

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 during the pendency of the action, the person shall***  
12 ***pay the rent and comply with all other provisions set forth in the***  
13 ***underlying contract for possession of the premises. If the person***  
14 ***fails to pay such rent or comply with the other provisions of the***  
15 ***contract, the landlord may initiate proceedings for eviction. If the***  
16 ***person is evicted, the housing authority is not required to issue a***  
17 ***new voucher for housing assistance to the person unless and until***  
18 ***the person prevails in the action for judicial review.***



- 1       **3. As used in this section:**  
2       **(a) "Housing assistance" means any financial assistance that**  
3       **a person receives under the Housing Choice Voucher Program**  
4       **pursuant to section 8 of the United States Housing Act of 1937, 42**  
5       **U.S.C. § 1437f, and any regulations adopted pursuant thereto, or**  
6       **pursuant to any successor program.**  
7       **(b) "Housing authority" means a housing authority created**  
8       **pursuant to this chapter and includes, without limitation, the**  
9       **Nevada Rural Housing Authority.**  
10       **(c) "Landlord" has the meaning ascribed to it in NRS 315.021.**  
11       **(d) "Premises" has the meaning ascribed to it in NRS 315.021.**

