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SENATE BILL NO. 39—SENATOR CEGAVSKE (BY REQUEST)

PREFILED JANUARY 30, 2003

Referred to Committee on Judiciary

SUMMARY—Requires landlord to change entry locks of dwelling unit before delivering possession of dwelling unit to new tenant. (BDR 10-592)

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.

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AN ACT relating to property; requiring a landlord to change the entry locks of a dwelling unit before delivering possession of the dwelling unit to a new tenant; providing certain remedies to a new tenant if a landlord fails to change the entry locks of a dwelling unit before delivering possession of the dwelling unit to the new tenant; 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 118A of NRS is hereby amended by  
2 adding thereto the provisions set forth as sections 2 and 3 of this act.  
3     **Sec. 2.** *Upon termination of a tenancy and before delivering*  
4 *possession of a dwelling unit to a new tenant, the landlord shall*  
5 *change the entry locks of the dwelling unit.*  
6     **Sec. 3.** *If a landlord fails to change the entry locks of a*  
7 *dwelling unit before delivering possession of the dwelling unit to a*  
8 *new tenant as required pursuant to section 2 of this act, the tenant*  
9 *may recover damages and obtain injunctive relief.*  
10    **Sec. 4.** NRS 118A.180 is hereby amended to read as follows:  
11    118A.180 1. Except as *otherwise* provided in subsection 2,  
12 this chapter applies to, regulates and determines rights, obligations  
13 and remedies under a rental agreement, wherever made, for a  
14 dwelling unit or premises located within this state.



\* S B 3 9 \*

- 1       2. This chapter does not apply to:  
2       (a) A rental agreement subject to the provisions of chapter 118B  
3       of NRS;  
4       (b) Low-rent housing programs operated by public housing  
5       authorities and established pursuant to the United States Housing  
6       Act of 1937, 42 U.S.C. §§ 1437 et seq.;  
7       (c) A person who owns and personally manages four or fewer  
8       dwelling units, except with respect to the provisions of NRS  
9       118A.200, 118A.300, 118A.340, 118A.380, 118A.450 and  
10      118A.460 ~~;~~ **and section 2 of this act;**  
11      (d) Residence in an institution, public or private, incident to  
12      detention or the provision of medical, geriatric, educational,  
13      counseling, religious or similar service;  
14      (e) Occupancy under a contract of sale of a dwelling unit or the  
15      property of which it is a part, if the occupant is the purchaser or his  
16      successor in interest;  
17      (f) Occupancy by a member of a fraternal or social organization  
18      in the portion of a structure operated for the benefit of the  
19      organization;  
20      (g) Occupancy in a hotel or motel for less than 30 consecutive  
21      days unless the occupant clearly manifests an intent to remain for a  
22      longer continuous period;  
23      (h) Occupancy by an employee of a landlord whose right to  
24      occupancy is solely conditional upon employment in or about the  
25      premises;  
26      (i) Occupancy by an owner of a condominium unit or by a  
27      holder of a proprietary lease in a cooperative apartment; or  
28      (j) Occupancy under a rental agreement covering premises used  
29      by the occupant primarily for agricultural purposes.

