
ASSEMBLY BILL NO. 38—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE HOUSING DIVISION OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY)

PREFILED NOVEMBER 18, 2024

Referred to Committee on Commerce and Labor

SUMMARY—Revises various provisions relating to housing.
(BDR 43-521)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

~

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

AN ACT relating to housing; revising provisions governing
manufactured homes, mobile homes, manufactured
buildings, commercial coaches and factory-built housing;
revising provisions governing the payment of certain
claims from the Account for Housing Inspection and
Compliance; establishing the rights of a landlord to access
a tenant’s lot in a manufactured home park; revising
provisions governing certain disclosures required to be
made to a tenant by a landlord of a manufactured home
park; revising requirements relating to the maintenance of
lots by tenants in a manufactured home park; requiring a
seller or transferor of a mobile home park to notify the
Housing Division of the Department of Business and
Industry of the sale or transfer; providing penalties; and
providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law regulates various activities relating to manufactured homes,
- 2 mobile homes, manufactured buildings, commercial coaches and factory-built
- 3 housing. (Chapter 489 of NRS) **Sections 1 and 24-28** of this bill make the
- 4 requirements and prohibitions in existing law relating to trip permits applicable to



5 manufactured buildings. (NRS 489.122, 489.611-489.661) **Sections 2 and 9** of this
6 bill make certain provisions in existing law relating to the issuance of certificates
7 and labels of compliance applicable to manufactured buildings. (NRS 489.241,
8 489.461) **Sections 3 and 14-18** of this bill make the requirements in existing law
9 relating to regulations governing certain sales and the issuance of certificates of
10 title by the Housing Division of the Department of Business and Industry
11 applicable to manufactured buildings. (NRS 489.272, 489.531-489.581) **Sections 4-**
12 **6** of this bill make the enforcement authority of the Division in existing law relating
13 to notice of violations, orders to vacate and orders to stop work applicable to
14 manufactured buildings. (NRS 489.291, 489.295, 489.297) **Section 8** of this bill
15 makes the provisions relating to advance fees in existing law applicable to sales of
16 manufactured buildings and factory-built housing. (NRS 489.426)

17 Existing law creates the Account for Housing Inspection and Compliance in the
18 State General Fund and requires that this Account be administered by the Division.
19 (NRS 319.169) Under existing law, a person is required to obtain a license from the
20 Division to engage in the business of a dealer, distributor, manufacturer, general
21 serviceperson, specialty serviceperson, salesperson or certain managing employee
22 in connection with the sale, lease, distribution, alteration, repair, remodeling or
23 manufacture of a manufactured home, mobile home, manufactured building or
24 commercial coach or factory-built housing. (NRS 489.311, 489.341) Existing law
25 provides a procedure pursuant to which certain persons who obtain judgments
26 against such licensees for acts of fraud, misrepresentation or deceit made in
27 connection with their licenses are authorized to make a claim for payment from the
28 Account of any unpaid damages, subject to certain monetary limitations. (NRS
29 489.4971-489.4989) **Sections 10 and 11** of this bill clarify that an eligible claimant
30 for such a payment is not only a purchaser of a manufactured home, mobile home,
31 manufactured building or commercial coach or factory-built housing but any person
32 who entered into an agreement for the sale, purchase, lease, distribution, alteration,
33 repair, remodeling or manufacture of such housing. **Sections 10 and 11** also
34 expand the actions regarding which such claims are authorized to be made to
35 include any action against a licensee in which damages are recovered for an act or
36 omission of the licensee that violates the laws governing manufactured homes,
37 mobile homes, manufactured buildings, commercial coaches and factory-built
38 housing. Additionally, **sections 10 and 11** reorganize the existing procedure for
39 making a claim for payment from the Account. **Section 7** of this bill makes a
40 conforming change to refer to a provision that has been renumbered by **section 10**.
41 (NRS 489.325)

42 Existing law sets forth certain requirements concerning the sale of a new, used
43 or rebuilt manufactured home, mobile home, manufactured building or commercial
44 coach or new, used or rebuilt factory-built housing. (NRS 489.501, 489.511,
45 489.521) If such a sale is conducted by a dealer, existing law requires the dealer to
46 complete a report of sale in a form prescribed by the Division and submit the report
47 of sale and certain other documents to the Division within certain time periods after
48 the sale. (NRS 489.501, 489.511) In addition to the report of sale and other
49 documents, **sections 12 and 13** of this bill require a dealer to submit to the Division
50 within certain time periods after the sale the completed contract for sale prescribed
51 by the Administrator of the Division.

52 **Sections 19-23** of this bill make the provisions in existing law relating to the
53 issuance of labels and certificates of installation applicable to manufactured
54 buildings and commercial coaches. (NRS 489.591-489.5965) **Section 29** of this bill
55 makes the exemption of a dealer from property taxes for inventory in existing law
56 applicable to the dealer's inventory of manufactured buildings and factory-built
57 housing. (NRS 489.711) **Section 30** of this bill makes the requirements for offers to
58 sell, buy or lease used manufactured homes, mobile homes and commercial coaches
59 applicable to such offers for used manufactured buildings and factory-built housing.



60 (NRS 489.715) **Section 31** of this bill expands the forms of contracts in existing
61 law that the Administrator is required to prescribe for use by a dealer to include
62 contracts for the sale or listing for sale of a manufactured building or factory-built
63 housing. (NRS 489.7152)

64 Existing law: (1) authorizes the Division to investigate and audit any financial
65 account related to the business of a dealer or distributor of a manufactured home,
66 mobile home, manufactured building or commercial coach or factory-built housing
67 to investigate potential insolvency or to administer or enforce any law; and (2)
68 requires the Administrator to adopt regulations prescribing the scope of such an
69 audit. (NRS 489.7235) Instead of investigating for potential insolvency, **section 32**
70 of this bill authorizes the Division to investigate whether the dealer or distributor
71 violated laws governing manufactured homes, mobile homes, manufactured
72 buildings, commercial coaches and factory-built housing. **Section 32** also broadens
73 the authority of the Division for adoption of the regulations to include the
74 investigation and other related matters.

75 **Sections 33 and 35** of this bill expand the prohibition in existing law against a
76 dealer commingling his or her money with money or other property of a seller or
77 purchaser of a manufactured home or mobile home to apply to sales or purchases of
78 manufactured buildings, commercial coaches and factory-built housing. (NRS
79 489.727, 489.821) **Section 34** of this bill expands the prohibition against
80 manufacturing a manufactured home, mobile home, travel trailer or commercial
81 coach unless the components and system are constructed or assembled according to
82 certain standards to include manufactured buildings and factory-built housing.
83 (NRS 489.801)

84 Existing law sets forth certain rights and obligations of the owner or lessor of a
85 manufactured home lot within a manufactured home park or the owner or lessor of
86 such a park. (NRS 118B.065-118B.185) Existing law defines such an owner or
87 lessor as a "landlord." (NRS 118B.014) Existing law defines the owner of a
88 manufactured home which is located on a manufactured home lot in a
89 manufactured home park as a "tenant." (NRS 118B.0185) **Section 36** of this bill
90 establishes the rights of the landlord to access the lot of a tenant. **Section 36** is
91 modeled on the rights of a landlord to access the dwelling unit of a tenant in the
92 Residential Landlord and Tenant Act. (NRS 118A.330)

93 Existing law prohibits certain retaliatory conduct by a landlord against a tenant,
94 including terminating a tenancy, refusing to renew a tenancy, increasing rent or
95 decreasing services, or bringing or threatening to bring an action for possession of a
96 manufactured home lot because the tenant has complained to the landlord
97 concerning a violation of certain provisions of existing law. (NRS 118B.210)
98 **Section 39** of this bill also prohibits such retaliatory conduct by a landlord against a
99 tenant who complains about a violation of **section 36**.

100 Existing law requires a landlord to: (1) provide certain written disclosures to
101 each tenant, including certain contact information for the park owner, manager,
102 assistant manager and person authorized to receive service of process for the
103 landlord; and (2) post or provide to each tenant the office hours or the landlord's
104 availability at the park. (NRS 118B.080) **Section 37** of this bill adds to such
105 disclosure requirements an electronic mail address for such persons and requires
106 that the office hours be during regular business hours. **Section 37** also requires that
107 the manager or assistant manager of a manufactured home park consisting of 75 or
108 more lots: (1) be available at the park location for a minimum of 8 hours each week
109 during regular business hours; and (2) post such hours.

110 Existing law authorizes a landlord or his or her agent or employee to require a
111 tenant to landscape and maintain the tenant's lot if the landlord advises the tenant in
112 writing of reasonable requirements for landscaping. (NRS 118B.120) **Section 38** of
113 this bill changes the authority of the landlord regarding landscaping to only allow
114 the landlord to require the tenant to reasonably maintain the tenant's lot to control



115 weeds and any grass or other vegetation and only if the landlord had provided the
116 tenant with 30 days' advance written notice of the requirement.

117 Existing law sets forth various requirements and restrictions relating to a
118 mobile home park. (NRS 461A.215-461A.237) **Section 40** of this bill requires a
119 seller or transferor of a mobile home park to notify the Division of the sale or
120 transfer of the park, in a form prescribed by the Division, within 10 business days
121 after the sale or transfer.

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

1 **Section 1.** NRS 489.122 is hereby amended to read as follows:

2 489.122 "Movement" means the act of towing, pushing or
3 otherwise propelling a manufactured home, mobile home ,
4 *manufactured building* or commercial coach upon a highway or
5 road.

6 **Sec. 2.** NRS 489.241 is hereby amended to read as follows:

7 489.241 The Administrator shall adopt regulations:

8 1. Consistent with the federal regulations governing procedure
9 and enforcement respecting manufactured homes to administer and
10 enforce federal construction and safety standards respecting
11 manufactured homes in accordance with the National Manufactured
12 Housing Construction and Safety Standards Act of 1974 (42 U.S.C.
13 §§ 5401 et seq.).

14 2. For the construction of commercial coaches that are
15 reasonably consistent with nationally recognized standards.

16 3. For the:

17 (a) Reconstruction; and

18 (b) Alteration, including that done to a plumbing, heating or
19 electrical system,

20 ↪ of mobile homes and commercial coaches that are reasonably
21 consistent with nationally recognized standards.

22 4. For the issuance of certificates and labels of compliance.
23 The regulations must provide for, without limitation:

24 (a) Inspection at the place of manufacture;

25 (b) Submission and approval of plans and specifications or for
26 the actual inspection and approval of the *manufactured home*,
27 mobile home, travel trailer , *manufactured building* or commercial
28 coach or acceptance of a label of compliance issued by another state
29 or a private organization which the Administrator finds has a
30 competent inspection program reasonably consistent with this
31 chapter; and

32 (c) Revocation for cause, upon notice and hearing, of the right of
33 a manufacturer to sell *manufactured homes*, mobile homes, travel



1 trailers , *manufactured buildings* or commercial coaches in this
2 state for use in this state.

3 5. Consistent with nationally recognized standards governing
4 the minimum requirements for the design of travel trailers.

5 **Sec. 3.** NRS 489.272 is hereby amended to read as follows:
6 489.272 The Administrator shall adopt regulations:

7 1. Requiring a person who is buying or selling a manufactured
8 home, mobile home , *manufactured building* or commercial coach
9 pursuant to:

10 (a) A sale to satisfy a lien; or

11 (b) A contract for sale or other agreement by which the
12 certificate of title does not pass immediately from the seller to the
13 buyer upon the sale,

14 ➤ to submit to the Administrator such information regarding the
15 sale as the Administrator deems necessary.

16 2. Establishing requirements for the issuance or transfer of a
17 certificate of title of a mobile home, manufactured home ,
18 *manufactured building* or commercial coach in cases involving:

19 (a) More than one transferor or transferee;

20 (b) A transferor or transferee who holds a certificate of title in
21 trust for another person; or

22 (c) A sale to satisfy a lien.

23 **Sec. 4.** NRS 489.291 is hereby amended to read as follows:

24 489.291 1. If the Administrator finds a violation of this
25 chapter or of the prohibition in NRS 118B.140 against charging or
26 receiving an entrance or exit fee, or of any regulation adopted
27 pursuant to this chapter, the Administrator may issue a notice of
28 violation to the person alleged to have violated the provision. The
29 notice of violation must set forth the violation which the
30 Administrator alleges with particularity and specify the corrective
31 action which is to be taken and the time within which the action
32 must be taken. If the person is alleged to have violated the
33 prohibition in NRS 118B.140 against charging or receiving an
34 entrance or exit fee, the notice of violation must specify that the fee
35 be repaid in full, and may specify any other corrective action which
36 the Administrator deems necessary.

37 2. Any person who fails to take the corrective action required
38 in a notice of violation is guilty of a misdemeanor and the
39 Administrator may:

40 (a) Apply to the district court for the judicial district in which
41 the violation is alleged to have occurred for an injunction and any
42 other relief which the court may grant to compel compliance;

43 (b) Request that the district attorney of the county in which the
44 violation is alleged to have occurred prosecute the person for the
45 violation;



1 (c) If the person is alleged to have violated the prohibition in
2 NRS 118B.140 against charging or receiving an entrance or exit fee,
3 assess a penalty against the person equal to three times the amount
4 of the fee which was charged or received; or

5 (d) If the person is alleged to have violated NRS 489.311 and
6 while acting without a license is alleged to have caused damage to a
7 mobile home, manufactured home , *manufactured building* or
8 commercial coach, require that the person reimburse the owner of
9 the mobile home, manufactured home , *manufactured building* or
10 commercial coach for the cost of repairing such damage and assess a
11 penalty against that person equal to the estimated cost of such
12 repairs.

13 3. The assessment of a penalty pursuant to paragraph (c) or (d)
14 of subsection 2 is a contested case.

15 4. Any person who is found to have violated a provision of this
16 chapter, the prohibition in NRS 118B.140 against charging or
17 receiving an entrance or exit fee, or a regulation adopted pursuant to
18 this chapter, is liable for the cost incurred by the Division in
19 enforcing the provision or regulation.

20 **Sec. 5.** NRS 489.295 is hereby amended to read as follows:

21 489.295 1. If an inspection reveals that a used manufactured
22 home, used mobile home , *used manufactured building* or used
23 commercial coach is constructed or maintained in violation of this
24 chapter, the Division may order its use discontinued and the used
25 manufactured home, used mobile home , *used manufactured*
26 *building* or used commercial coach, or any portion thereof, vacated.

27 2. The order to vacate must be served upon the person using
28 the used manufactured home, used mobile home , *used*
29 *manufactured building* or used commercial coach and copies of the
30 order must also be posted at or upon each exit of the used
31 manufactured home, used mobile home , *used manufactured*
32 *building* or used commercial coach.

33 3. The order to vacate must include a reasonable time within
34 which the violation may be corrected.

35 4. A person shall not occupy or use the used manufactured
36 home, used mobile home , *used manufactured building* or used
37 commercial coach in violation of the order to vacate.

38 **Sec. 6.** NRS 489.297 is hereby amended to read as follows:

39 489.297 1. Whenever any construction, rebuilding or other
40 work is performed in violation of this chapter or any regulation
41 adopted pursuant to this chapter, the Division may order the work
42 stopped.

43 2. The order to stop work must be served upon the person
44 doing the work or upon the person causing the work to be done. The



1 person served with the order shall immediately cease the work until
2 authorized by the Division to continue it.

3 3. A copy of the order to stop work must be posted at or upon a
4 recognized entrance of the used manufactured home, used mobile
5 home, *used manufactured building* or used commercial coach.

6 **Sec. 7.** NRS 489.325 is hereby amended to read as follows:

7 489.325 1. The Administrator may adopt regulations which
8 provide for the licensing of specialty servicepersons. A person
9 licensed as a specialty serviceperson pursuant to this section must be
10 limited in the scope of the work he or she may perform to
11 installation or repair in one of the following categories:

- 12 (a) Awnings, roofing or skirting;
- 13 (b) Plumbing;
- 14 (c) Heating and air-conditioning systems;
- 15 (d) Electrical systems; or
- 16 (e) Any other category that may be similarly licensed by the
17 State Contractors' Board.

18 2. The Administrator shall provide in those regulations for:

19 (a) The imposition of reasonable fees for application,
20 examination and licensure.

21 (b) The creation and administration of a written or oral
22 examination for each category of limited licensure.

23 (c) Minimum qualifications for such a license, including,
24 without limitation, the passage of any applicable examination
25 required pursuant to subsection 1 of NRS 489.351, unless waived
26 pursuant to subsection 2 of NRS 489.351.

27 3. A person who is licensed as a specialty serviceperson shall
28 comply with each statute and regulation which applies to general
29 servicepersons, including, without limitation, the payment of a fee
30 required pursuant to subparagraph (I) of paragraph (c) of subsection
31 ~~2~~ I of NRS 489.4971.

32 **Sec. 8.** NRS 489.426 is hereby amended to read as follows:

33 489.426 1. A person who charges or collects an advance fee
34 shall, within 3 months after charging or collecting such a fee,
35 furnish to his or her principal an accounting of the use of the money.
36 The Administrator also may require an accounting by the person of
37 the use of the money.

38 2. A person shall not accept an advance fee listing unless the
39 person is a dealer, responsible managing employee or salesperson
40 who is licensed pursuant to this chapter.

41 3. The Administrator may adopt regulations concerning
42 advance fee listings and the charging and collecting of an advance
43 fee, including, but not limited to:

- 44 (a) Forms to be used for advance fee agreements; and



1 (b) Reports and forms of accounting required to be kept, made
2 or submitted to the Division.

3 4. A violation of this section or the regulations adopted
4 pursuant to this section constitutes grounds for disciplinary action
5 against a licensee.

6 5. As used in this section:

7 (a) "Advance fee" means the money contracted for, charged,
8 claimed, collected, demanded or received for an advance fee listing
9 of, an advertisement for or an offer to sell a manufactured home,
10 mobile home , *manufactured building* or commercial coach ~~[]~~ *or*
11 *factory-built housing*, if the advance fee listing, advertisement or
12 offer is issued to promote the sale of a manufactured home, mobile
13 home , *manufactured building* or commercial coach *or factory-*
14 *built housing* or for referral to a business, to dealers or to
15 salespersons, before the last printing or other last issuance thereof,
16 other than by a newspaper of general circulation.

17 (b) "Advance fee listing" includes, but is not limited to:

18 (1) The name or a list of the names of owners, prospective
19 buyers or exchangers, or the location of a manufactured home,
20 mobile home , *manufactured building* or commercial coach *or*
21 *factory-built housing* that is offered for sale or exchange.

22 (2) The location at which prospective or potential buyers or
23 exchangers of manufactured homes, mobile homes ~~[]~~ ,
24 *manufactured buildings*, commercial coaches *or factory-built*
25 *housing* may be communicated with or found.

26 (3) An agreement by which a person who is engaged in the
27 business of promoting the sale of manufactured homes, mobile
28 homes ~~[]~~ , *manufactured buildings*, commercial coaches *or*
29 *factory-built housing* agrees to render to an owner or buyer any
30 service to promote the sale of the manufactured home, mobile home
31 ~~[]~~ , *manufactured building*, commercial coach *or factory-built*
32 *housing* for an advance fee.

33 (4) An agreement by which a person agrees to locate or to
34 promote the sale of a manufactured home, mobile home ,
35 *manufactured building* or commercial coach *or factory-built*
36 *housing* for an advance fee.

37 ➤ The term does not include any publication issued for general
38 circulation.

39 **Sec. 9.** NRS 489.461 is hereby amended to read as follows:

40 489.461 Except as otherwise provided in NRS 278.02095, a
41 manufactured home, mobile home, travel trailer , *manufactured*
42 *building* or commercial coach for which a certificate and label of
43 compliance has been issued pursuant to the provisions of this
44 chapter is not required to comply with any local building codes or



1 ordinances prescribing standards for plumbing, heating, electrical
2 systems, body and frame design and construction requirements.

3 **Sec. 10.** NRS 489.4971 is hereby amended to read as follows:

4 489.4971 1. ~~[Any person who entered into an agreement for
5 the sale, purchase, lease, distribution, alteration, repair, remodeling
6 or manufacture of a manufactured home, mobile home,
7 manufactured building or commercial coach or factory built housing
8 may file a claim against a person licensed pursuant to the provisions
9 of this chapter. Such a claim may be satisfied by the Account.~~

10 ~~—2.]~~ Upon the issuance or renewal of the following licenses by
11 the Division, the licensee must pay, in addition to the original or
12 renewal license fee, a fee:

13 (a) For a dealer's, distributor's or manufacturer's original
14 license, or for any original limited dealer's license which authorizes
15 a limited dealer to act as a reposessor or liquidator, of \$1,000.

16 (b) For a dealer's, distributor's or manufacturer's renewal
17 license, or a renewal of any limited dealer's license which
18 authorizes a limited dealer to act as a reposessor or liquidator, of
19 \$600.

20 (c) For an original or renewal license for:

21 (1) A general serviceperson or specialty serviceperson, of
22 \$150.

23 (2) A salesperson, of \$75.

24 (3) A responsible managing employee, of \$100.

25 ↪ Except as otherwise provided in NRS 489.265, fees collected
26 pursuant to this section must be deposited in the State Treasury for
27 credit to the Account.

28 ~~[3.—A payment from the Account to satisfy the claim of a
29 person specified in subsection 1 against a person who is licensed
30 pursuant to this chapter must be made only upon an appropriate
31 court order that is issued in an action for fraud, misrepresentation or
32 deceit relating to an act for which a license is required pursuant to
33 this chapter.~~

34 ~~—4. If a person specified in subsection 1 commences an action
35 specified in subsection 3 against a person who is licensed pursuant
36 to this chapter, the person specified in subsection 1 must serve a
37 copy of the complaint upon the Administrator within 30 days after
38 the action is commenced.]~~

39 **2. Money in the Account must, within the limitations set by**
40 **NRS 489.4975 and 489.4983, be used to pay a claim for which:**

41 (a) **A court entered an order directing payment of the claim**
42 **from the Account pursuant to NRS 489.4979; or**

43 (b) **The Administrator compromised the claim pursuant to**
44 **NRS 489.4977.**



1 **Sec. 11.** NRS 489.4975 is hereby amended to read as follows:

2 489.4975 1. If a ~~purchaser~~ *person who entered into an*
3 *agreement for the sale, purchase, lease, distribution, alteration,*
4 *repair, remodeling or manufacture* of a manufactured home,
5 mobile home, manufactured building or commercial coach or
6 factory-built housing *commences an action against a person who is*
7 *licensed pursuant to this chapter relating to an act or omission of*
8 *the licensee that is in violation of this chapter or the regulations*
9 *adopted pursuant thereto, the person who commenced the action*
10 *must serve a copy of the complaint in the action upon the*
11 *Administrator within 30 days after the action is commenced.*

12 2. *If the person who commenced the action* obtains a final
13 judgment in any court of competent jurisdiction *for the recovery of*
14 *damages* against ~~any~~ the licensee, ~~under this chapter in an action~~
15 ~~specified in subsection 3 of NRS 489.4971,~~ the judgment creditor
16 may, ~~upon~~ *within 1 year after* the termination of all proceedings,
17 including appeals in connection with any judgment, ~~file~~ *make a*
18 *claim for payment from the Account by filing* a verified petition in
19 the court in which the judgment was entered for an order directing
20 payment from the Account in the amount of actual damages
21 included in the judgment and unpaid, but not more than \$25,000 per
22 judgment and the liability of the Account may not exceed \$100,000
23 for any licensee.

24 ~~2.~~ 3. A copy of the petition must be served upon the
25 Administrator and an affidavit of service filed with the court. The
26 petition and each copy of the petition served pursuant to this
27 subsection must set forth the grounds which entitle the judgment
28 creditor to recover from the Account and must include a copy of:

29 (a) The final judgment specified in subsection ~~1.~~ 2;

30 (b) The complaint upon which the final judgment was entered;
31 and

32 (c) If assets are known to exist, the writ of execution that was
33 returned unsatisfied.

34 ~~3.~~ 4. The court shall act upon the petition within 30 days
35 after service and, upon the hearing of the petition, the judgment
36 creditor must show that:

37 (a) The judgment creditor is not the spouse of the judgment
38 debtor, or the personal representative of that spouse.

39 (b) The judgment creditor has complied with all the
40 requirements of NRS 489.4971 to 489.4989, inclusive.

41 (c) The judgment creditor has obtained a judgment of the kind
42 described in subsection ~~1.~~ 2, stating the amount of the judgment
43 and the amount owing on it at the date of the petition.

44 (d) A writ of execution has been issued upon the judgment and
45 that no assets of the judgment debtor liable to be levied upon in



1 satisfaction of the judgment could be found, or that the amount
2 realized on the sale of any of them that were found under the
3 execution was insufficient to satisfy the judgment, stating the
4 amount so realized and the balance remaining due.

5 (e) The judgment creditor and the Division have made
6 reasonable searches and inquiries to ascertain whether the judgment
7 debtor possesses real or personal property or other assets, liable to
8 be sold or applied in satisfaction of the judgment.

9 (f) The petition has been filed not more than 1 year after the
10 termination of all proceedings, including reviews and appeals, in
11 connection with the judgment.

12 ~~4.~~ 5. A person licensed pursuant to this chapter shall not
13 recover from the Account for damages related to a transaction in
14 which the person acted in his or her capacity as a licensee.

15 **Sec. 12.** NRS 489.501 is hereby amended to read as follows:

16 489.501 1. When a new manufactured home, new mobile
17 home, new manufactured building or new commercial coach or new
18 factory-built housing is sold in this State by a dealer, the dealer shall
19 complete a report of sale. The report of sale must be in a form
20 prescribed by the Division.

21 2. The dealer shall require the buyer to sign an
22 acknowledgment of taxes, on a form prescribed by the Division. A
23 dealer who sells a new manufactured home, new mobile home, new
24 manufactured building or new commercial coach or new factory-
25 built housing shall deliver the buyer's copy of the acknowledgment
26 of taxes to the buyer at the time of sale and submit another copy
27 within 30 days after the date of the sale to the county assessor of the
28 county in which the manufactured home, mobile home,
29 manufactured building, commercial coach or factory-built housing
30 will be located.

31 3. The dealer shall submit the *completed* report of sale *and*
32 *contract for sale prescribed by NRS 489.7152* and the
33 manufacturer's certificate or statement of origin to the Division
34 within 30 days after the execution of all instruments which the
35 contract of sale required to be executed at the time of sale or within
36 30 days after the date of sale, whichever is later, unless an extension
37 of time is granted by the Division.

38 4. A dealer who sells a new manufactured home, new mobile
39 home, new manufactured building or new commercial coach or new
40 factory-built housing shall deliver a copy of the report of sale to the
41 buyer at the time of sale and submit another copy within 30 days
42 after the date of the sale to the county assessor of the county in
43 which the manufactured home, mobile home, manufactured
44 building, commercial coach or factory-built housing will be located.



1 **Sec. 13.** NRS 489.511 is hereby amended to read as follows:

2 489.511 1. If a used or rebuilt manufactured home, mobile
3 home, manufactured building or commercial coach or used or
4 rebuilt factory-built housing is sold in this State by a dealer, the
5 dealer shall complete a dealer's report of sale. The report must be in
6 a form prescribed by the Division.

7 2. The dealer shall submit the *completed* dealer's report of sale
8 *and contract for sale prescribed by NRS 489.7152* to the Division
9 within 45 days after the execution of all instruments which the
10 contract of sale requires to be executed at the time of the sale, unless
11 an extension of time is granted by the Division, together with the
12 endorsed certificate of title previously issued. The dealer shall
13 furnish one copy of the report of sale to the buyer at the time of the
14 sale. Within 45 days after the sale, the dealer shall furnish one copy
15 of the report of sale to the assessor of the county in which the
16 manufactured home, mobile home, manufactured building,
17 commercial coach or factory-built housing will be located.

18 3. The dealer shall require the buyer to sign an
19 acknowledgment of taxes, on a form prescribed by the Division. The
20 dealer shall deliver the buyer's copy of the acknowledgment to the
21 buyer at the time of sale and submit another copy to the county
22 assessor of the county in which the manufactured home, mobile
23 home, manufactured building, commercial coach or factory-built
24 housing is to be located.

25 4. If a used or rebuilt manufactured home, mobile home,
26 manufactured building or commercial coach or used or rebuilt
27 factory-built housing is sold by a dealer pursuant to an installment
28 contract or other agreement by which the certificate of title does not
29 pass immediately from the seller to the buyer upon the sale, the
30 dealer shall submit to the Division any information required by the
31 regulations adopted by the Administrator pursuant to NRS 489.272.

32 **Sec. 14.** NRS 489.531 is hereby amended to read as follows:

33 489.531 The Division shall not issue a certificate of title of a
34 used manufactured home , ~~or~~ used mobile home , *used*
35 *manufactured building or used commercial coach* unless the
36 county assessor of the county in which the manufactured home , ~~or~~
37 mobile home , *manufactured building or commercial coach* was
38 situated at the time of sale has provided to the Division, on a form
39 prescribed by the Division, verification that all personal property
40 taxes on that manufactured home , ~~or~~ mobile home ,
41 *manufactured building or commercial coach* for the fiscal year
42 have been paid.

43 **Sec. 15.** NRS 489.561 is hereby amended to read as follows:

44 489.561 Whenever an application is made to the Division for
45 title of a manufactured home, mobile home , *manufactured*



1 **building** or commercial coach previously titled and the applicant is
2 unable to present the certificate of title previously issued because it
3 is lost or being unlawfully detained by one in possession or is not
4 otherwise available, the Division may receive the application and
5 examine the circumstances of the case and require the filing of
6 affidavits or other information. When the Division is satisfied that
7 the applicant is entitled to a certificate of title, or pursuant to NRS
8 489.562, it may issue the certificate on the manufactured home,
9 mobile home, **manufactured building** or commercial coach.

10 **Sec. 16.** NRS 489.564 is hereby amended to read as follows:

11 489.564 1. The owner or joint owners of a manufactured
12 home, mobile home, **manufactured building** or commercial coach
13 may request the Division to issue a certificate of title in beneficiary
14 form for the manufactured home, mobile home, **manufactured**
15 **building** or commercial coach, as applicable, which includes a
16 directive to the Division to transfer the certificate of title upon the
17 death of the owner or upon the death of all joint owners to a
18 beneficiary named on the face of the certificate of title.

19 2. A request made pursuant to subsection 1 must be submitted
20 on an application made available by the Division and must:

21 (a) Contain a notarized signature of the owner or each joint
22 owner; and

23 (b) Be accompanied by the fee for the issuance of a certificate of
24 title.

25 3. A certificate of title in beneficiary form may not be issued to
26 a person who holds an interest in a manufactured home, mobile
27 home, **manufactured building** or commercial coach as a tenant in
28 common with another person.

29 4. A certificate of title in beneficiary form must include after
30 the name of the owner or after the names of joint owners the words
31 "transfer on death to" or the abbreviation "TOD" followed by the
32 name of the beneficiary.

33 5. During the lifetime of a sole owner or before the death of the
34 last surviving joint owner:

35 (a) The signature or consent of the beneficiary is not required for
36 any transaction relating to a manufactured home, mobile home,
37 **manufactured building** or commercial coach for which a certificate
38 of title in beneficiary form has been issued; and

39 (b) The certificate of title in beneficiary form may be revoked or
40 the beneficiary changed at any time by:

41 (1) Sale of the manufactured home, mobile home,
42 **manufactured building** or commercial coach with proper
43 assignment and delivery of the certificate of title to another person;
44 or



1 (2) Filing an application with, and paying a fee to, the
2 Division to reissue the certificate of title with no designation of a
3 beneficiary or with the designation of a different beneficiary.

4 6. The interest of the beneficiary in a manufactured home,
5 mobile home , *manufactured building* or commercial coach on the
6 death of the sole owner or on the death of the last surviving joint
7 owner is subject to any contract of sale, assignment or ownership or
8 security interest to which the owner or owners of the manufactured
9 home, mobile home , *manufactured building* or commercial coach
10 were subject during their lifetime.

11 7. Except as otherwise provided in paragraph (b) of subsection
12 5, the designation of a beneficiary in a certificate of title in
13 beneficiary form may not be changed or revoked by will, any other
14 instrument or a change in circumstances, or otherwise changed or
15 revoked.

16 8. The Division shall, upon:

17 (a) Proof of death of one of the owners, of two or more joint
18 owners or of a sole owner; and

19 (b) Payment of the fee for a certificate of title,
20 ↪ issue a new certificate of title for the manufactured home, mobile
21 home , *manufactured building* or commercial coach to the
22 surviving owner or owners or, if none, to the beneficiary, subject to
23 any security interest.

24 9. For the purposes of complying with the provisions of
25 subsection 8, the Division may rely on a death certificate, record or
26 report that constitutes prima facie evidence of death.

27 10. The transfer on death of a manufactured home, mobile
28 home , *manufactured building* or commercial coach pursuant to
29 this section is not considered as testamentary and is not subject to
30 administration pursuant to the provisions of title 12 of NRS.

31 11. As used in this section:

32 (a) "Beneficiary" means a person or persons designated to
33 become the owner or owners of a manufactured home, mobile home
34 , *manufactured building* or commercial coach on the death of the
35 preceding owner or owners.

36 (b) "Certificate of title in beneficiary form" means a certificate
37 of title of a manufactured home, mobile home , *manufactured*
38 *building* or commercial coach that indicates the present owner or
39 owners of the manufactured home, mobile home , *manufactured*
40 *building* or commercial coach and designates a beneficiary.

41 **Sec. 17.** NRS 489.571 is hereby amended to read as follows:

42 489.571 1. Whenever a security interest is created in a
43 manufactured home, mobile home , *manufactured building* or
44 commercial coach, the certificate of title must be delivered to the
45 Division with a statement signed by the debtor showing the date of



1 the security agreement, the names and addresses of the debtor and
2 the secured party.

3 2. The Division shall issue to the secured party a certificate of
4 title with the name and address of the secured party and the name
5 and address of the registered owner noted on it. If the security
6 interest is subsequently acquired by another person, or if there is a
7 change in the name or address of the secured party, the secured
8 party shall apply to the Division for a corrected certificate of title.

9 3. When the contract or terms of the security agreement have
10 been fully performed, the seller or other secured party who holds the
11 certificate of title shall deliver the certificate to the person legally
12 entitled to it with proper evidence of the termination or release of
13 the security interest.

14 **Sec. 18.** NRS 489.581 is hereby amended to read as follows:

15 489.581 Compliance with the provisions of this chapter
16 relating to a security interest in a manufactured home, mobile home
17 , *manufactured building* or commercial coach is sufficient for the
18 perfection and release of that security interest. In all other respects
19 the rights and duties of the debtor and secured party are governed by
20 the Uniform Commercial Code—Secured Transactions and chapter
21 97 of NRS to the extent applicable.

22 **Sec. 19.** NRS 489.591 is hereby amended to read as follows:

23 489.591 The Division shall adopt regulations concerning the
24 issuance of:

25 1. Certificates of installation issued by the Division which
26 certify that the manufactured home, mobile home , *manufactured*
27 *building* or commercial coach was installed in compliance with
28 regulations adopted by the Division.

29 2. Labels of installation issued by the Division which must be
30 attached to a manufactured home, mobile home , *manufactured*
31 *building* or commercial coach after the certificate of installation has
32 been issued and removed when the manufactured home, mobile
33 home , *manufactured building* or commercial coach is moved from
34 the location it occupied when the certificate was issued.

35 **Sec. 20.** NRS 489.593 is hereby amended to read as follows:

36 489.593 Each certificate of installation issued by the Division
37 for a manufactured home , ~~or~~ mobile home , *manufactured*
38 *building or commercial coach* must include the following
39 information:

40 1. The name of the Administrator;

41 2. The address and telephone number of each office of the
42 Division;

43 3. The legal rights of owners of manufactured homes , ~~and~~
44 mobile homes ~~;~~ , *manufactured buildings and commercial*
45 *coaches*;



1 4. The procedure for filing a complaint with the Administrator;
2 5. The procedure for resolution of disputes between owners of
3 manufactured homes , ~~or~~ mobile homes , *manufactured buildings*
4 *or commercial coaches* and persons licensed by the Division; and

5 6. Any other information prescribed by the Administrator.

6 **Sec. 21.** NRS 489.595 is hereby amended to read as follows:

7 489.595 A dealer shall provide a copy of the certificate of
8 installation described in NRS 489.593 to each purchaser of a new
9 manufactured home ~~or~~ , *new mobile home, new manufactured*
10 *building or new commercial coach*. The Division shall make
11 available sample copies of certificates of installation to all licensed
12 dealers for distribution to prospective purchasers.

13 **Sec. 22.** NRS 489.596 is hereby amended to read as follows:

14 489.596 1. The Division, in cooperation with manufacturers
15 and organizations concerned with manufactured homes , ~~and~~
16 mobile homes, *manufactured buildings and commercial coaches*,
17 shall conduct one or more training programs each year regarding
18 appropriate methods and techniques for conducting any inspections
19 necessary for the issuance of certificates of installation and labels of
20 installation for manufactured homes , ~~and~~ mobile homes ~~or~~
21 *manufactured buildings and commercial coaches*.

22 2. The Division shall pay for the expenses of conducting the
23 programs from money in the Account.

24 **Sec. 23.** NRS 489.5965 is hereby amended to read as follows:

25 489.5965 No person may issue a certificate of installation or
26 label of installation for a manufactured home , ~~or~~ mobile home ,
27 *manufactured building or commercial coach* unless the person has
28 successfully completed, within the preceding 12 months, a training
29 program conducted pursuant to NRS 489.596.

30 **Sec. 24.** NRS 489.611 is hereby amended to read as follows:

31 489.611 1. Except as otherwise provided in subsection 2, no
32 manufactured home, mobile home , *manufactured building* or
33 commercial coach may be moved upon the highways or roads of this
34 state through use of any valid license plate unless a proper trip
35 permit is obtained and displayed.

36 2. NRS 489.621 to 489.661, inclusive, do not apply to
37 manufactured homes, mobile homes , *manufactured buildings* or
38 commercial coaches moved:

39 (a) Through this state from and to points outside Nevada.

40 (b) Into this state with a valid license plate or permit from
41 another state.

42 (c) With any valid license plate when movement is from:

43 (1) The place of manufacture of the manufactured home,
44 mobile home , *manufactured building* or commercial coach to the
45 place of business of a dealer licensed under this chapter;



(2) One dealer lot to another; or

(3) A dealer lot to the place of delivery to that dealer's buyer.

Sec. 25. NRS 489.621 is hereby amended to read as follows:

489.621 1. Except as otherwise provided in NRS 489.611, any person who moves a manufactured home, mobile home, *manufactured building* or commercial coach upon any highway or road in this state shall, before that movement, apply to the county assessor for a trip permit. The assessor of the county from which the manufactured home, mobile home, *manufactured building* or commercial coach is to be moved shall issue a trip permit for each section of the manufactured home, mobile home, *manufactured building* or commercial coach upon application presented in the form prescribed by the Division, payment of a fee of \$5 for each permit, and proof satisfactory to the assessor of ownership and that all property taxes, for the full year in which the permit is to be used, and use taxes if applicable, levied against the manufactured home, mobile home, *manufactured building* or commercial coach and its contents have been paid.

2. The trip permit authorizes movement over the highways and roads for not more than 5 consecutive working days following the date of issuance and the application and permit respectively must be used in lieu only of any certificate of registration and vehicle license number plate required by law.

Sec. 26. NRS 489.631 is hereby amended to read as follows:

489.631 1. The application for a trip permit must contain any information required by the Division, and the name of the owner of the manufactured home, mobile home, *manufactured building* or commercial coach, the make, model and serial number of the manufactured home, mobile home, *manufactured building* or commercial coach, the location of the place from which it was moved, the address of the place to which it is to be moved, the amount of all property taxes paid for the manufactured home, mobile home, *manufactured building* or commercial coach for the year in which the permit will be used, the expiration date of the permit and the signature of the county assessor or designee of the county assessor.

2. The county assessor shall, within 10 days after issuing the trip permit, forward a copy of the application:

(a) To the Division; and

(b) To the assessor of the county where the manufactured home, mobile home, *manufactured building* or commercial coach will be located, unless the manufactured home, mobile home, *manufactured building* or commercial coach is to leave this state.

3. The county assessor shall also provide a copy of the application:



1 (a) For use by the operator of the vehicle moving the
2 manufactured home, mobile home , *manufactured building* or
3 commercial coach and the operator shall keep a copy of the
4 application in his or her possession at all times during the
5 movement.

6 (b) To the owner of the manufactured home, mobile home ,
7 *manufactured building* or commercial coach.

8 **Sec. 27.** NRS 489.641 is hereby amended to read as follows:

9 489.641 1. The Division shall determine the size, shape and
10 form of the trip permit which may be part of a single form also
11 containing the application for the permit. Each permit must bear the
12 month and day of expiration in numerals of sufficient size to be
13 plainly readable from a reasonable distance during daylight.


14 2. The trip permit must be prominently displayed on the rear of
15 each section of the manufactured home, mobile home ,
16 *manufactured building* or commercial coach in the manner
17 prescribed by the Division at all times during which the
18 manufactured home, mobile home , *manufactured building* or
19 commercial coach is moved upon any highway or road. The permit
20 must be made and displayed in a manner that renders the permit
21 unusable when removed from the manufactured home, mobile home
22 , *manufactured building* or commercial coach.

23 **Sec. 28.** NRS 489.661 is hereby amended to read as follows:

24 489.661 1. Any person who moves a manufactured home,
25 mobile home , *manufactured building* or commercial coach in
26 violation of the provisions of NRS 489.611 to 489.651, inclusive, is
27 guilty of a misdemeanor.

28 2. If a manufactured home, mobile home , *manufactured*
29 *building* or commercial coach is moved upon any highway or road
30 in the State in violation of any of the provisions of NRS 489.611 to
31 489.651, inclusive, the Division, any member of the Nevada
32 Highway Patrol or any peace officer in the State shall seize and hold
33 the manufactured home, mobile home , *manufactured building* or
34 commercial coach until presented with a copy of the application and
35 trip permit required by NRS 489.621 to 489.661, inclusive.

36 **Sec. 29.** NRS 489.711 is hereby amended to read as follows:

37 489.711 Notwithstanding the provisions of chapters 361 and
38 482 of NRS or any other law, no dealer may be required to pay any
39 property tax, either as tax on inventory or on individual
40 manufactured homes, mobile homes , *manufactured buildings* or
41 commercial coaches  *or factory-built housing*, on any
42 manufactured home, mobile home , *manufactured building* or
43 commercial coach *or factory-built housing* of which the dealer
44 takes possession and holds for sale in the ordinary course of
45 business.



1 **Sec. 30.** NRS 489.715 is hereby amended to read as follows:

2 489.715 1. Full disclosure of all terms and conditions of an
3 offer to sell, buy or lease a used *or rebuilt* manufactured home, used
4 *or rebuilt* mobile home , *used or rebuilt manufactured building* or
5 used *or rebuilt* commercial coach *or used or rebuilt factory-built*
6 *housing* must be set forth in writing and signed by the seller, buyer
7 and dealer.

8 2. Any offer to purchase or lease a used *or rebuilt*
9 manufactured home, used *or rebuilt* mobile home , *used or rebuilt*
10 *manufactured building* or used *or rebuilt* commercial coach *or*
11 *used or rebuilt factory-built housing* must be submitted within 5
12 days after the offer is made to the owner or the authorized agent of
13 the owner for approval or disapproval. The offer must be in writing
14 and signed and dated by the person making the offer and by the
15 dealer.

16 3. As used in this section, “authorized agent” does not include
17 a dealer or an employee or agent of the dealer.

18 **Sec. 31.** NRS 489.7152 is hereby amended to read as follows:

19 489.7152 The Administrator shall prescribe the form of the
20 contracts that must be used by a dealer for the sale and listing for
21 sale of a manufactured home, mobile home , *manufactured*
22 *building* or commercial coach ~~[-]~~ *or factory-built housing*. A dealer
23 who fails to use the forms prescribed by the Administrator pursuant
24 to this section is subject to disciplinary action pursuant to
25 NRS 489.381.

26 **Sec. 32.** NRS 489.7235 is hereby amended to read as follows:

27 489.7235 1. The Division may investigate and audit any
28 financial account, including, without limitation, any trust account,
29 related to the business of a dealer or distributor if ~~[-]~~

30 ~~—(a) The} the~~ Division ~~[has reasonable cause to believe that the~~
31 ~~dealer or distributor is using or has used the account to carry on the~~
32 ~~business of the dealer or distributor; and-~~

33 ~~—(b) The Division:~~

34 ~~—(1)} :~~

35 ~~(a) Has reasonable cause to believe [or has received a credible~~
36 ~~complaint] that the dealer or distributor [is insolvent or is in a~~
37 ~~financial condition, or has engaged in a financial practice, which~~
38 ~~creates a substantial risk of insolvency; or~~

39 ~~—(2)} has violated a provision of this chapter or the~~
40 ~~regulations adopted pursuant thereto; or~~

41 ~~(b) Determines that the investigation and audit are reasonably~~
42 ~~necessary to assist the Division in administering or enforcing any~~
43 ~~provision of law.~~

44 2. The Administrator shall adopt regulations *to carry out the*
45 *provisions of this section, including, without limitation*, prescribing



1 the scope of an *investigation or* audit conducted pursuant to this
2 section.

3 ~~[3.—As used in this section, “insolvency” or “insolvent” means a~~
4 ~~condition under which a dealer or distributor is unable to meet the~~
5 ~~liabilities of his or her business as they become due in the regular~~
6 ~~course of business and which creates a substantial risk of harm to~~
7 ~~the public or a consumer.]~~

8 **Sec. 33.** NRS 489.727 is hereby amended to read as follows:

9 489.727 A dealer shall not commingle the money or other
10 property of a seller or purchaser of a manufactured home , ~~for a~~
11 mobile home , *manufactured building or commercial coach or*
12 *factory-built housing* with his or her own.

13 **Sec. 34.** NRS 489.801 is hereby amended to read as follows:

14 489.801 1. It is unlawful for any person to manufacture any
15 manufactured home, mobile home, travel trailer ~~for~~ , *manufactured*
16 *building*, commercial coach *or factory-built housing* unless the
17 manufactured home, mobile home, travel trailer ~~for~~ , *manufactured*
18 *building*, commercial coach *or factory-built housing* and its
19 components and systems are constructed and assembled according
20 to the standards prescribed pursuant to the provisions of this chapter.

21 2. It is unlawful for any person knowingly to sell or offer for
22 sale any manufactured home which has been constructed on or after
23 June 15, 1976, unless the manufactured home and its components
24 and systems have been constructed and assembled according to the
25 standards prescribed pursuant to the National Manufactured
26 Housing Construction and Safety Standards Act of 1974 (42 U.S.C.
27 §§ 5401 et seq.).

28 3. Any person who knowingly sells or offers to sell in this state
29 any manufactured home, mobile home or commercial coach for
30 which a certificate or label of compliance is required under this
31 chapter, which does not bear a certificate or label of compliance, is
32 liable for the penalties provided in NRS 489.811 and 489.821.

33 4. It is unlawful for any person to issue a certification which
34 states that a manufactured home conforms to all applicable federal
35 standards for safety and construction if that person, in the exercise
36 of due care, has reason to know that the certification is false or
37 misleading in any material respect.

38 5. It is unlawful for a manufacturer to fail to furnish
39 notification of defects relating to construction or safety, as required
40 by the National Manufactured Housing Construction and Safety Act
41 of 1974 (42 U.S.C. § 5414).

42 6. It is unlawful for any person to fail or refuse to permit access
43 by the Administrator to the documentary materials set forth in
44 NRS 489.231.



1 7. It is unlawful for any person, without authorization from the
2 Division, to disclose or obtain the contents of an examination given
3 by the Division.

4 8. It is unlawful for any person to use a manufactured home or
5 mobile home as living quarters or for human occupancy,
6 respectively, if the manufactured home or mobile home violates a
7 standard of safety set forth in regulations adopted pursuant to
8 subsection 1 of NRS 489.251, concerning installation, tie down, and
9 support of manufactured homes and mobile homes.

10 **Sec. 35.** NRS 489.821 is hereby amended to read as follows:

11 489.821 1. A person is guilty of a gross misdemeanor who
12 knowingly:

13 (a) Makes any false entry on any certificate of origin or
14 certificate of title.

15 (b) Furnishes false information to the Division concerning any
16 security interest.

17 (c) Files with the Administrator any notice, statement or other
18 document required under the provisions of this chapter which is
19 false or contains any material misstatement of fact.

20 (d) Whether acting individually or as a director, officer or agent
21 of a corporation, violates a provision of the National Manufactured
22 Housing Construction and Safety Standards Act of 1974, 42 U.S.C.
23 §§ 5401 et seq., this chapter and chapter 461 of NRS, and any
24 regulations adopted pursuant thereto, causing a condition which
25 endangers the health or safety of a purchaser of a manufactured
26 home.

27 2. A dealer is guilty of a gross misdemeanor who knowingly:

28 (a) Fails to maintain a trust account as required by
29 NRS 489.724.

30 (b) Commingles the money or other property of a seller or
31 purchaser of a manufactured home, manufactured building, ~~for~~
32 mobile home or *commercial coach or* factory-built housing with his
33 or her own.

34 (c) Fails to cooperate or comply with or knowingly impedes or
35 interferes with any investigation or audit conducted by the Division
36 pursuant to NRS 489.7235.

37 (d) Acts as a dealer while insolvent or engages in any financial
38 practice which creates a substantial risk of insolvency.

39 3. Except as otherwise provided in this section, any person who
40 knowingly or willfully violates any provision of this chapter is
41 guilty of a misdemeanor.

42 4. Subsection 3 does not apply to a manufacturer of travel
43 trailers.



1 **Sec. 36.** Chapter 118B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 **1. A tenant shall not unreasonably withhold consent for the**
4 **landlord peaceably to enter onto the lot of the tenant to:**

5 **(a) Inspect the lot;**

6 **(b) Make necessary or agreed upon repairs, decorating,**
7 **alterations or improvements;**

8 **(c) Supply necessary or agreed upon services;**

9 **(d) Exhibit the lot to prospective purchasers, mortgagees,**
10 **tenants, workers, contractors or other persons with a bona fide**
11 **interest in inspecting the lot; or**

12 **(e) Read a utility meter.**

13 **2. The landlord may enter the lot of a tenant without consent**
14 **of the tenant in case of emergency.**

15 **3. The landlord shall not abuse the right to access the lot of a**
16 **tenant as provided in this section or use such right to harass the**
17 **tenant. Except in case of emergency, the landlord shall give the**
18 **tenant at least 24 hours' notice of intent to enter and may enter**
19 **only at reasonable times during normal business hours unless the**
20 **tenant expressly consents to shorter notice or to entry during**
21 **nonbusiness hours with respect to the particular entry.**

22 **4. The landlord has no other right to access the lot of a tenant**
23 **except:**

24 **(a) Pursuant to court order; or**

25 **(b) Where the tenant has abandoned the premises occupying**
26 **the lot.**

27 **Sec. 37.** NRS 118B.080 is hereby amended to read as follows:

28 118B.080 1. The landlord shall disclose in writing to each
29 tenant the:

30 (a) Name, address , **electronic mail address** and telephone
31 number of the owner and manager or assistant manager of the
32 manufactured home park; and

33 (b) Name , **electronic mail address** and address of a person
34 authorized to receive service of process for the landlord,

35 ↳ and any change thereof.

36 2. The information must be furnished in writing to each new
37 tenant on or before the commencement of the tenancy and to each
38 existing tenant.

39 3. A landlord shall post ~~[or]~~ **in a conspicuous place in a**
40 **common area of the park and** provide to each tenant ~~[]~~ the office
41 hours ~~[or]~~ , **which must be during regular business hours, and the**
42 **landlord's availability at the park location.**

43 **4. If the manufactured home park consists of 75 or more lots,**
44 **the manager or assistant manager:**



1 (a) *Must be available at the park location for at least 8 hours*
2 *each week, which must be during regular business hours; and*

3 (b) *Shall post the hours of availability of the manager or*
4 *assistant manager required pursuant to paragraph (a) in a*
5 *conspicuous place in a common area of the park.*

6 **Sec. 38.** NRS 118B.120 is hereby amended to read as follows:

7 118B.120 1. The landlord or his or her agent or employee
8 may:

9 (a) ~~{Require}~~ *Except as otherwise provided in subsection 4,*
10 *require* that the tenant ~~{Landscape and}~~ *reasonably* maintain the
11 tenant's lot *to control weeds and any grass or other vegetation* if
12 the landlord ~~{advises}~~ *has provided* the tenant ~~{in writing of~~
13 ~~reasonable requirements for the landscaping.}~~ *with 30 days'*
14 *advance written notice of this requirement.*

15 (b) If the tenant does not comply with the provisions of
16 paragraph (a), maintain the tenant's lot *to control weeds and any*
17 *grass or other vegetation* and charge the tenant a service fee for the
18 actual cost of that maintenance.

19 (c) Require that the manufactured home be removed from the
20 park if it is unoccupied for more than 90 consecutive days and the
21 tenant or dealer is not making good faith and diligent efforts to sell
22 it.

23 2. The landlord shall maintain, in the manner required for the
24 other tenants, any lot on which is located a manufactured home
25 within the park which has been repossessed, abandoned or held for
26 rent or taxes. The landlord is entitled to reimbursement for the cost
27 of that maintenance from the repossessor or lienholder or from the
28 proceeds of any sale for taxes, as the case may be.

29 3. Before dismantling a manufactured home that was
30 abandoned, the landlord or manager must:

31 (a) Conduct a title search with the Division to determine the
32 owner of record of the manufactured home. If the owner of record is
33 not found, the landlord or manager may use the records of the
34 county assessor for the county in which the manufactured home is
35 located to determine the owner of the manufactured home.

36 (b) Send a certified letter notifying the owner and any lienholder
37 of the intent of the landlord or manager to dismantle the
38 manufactured home.

39 (c) If the owner does not respond within 30 days after the date
40 of mailing the certified letter, submit to the Division an affidavit of
41 dismantling.

42 4. The landlord shall trim all the trees located within the park
43 and dispose of the trimmings from those trees absent a written
44 voluntary assumption of that duty by the tenant for trees on the
45 tenant's lot.



1 5. For the purposes of this section, a manufactured home shall
2 be deemed to be abandoned if:

3 (a) It is located on a lot in a manufactured home park, other than
4 a cooperative park, for which no rent has been paid for at least 60
5 days;

6 (b) It is unoccupied; and

7 (c) The manager of the manufactured home park reasonably
8 believes it to be abandoned.

9 **Sec. 39.** NRS 118B.210 is hereby amended to read as follows:

10 118B.210 1. The landlord shall not terminate a tenancy,
11 refuse to renew a tenancy, increase rent or decrease services the
12 landlord normally supplies, or bring or threaten to bring an action
13 for possession of a manufactured home lot as retaliation upon the
14 tenant because:

15 (a) The tenant has complained in good faith about a violation of
16 a building, safety or health code or regulation pertaining to a
17 manufactured home park to the governmental agency responsible
18 for enforcing the code or regulation.

19 (b) The tenant has complained to the landlord concerning the
20 maintenance, condition or operation of the park or a violation of any
21 provision of NRS 118B.040 to 118B.220, inclusive, *and section 36*
22 *of this act*, or 118B.240.

23 (c) The tenant has organized or become a member of a tenants'
24 league or similar organization.

25 (d) The tenant has requested the reduction in rent required by:

26 (1) NRS 118.165 as a result of a reduction in property taxes.

27 (2) NRS 118B.153 when a service, utility or amenity is
28 decreased or eliminated by the landlord.

29 (e) The tenant provides the proof required by subsection 3 of
30 NRS 118B.200.

31 (f) A citation has been issued to the landlord as the result of a
32 complaint of the tenant.

33 (g) In a judicial proceeding or arbitration between the landlord
34 and the tenant, an issue has been determined adversely to the
35 landlord.

36 2. A landlord, manager or assistant manager of a manufactured
37 home park shall not willfully harass a tenant.

38 3. A tenant shall not willfully harass a landlord, manager or
39 assistant manager of a manufactured home park or an employee or
40 agent of the landlord.

41 4. As used in this section, "harass" means to threaten or
42 intimidate, through words or conduct, with the intent to affect the
43 terms or conditions of a tenancy or a person's exercise of his or her
44 rights pursuant to this chapter.



1 **Sec. 40.** Chapter 461A of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *When a mobile home park is sold or otherwise transferred, the*
4 *seller or transferor of the mobile home park shall complete and*
5 *submit a report of transfer to the Division within 10 business days*
6 *after the sale or transfer. The report of transfer must be in a form*
7 *prescribed by the Division.*

8 **Sec. 41.** 1. This section becomes effective upon passage and
9 approval.

10 2. Sections 1 to 40, inclusive, of this act become effective:

11 (a) Upon passage and approval for the purpose of adopting
12 regulations and performing any other preparatory administrative
13 tasks that are necessary to carry out the provisions of this act; and

14 (b) On July 1, 2025, for all other purposes.



