

ASSEMBLY BILL NO. 355—ASSEMBLYWOMAN
GIUNCHIGLIANI (BY REQUEST)

MARCH 22, 2005

Referred to Committee on Government Affairs

SUMMARY—Provides right of judicial review for certain final decisions of housing authorities. (BDR 25-752)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 housing; providing for judicial review of decisions by housing authorities to terminate certain housing assistance; 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 315 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. The decision of a housing authority to terminate a person's***
4 ***housing assistance is a final decision for the purposes of judicial***
5 ***review. A person aggrieved by such a final decision of the housing***
6 ***authority is entitled to judicial review of the decision in the***
7 ***manner provided in NRS 233B.130 to 233B.150, inclusive, for the***
8 ***review of decisions of administrative agencies in contested cases.***

9 ***2. If a person who seeks judicial review of a final decision of***
10 ***a housing authority pursuant to subsection 1 retains possession of***
11 ***the premises that are the subject of the petition for judicial review***
12 ***during the pendency of the action, the person shall pay rent to the***
13 ***landlord as provided in the underlying contract for possession of***
14 ***the premises. If the person fails to pay such rent, the landlord may***
15 ***initiate proceedings for eviction.***

16 ***3. As used in this section:***

17 ***(a) "Housing assistance" means any financial assistance that***
18 ***a person receives under the Housing Choice Voucher Program***



1 *pursuant to section 8 of the United States Housing Act of 1937, 42*
2 *U.S.C. § 1437f, and any regulations adopted pursuant thereto, or*
3 *pursuant to any successor program.*

4 (b) *“Housing authority” means a housing authority created*
5 *pursuant to this chapter and includes, without limitation, the*
6 *Nevada Rural Housing Authority.*

7 (c) *“Landlord” has the meaning ascribed to it in NRS 315.021.*

8 (d) *“Premises” has the meaning ascribed to it in NRS 315.021.*

