walking through the park to talk with the tenants or distribute  
20 political material.

21 (m) If a tenant has voluntarily assumed responsibility to trim the  
22 trees on his lot, require the tenant to trim any particular tree located  
23 on the lot or dispose of the trimmings unless a danger or hazard  
24 exists.

25 2. *The landlord is entitled to require a security deposit from a*  
26 *tenant who wants to use the manufactured home park’s*  
27 *clubhouse, swimming pool or other park facilities for the tenant’s*  
28 *exclusive use. The landlord may require the deposit at least 1 week*  
29 *before the use. The landlord shall apply the deposit to costs which*  
30 *occur due to damage or clean up from the tenant’s use within 1*  
31 *week after the use, if any, and shall, on or before the 8th day after*  
32 *the use, refund any unused portion of the deposit to the tenant*  
33 *making the deposit. The landlord is not required to place such a*  
34 *deposit into a financial institution or to pay interest on the deposit.*

35 3. The provisions of paragraphs (a), (b), (c), (j) and (m) of  
36 subsection 1 do not apply to a corporate cooperative park.

37 ~~3.~~ 4. As used in this section, “long-term lease” means a  
38 rental agreement or lease the duration of which exceeds 12 months.

39 **Sec. 10.** NRS 118B.177 is hereby amended to read as follows:

40 118B.177 1. If a landlord closes a manufactured home park  
41 he shall pay ~~1/2~~ *the amount described in subsection 2 or 3, in*  
42 *accordance with the choice of the tenant.*

43 2. *If the tenant chooses to move the manufactured home, the*  
44 *landlord shall pay to the tenant:*



1 (a) The cost of moving each tenant's manufactured home and its  
2 appurtenances to a new location within 50 miles from the  
3 manufactured home park; or

4 (b) If the new location is more than 50 miles from the  
5 manufactured home park, the cost of moving the manufactured  
6 home for the first 50 miles,  
7 including fees for inspection, any deposits for connecting utilities,  
8 and the cost of taking down, moving, setting up and leveling the  
9 manufactured home and its appurtenances in the new lot or park.

10 ~~2.~~ 3. *If the tenant chooses not to move the manufactured*  
11 *home, the manufactured home cannot be moved without being*  
12 *structurally damaged, or there is no manufactured home park*  
13 *within 50 miles that is willing to accept the manufactured home,*  
14 *the landlord:*

- 15 (a) *May remove and dispose of the manufactured home; and*  
16 (b) *Shall pay to the tenant the fair market value of the*  
17 *manufactured home less the reasonable cost of removing and*  
18 *disposing of the manufactured home.*

19 4. Written notice of the closure must be served on each tenant  
20 in the manner provided in NRS 40.280, giving the tenant at least  
21 180 days after the date of the notice before he is required to move  
22 his manufactured home from the lot.

23 5. *For the purposes of this section, the fair market value of a*  
24 *manufactured home and the reasonable cost of removing and*  
25 *disposing of a manufactured home must be determined by:*

- 26 (a) *A dealer licensed pursuant to chapter 489 of NRS who is*  
27 *agreed upon by the landlord and tenant; or*  
28 (b) *If the landlord and tenant cannot agree pursuant to*  
29 *paragraph (a), a dealer licensed pursuant to chapter 489 of NRS*  
30 *who is selected for this purpose by the Division.*

31 **Sec. 11.** NRS 118B.183 is hereby amended to read as follows:  
32 118B.183 1. A landlord may convert an existing  
33 manufactured home park to any other use of the land if the change is  
34 approved by the appropriate local zoning board, planning  
35 commission or governing body, and:

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

39 (b) The landlord pays ~~f:~~  
40 ~~(1) The cost of moving the tenant's manufactured home and~~  
41 ~~its appurtenances to a new location within 50 miles from the~~  
42 ~~manufactured home park; or~~

43 ~~(2) If the new location is more than 50 miles from the~~  
44 ~~manufactured home park, the cost of moving the manufactured~~  
45 ~~home for the first 50 miles;~~



1 ~~including fees for inspection, any deposits for connecting utilities~~  
2 ~~and the cost of taking down, moving, setting up and leveling his~~  
3 ~~manufactured home and its appurtenances in the new lot or park;]~~  
4 *the amount described in subsection 2 or 3, in accordance with the*  
5 *choice of the tenant; and*

6 (c) After the landlord is granted final approval of the change by  
7 the appropriate local zoning board, planning commission or  
8 governing body, written notice is served on each tenant in the  
9 manner provided in NRS 40.280, giving the tenant at least 180 days  
10 after the date of the notice before he is required to move his  
11 manufactured home from the lot.

12 2. *If the tenant chooses to move the manufactured home, the*  
13 *landlord shall pay to the tenant:*

14 (a) *The cost of moving the tenant's manufactured home and*  
15 *its appurtenances to a new location within 50 miles from the*  
16 *manufactured home park; or*

17 (b) *If the new location is more than 50 miles from the*  
18 *manufactured home park, the cost of moving the manufactured*  
19 *home for the first 50 miles,*  
20 *including fees for inspection, any deposits for connecting utilities*  
21 *and the cost of taking down, moving, setting up and leveling his*  
22 *manufactured home and its appurtenances in the new lot or park.*

23 3. *If the tenant chooses not to move the manufactured home,*  
24 *the manufactured home cannot be moved without being*  
25 *structurally damaged, or there is no manufactured home park*  
26 *within 50 miles that is willing to accept the manufactured home,*  
27 *the landlord:*

28 (a) *May remove and dispose of the manufactured home; and*

29 (b) *Shall pay to the tenant the fair market value of the*  
30 *manufactured home less the reasonable cost of removing and*  
31 *disposing of the manufactured home.*

32 4. A landlord shall not increase the rent of any tenant for 180  
33 days before applying for a change in land use, permit or variance  
34 affecting the manufactured home park.

35 ~~[3.]~~ 5. *For the purposes of this section, the fair market value*  
36 *of a manufactured home and the reasonable cost of removing and*  
37 *disposing of a manufactured home must be determined by:*

38 (a) *A dealer licensed pursuant to chapter 489 of NRS who is*  
39 *agreed upon by the landlord and tenant; or*

40 (b) *If the landlord and tenant cannot agree pursuant to*  
41 *paragraph (a), a dealer licensed pursuant to chapter 489 of NRS*  
42 *who is selected for this purpose by the Division.*

43 6. The provisions of this section do not apply to a corporate  
44 cooperative park.



1       **Sec. 12.** NRS 118B.190 is hereby amended to read as follows:  
2       118B.190 1. A written agreement between a landlord and  
3 tenant for the rental or lease of a manufactured home lot in a  
4 manufactured home park in this state, or for the rental or lease of a  
5 lot for a recreational vehicle in an area of a manufactured home park  
6 in this state other than an area designated as a recreational vehicle  
7 lot pursuant to the provisions of subsection 6 of NRS 40.215, must  
8 not be terminated by the landlord except upon notice in writing to  
9 the tenant served in the manner provided in NRS 40.280:

10       (a) ~~Five~~ *Except as otherwise provided in paragraph (b), 5*  
11 days in advance if the termination is because the conduct of the  
12 tenant constitutes a nuisance as ~~described in subsection 6 of~~  
13 ~~NRS 118B.200.~~

14 ~~—(b) Ten~~ *defined in NRS 40.140 or violates a state law or local*  
15 *ordinance.*

16       (b) *Three days in advance upon the issuance of temporary writ*  
17 *of restitution pursuant to NRS 40.300 on the grounds that a*  
18 *nuisance as defined in NRS 40.140 has occurred in the park by*  
19 *the act of a tenant or any guest, visitor or other member of a*  
20 *tenant's household consisting of any of the following specific*  
21 *activities:*

22           (1) *Discharge of a weapon.*

23           (2) *Prostitution.*

24           (3) *Illegal drug manufacture or use.*

25           (4) *Child molestation or abuse.*

26           (5) *Property damage as a result of vandalism.*

27           (6) *Operating a vehicle while under the influence of*  
28 *alcohol or any other controlled substance.*

29           (7) *Elder molestation or abuse.*

30       (c) *Except as otherwise provided in subsection 6, 10* days in  
31 advance if the termination is because of failure of the tenant to pay  
32 rent, utility charges or reasonable service fees.

33       ~~(e)~~ (d) One hundred eighty days in advance if the termination  
34 is because of a change in the use of the land by the landlord  
35 pursuant to NRS 118B.180.

36       ~~(d)~~ (e) Forty-five days in advance if the termination is for any  
37 other reason.

38       2. The landlord shall specify in the notice the reason for the  
39 termination of the agreement. The reason relied upon for the  
40 termination must be set forth with specific facts so that the date,  
41 place and circumstances concerning the reason for the termination  
42 can be determined. The termination must be in accordance with the  
43 provisions of NRS 118B.200 and reference alone to a provision of  
44 that section does not constitute sufficient specificity pursuant to this  
45 subsection.



1 3. The service of such a notice does not enhance the landlord's  
2 right, if any, to enter the tenant's manufactured home. Except in an  
3 emergency, the landlord shall not enter the manufactured home of  
4 the tenant served with such a notice without the tenant's permission  
5 or a court order allowing the entry.

6 4. If a tenant remains in possession of the manufactured home  
7 lot after expiration of the term of the rental agreement, the tenancy  
8 is from week to week in the case of a tenant who pays weekly rent,  
9 and in all other cases the tenancy is from month to month. The  
10 tenant's continued occupancy is on the same terms and conditions as  
11 were contained in the rental agreement unless specifically agreed  
12 otherwise in writing.

13 5. The landlord and tenant may agree to a specific date for  
14 termination of the agreement. If any provision of this chapter  
15 specifies a period of notice which is longer than the period of a  
16 particular tenancy, the required length of the period of notice is  
17 controlling.

18 *6. Notwithstanding any provision of NRS 40.215 to 40.425,*  
19 *inclusive, if a tenant who is not a natural person has received*  
20 *three notices for nonpayment of rent in accordance with*  
21 *subsection 1, the landlord is not required to give the tenant a*  
22 *further 10-day notice in advance of termination if the termination*  
23 *is because of failure to pay rent, utility charges or reasonable*  
24 *service fees.*

25 **Sec. 13.** NRS 118B.200 is hereby amended to read as follows:

26 118B.200 **1.** Notwithstanding the expiration of a period of a  
27 tenancy, the rental agreement described in NRS 118B.190 may not  
28 be terminated except for:

29 ~~1-~~ **(a)** Failure of the tenant to pay rent, utility charges or  
30 reasonable service fees within 10 days after written notice of  
31 delinquency served upon the tenant in the manner provided in  
32 NRS 40.280;

33 ~~2-~~ **(b)** Failure of the tenant to correct any noncompliance with  
34 a law, ordinance or governmental regulation pertaining to  
35 manufactured homes or recreational vehicles or a valid rule or  
36 regulation established pursuant to NRS 118B.100 or to cure any  
37 violation of the rental agreement within a reasonable time after  
38 receiving written notification of noncompliance or violation;

39 ~~3-~~ **(c)** Conduct of the tenant in the manufactured home park  
40 which constitutes an annoyance to other tenants;

41 ~~4-~~ **(d)** Violation of valid rules of conduct, occupancy or use of  
42 park facilities after written notice of the violation is served upon the  
43 tenant in the manner provided in NRS 40.280;

44 ~~5-~~ **(e)** A change in the use of the land by the landlord pursuant  
45 to NRS 118B.180;



1 ~~6.~~ (f) Conduct of the tenant which constitutes a nuisance as  
2 defined in NRS 40.140 or which violates a state law or local  
3 ordinance ~~;~~ ~~or~~

4 ~~7.~~ , specifically including, without limitation:

- 5 (1) Discharge of a weapon;
- 6 (2) Prostitution;
- 7 (3) Illegal drug manufacture or use;
- 8 (4) Child molestation or abuse;
- 9 (5) Elder molestation or abuse;
- 10 (6) Property damage as a result of vandalism; and
- 11 (7) Operating a motor vehicle while under the influence of
- 12 alcohol or any other controlled substance; or

13 (g) In a manufactured home park that is owned by a nonprofit  
14 organization or housing authority, failure of the tenant to meet  
15 qualifications relating to age or income which:

- 16 ~~(a)~~ (1) Are set forth in the lease signed by the tenant; and
- 17 ~~(b)~~ (2) Comply with federal, state and local law.

18 2. A tenant who is not a natural person and who has received  
19 three or more 10-day notices to quit for failure to pay rent in the  
20 preceding 12-month period may have his tenancy terminated by  
21 the landlord for habitual failure to pay timely rent.

22 **Sec. 14.** NRS 40.251 is hereby amended to read as follows:

23 40.251 A tenant of real property, a recreational vehicle or a  
24 mobile home for a term less than life is guilty of an unlawful  
25 detainer when having leased:

26 1. Real property, except as otherwise provided in this section,  
27 or a mobile home for an indefinite time, with monthly or other  
28 periodic rent reserved, he continues in possession thereof, in person  
29 or by subtenant, without the landlord's consent after the expiration  
30 of a notice of:

- 31 (a) For tenancies from week to week, at least 7 days;
- 32 (b) For all other periodic tenancies, at least 30 days; or
- 33 (c) For tenancies at will, at least 5 days.

34 2. A dwelling unit subject to the provisions of chapter 118A of  
35 NRS, he continues in possession, in person or by subtenant, without  
36 the landlord's consent after expiration of:

- 37 (a) The term of the rental agreement or its termination and,  
38 except as otherwise provided in paragraph (b), the expiration of a  
39 notice of at least 7 days for tenancies from week to week and 30  
40 days for all other periodic tenancies; or
- 41 (b) A notice of at least 5 days where the tenant has failed to  
42 perform his basic or contractual obligations under chapter 118A of  
43 NRS.

44 3. A mobile home lot subject to the provisions of chapter 118B  
45 of NRS, or a lot for a recreational vehicle in an area of a mobile



1 home park other than an area designated as a recreational vehicle lot  
2 pursuant to the provisions of subsection 6 of NRS 40.215, he  
3 continues in possession, in person or by subtenant, without the  
4 landlord's consent, ~~after~~:

5 *(a) After* notice has been given pursuant to NRS 118B.115,  
6 118B.170 or 118B.190 and the period of the notice has expired ~~1~~;  
7 *or*

8 *(b) If the person is not a natural person and has received three*  
9 *notices for nonpayment of rent within a 12-month period,*  
10 *immediately upon failure to pay timely rent.*

11 4. A recreational vehicle lot, he continues in possession, in  
12 person or by subtenant, without the landlord's consent, after the  
13 expiration of a notice of at least 5 days.

