

**PROPOSED REGULATION OF THE MANUFACTURED
HOUSING DIVISION OF THE DEPARTMENT
OF BUSINESS AND INDUSTRY**

Explanation – Matter in *italics* is new, matter in brackets ~~omitted~~ is material to be omitted.

AUTHORITY: NRS 489.231, 489.241, 489.261, NRS 461.170

A **REGULATION** relating to manufactured housing; revising provisions concerning the adoption by reference of certain building codes and standards; adding provisions restricting titling of factory-built housing, other manufactured buildings and modular components; correcting office location of Division; clarifying financial responsibility of applicants for licensure; adding requirements for inactivation of license; repealing license plates for power units no longer enforced; and clarifying license requirements for a limit resale license and for a permit to sell mobile or manufactured home obtained through a lien sale.

**CHAPTER 489 OF NAC IS HEREBY AMENDED BY ADDING THERETO NEW
SECTIONS 1 TO 3 TO READ AS FOLLOWS:**

SECTION 1 NAC 489 ‘General Provisions’ is hereby amended by adding thereto a new section to read as follows:

- 489. “Distributor” defined.*
- 489. “Franchise” defined*
- 489. “Franchisee” defined*
- 489. “Franchisor” defined.*

SEC 2 NAC 489 ‘Certificate of Ownership’ is hereby amended by adding thereto a new section to read as follows:

NAC 489 Classification of factory-built housing, manufactured buildings and modular components.

SEC 3 NAC 489 ‘General Provisions’ definitions is hereby amended by adding thereto a new section to read as follows:

NAC 489. “Distributor” defined. (NRS489.231) “Distributor” means any person who sells, leases or distributes manufactured homes, commercial coaches, or any structure built in compliance with chapter 461 of NRS.

NAC 489. “Franchise” defined. “Franchise” means a written agreement between the franchisee and franchisor to offer and sell at retail, new manufactured homes, commercial coaches or manufactured buildings distributed by the franchisor. The operation of the franchisee’s business is substantially reliant on the franchisor for supply of new manufactured homes, commercial coaches, or manufactured buildings.

NAC 489. “Franchisee” defined. “Franchisee” means any person who, pursuant to a franchise, receives new manufactured homes, commercial coaches, or manufactured buildings from the franchisor and who sells new manufactured homes, commercial coaches, or manufactured buildings at retail.

NAC 489. “Franchisor” defined. “Franchisor” means any person who manufactures, assembles, and distributes new manufactured homes, commercial coaches, or manufactured buildings and who grants a franchise.

NAC 489 Classification of factory-built housing, manufactured buildings and modular components. (NRS 489.272) Factory-built housing, other manufactured buildings, modular buildings and modular components manufactured in compliance with the requirements of chapter 461 of NRS and pursuant to NRS 361.244(4) constitutes real property when permanently affixed to land and will not be issued a certificate of title or certificate of ownership or real property notice by the Division.

CHAPTER 489 OF NAC SECTIONS 4 TO 22 IS AMENDED TO READ AS FOLLOWS:

SEC 4 NAC 489 is hereby amended to read as follows:

NAC 489.105 “New manufactured home dealer” defined. (NRS 489.231) “New manufactured home dealer” means any person who:

1. Is licensed under the provisions of this chapter and chapter 489 of NRS;
2. Has an authorized franchise, in a form approved by the Division, from a manufacturer to sell new manufactured homes; and
3. Is engaged in the business of *distributing*, selling or exchanging new and used manufactured homes, mobile homes ~~{or}~~, commercial coaches *or any structure built in compliance with the requirements of chapter 461 of NRS.*

SEC 5 NAC 489.130 is hereby amended to read as follows:

NAC 489.130 “Sale” defined. (NRS 489.231) “Sale” includes any exchange, lease, assignment or other transaction which is designed to convey an interest in a manufactured home, mobile home ~~{or}~~, commercial coach, *or any structure built in compliance with the requirements of chapter 461 of NRS* and is undertaken for profit.

SEC 6 NAC 489.135 is hereby amended to read as follows:

NAC 489.135 “Seller” defined. (NRS 489.231) “Seller” means any person or his agent who conveys any interest in a manufactured home, mobile home ~~{or}~~, commercial coach *or any structure built in compliance with the requirements of chapter 461 of NRS.*

SEC 7 NAC 489.177 is hereby amended to read as follows:

NAC 489.177 Adoption by reference of certain codes and standards for commercial coaches and accessory structures; modifications. (NRS 489.231, 489.241, 489.261) The Administrator hereby adopts by reference the following codes and standards for commercial coaches and accessory structures:

1. The International Building Code, ~~[2003]~~ 2006 edition, published by the International Code Council, with the following modifications:

(a) Any reference to the International Plumbing Code shall be deemed a reference to the Uniform Plumbing Code, ~~[2003]~~ 2006 edition;

(b) Any reference to the International Electrical Code shall be deemed a reference to the National Electrical Code, ~~[2002]~~ 2006 edition;

(c) Any reference to the International Mechanical Code shall be deemed a reference to the Uniform Mechanical Code, ~~[2003]~~ 2006 edition;

(d) The definition of “manufactured home” set forth in section G201.2 of Appendix G is deleted and replaced with “has the meaning ascribed to it in NRS 489.113”; and

(e) Section G501 of Appendix G is deleted.

↪ The International Building Code, ~~[2003]~~ 2006 edition, may be obtained from the International Code Council, by mail at 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, or at the Internet address <http://www.iccsafe.org>. The price is ~~[\$69]~~ \$85.75 for members and ~~[\$86]~~ \$113.00 for nonmembers.

2. The Uniform Plumbing Code, ~~[2003]~~ 2006 edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials, by mail at 5001 East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address <http://www.iapmo.org>. The price is ~~[\$64]~~ \$74.00 for members and ~~[\$89]~~ \$93.00 for nonmembers.

3. The Uniform Mechanical Code, ~~[2003]~~ 2006 edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials, by mail at 5001 East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address <http://www.iapmo.org>. The price is ~~[\$64]~~ \$74.00 for members and ~~[\$89]~~ \$93.00 for nonmembers.

4. The National Electrical Code, ~~[2002]~~ 2006 edition, published by the National Fire Protection Association. This code may be obtained from the National Fire Protection Association, by mail at 11 Tracy Drive, Avon, Massachusetts 02322, or at the Internet address <http://www.nfpa.org>. The price is ~~[\$65.25]~~ \$67.50 for members and ~~[\$72.50]~~ \$75.00 for nonmembers.

5. The NFPA 101: Life Safety Code, ~~[2003]~~ 2006 edition, published by the National Fire Protection Association. The code may be obtained from the National Fire Protection Association, by mail at 11 Tracy Drive, Avon, Massachusetts 02322, or at the Internet address <http://www.nfpa.org>. The price is ~~[\$62.55]~~ \$67.50 for members and ~~[\$69.50]~~ \$75.00 for nonmembers.

6. The International Energy Conservation Code, ~~[2003]~~ 2006 edition, published by the International Code Council. This code may be obtained from the International Code Council, by mail at 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, or at the Internet address <http://www.iccsafe.org>. The price is ~~[\$23]~~ \$25.00 for members and ~~[\$29]~~ \$31.00 for nonmembers.

SEC 8 NAC489.215 is hereby amended to read as follows:

NAC 489.215 Conflict of regulations with federal law or regulation; clarification of regulations. (NRS 489.231, 489.241)

1. If any provision of this chapter is in conflict with any federal law or regulation, then the applicable federal law or regulation is effective and enforceable under this chapter.

2. Clarification of the provisions of this chapter or relief from the strict application of any of their terms may be obtained by submitting a written request to the Administrator, Manufactured Housing Division, ~~[Capitol Complex, Carson City, Nevada 89710]~~. *2501 E. Sahara Avenue, Suite 204, Las Vegas, Nevada 89104*

SEC 9 NAC489.310 is hereby amended to read as follows:

NAC 489.310 Determination of experience, financial responsibility and general knowledge of applicant; required documentation; incomplete application. (NRS 489.231, 489.321)

1. The Division may require an applicant for a license as a dealer, manufacturer, general serviceman or specialty serviceman to show such a degree of experience, financial responsibility and such general knowledge of this chapter, chapter 489 of NRS, federal construction and safety standards relating to manufactured homes, the safety, health, finance and lien laws of this State and the rudimentary principles of the business for which the applicant wishes to obtain a license as the Division deems necessary for the safety and protection of the public.

2. An applicant may demonstrate his experience and knowledge by submitting to the Division:

(a) Evidence of his prior employment or other experience in the occupation for which the applicant wishes to obtain a license; or

(b) Proof that he has completed not less than 30 semester hours in courses of study which are approved by the Division.

3. An applicant must submit to the Division:

(a) A copy of the federal income tax return filed by the applicant for the preceding calendar year; and

(b) Such other proof as the Division deems necessary to show the applicant's financial responsibility.

4. If the applicant is a corporation, its financial responsibility must be established independently of the assets of its officers, directors or stockholders, but the Division may inquire into and consider the personal assets of the officers, directors or stockholders in determining the financial responsibility of the corporation.

5. An applicant shall be deemed to be financially responsible if the Division determines that the applicant has, at the time the Division makes the determination, sufficient assets or income to operate his business for not less than 120 days.

6. The Division will determine financial responsibility according to the following criteria:

(a) Net worth;

(b) Liquid assets;

(c) Payment and credit records;

(d) Business experience;

(e) Prior and current liens;

(f) Prior and pending lawsuits;

(g) Adverse judgments;

(h) Prior suspension or revocation of a license in this State or elsewhere for financial insolvency;

(i) Any adjudication under bankruptcy law, including a composition, arrangement or reorganization;

- (j) Any appointment of a receiver for the property of the applicant or licensee or any officer, director, associate or partner thereof under the laws of this State or of the United States;
- (k) Any making of a prohibited assignment for the benefit of creditors;
- (l) Form of business organization;
- (m) Information obtained from confidential financial references and credit reports; and
- (n) Reputation for honesty and integrity of the applicant or licensee or any officer, director, associate or partner.

7. An applicant for a new manufactured home or commercial coach dealer's license must show proof that the applicant has not less than \$50,000 in cash on deposit in *the business operating account of the applicant as verified by* a Nevada financial institution before the Division will issue a license.

8. An applicant for a *general serviceman's license*, used manufactured home or commercial coach dealer's license must show proof that the applicant has not less than \$25,000 in cash on deposit in *the business operating account of the applicant as verified by* a Nevada financial institution before the Division will issue a license.

9. An applicant for a new manufactured home dealer's license, *including a franchise dealership* must submit a letter of intent from a financial institution showing that the applicant will be granted a specified amount of credit of not less than ~~[\$100,000]~~ *\$200,000* from that institution for the flooring of manufactured homes, ~~for~~ commercial coaches, *factory-built housing or modular buildings. This requirement does not apply to licensed manufacturer owned dealerships.*

10. An applicant for an initial license must submit to the Division a copy of any similar license issued by another state.

11. A partnership, *limited partnership, limited liability partnership, limited liability limited partnership, limited liability company*, or *a profit or non profit* corporation that applies for a dealer's, general serviceman's or specialty serviceman's license must file a certified or verified copy of its partnership agreement, *articles of organization* or articles of incorporation with the Division.

12. If an applicant submits an incomplete application:

- (a) The Division will notify the applicant of the deficiencies in the application.
- (b) Except as otherwise provided in paragraph (c), the Division will deny the application unless the applicant corrects the deficiencies within 15 days after receiving the notice.
- (c) The Division may grant an extension of time to correct the deficiencies in the application if the applicant requests such an extension in writing within the 15-day period.

SEC 10 NAC489.314 is hereby amended to read as follows:

NAC 489.314 License as general serviceman or specialty serviceman required for owner or responsible managing employee of certain businesses. (NRS 489.231, 489.311, 489.325, 489.341) An owner or responsible managing employee of a business must be licensed as a general serviceman or specialty serviceman if the business:

- 1. Installs a manufactured home, mobile home, ~~for~~ commercial coach, *factory-built housing or manufactured buildings;*
- 2. Performs work on a manufactured home, mobile home or commercial coach in one or more of the following categories:
 - (a) Installation or repair of:
 - (1) Awnings, roofing or skirting;

- (2) Plumbing;
- (3) Heating or air-conditioning systems; or
- (4) Electrical systems;
- (b) Preparation for transport;
- (c) Reconstruction, by alteration, addition or substitution, of substantial or essential parts; or
- (d) Any other category of work that may be performed by a person who holds a State Contractors' Board *license*.

SEC 11 NAC 489.327 is hereby amended to read as follows:

NAC 489.327 Issuance of more than one type of license: Expiration of licenses. (NRS 489.231, 489.321, 489.341) If a licensee holds or applies for and is issued more than one type of license, each license will expire ~~[on]~~ *two years from* the date of ~~[expiration]~~ *issuance* of the license~~[which was issued first]~~. Thereafter each license will be renewed ~~[for]~~ *every* 2 years.

SEC 12 NAC 489.331 is hereby amended to read as follows:

NAC 489.331 Inactivation of license issued to designated member of partnership or corporate officer on behalf of business. (NRS 489.231, 489.343)

1. A license issued to a designated member of a partnership, *limited partnership, limited liability partnership, limited liability limited partnership, limited liability company*, or corporate officer *of a profit or non profit* corporation on behalf of a business pursuant to NRS 489.343 becomes inactive immediately if the member or officer:

- (a) Is disabled from engaging in the business; or
 - (b) Ceases to be engaged in or connected with the business.
2. The business may continue to operate pursuant to the inactive license if the business:
- (a) Notifies the Division that its license has become inactive; and
 - (b) Designates another member or officer who submits an application for a license on behalf of the business.

↪ Except as otherwise provided in subsection 3, the business must submit the notice ~~[and application not later than 5 days after the license becomes inactive.]~~ *of inactive status of the designated member or corporate officer of the business and shall surrender the inactive license to the Division within 5 business days. The business must submit a new application for a qualified member or corporate officer within 15 days after the license becomes inactive or the business shall cease to operate until such time that an application has been submitted and approved by the Division..*

3. The Division may grant an extension of time to comply with subsection 2 if the business requests an extension in writing within the 5-day period.

~~[4. If the Division issues a license on behalf of the business to the newly designated member or officer, the business shall surrender the inactive license to the Division.]~~

5. As used in this section, "business" means a partnership, *limited partnership, limited liability partnership, limited liability limited partnership, limited liability company*, or *a profit or non profit* corporation doing business as a manufacturer, dealer, general serviceman or specialty serviceman in this State.

6. If the business dissolves or fails to designate a new member or corporate officer within the allowable time, the business shall return to the Division all other licenses issued to the business.

SEC 13 NAC 489.335 is hereby amended to read as follows:

NAC 489.335 Operation under fictitious name; change of name; change of address; *separation of employment* (NRS 489.231)

1. A licensee may not operate under a fictitious name unless he files with the Division a certified copy of the certificate issued by the county clerk showing compliance with chapter 602 of NRS.

2. Only one license will be issued under one name within the State. Separate licenses will not be issued under names which are confusingly similar.

3. If the business name of a licensee is changed, a certified copy of the amendments to its articles of incorporation or partnership agreement, or of the new certificate of fictitious name, must be forwarded to the Division within 10 days after filing or execution. The changed business name cannot be used or advertised until a new license has been issued.

4. If a licensee changes the address of his business, he shall submit to the Division a copy of the business license issued by the local government in which the business is located not more than 10 days after the local government issues the license. The business license must indicate the new address of the business.

5. Pursuant to NRS 489.341 a Dealer must notify and surrender the license(s) of an employee upon termination or separation within 5 business days. Failure to comply may result in disciplinary action and fine pursuant to NRS 489.381..

SEC 14 NAC 489.342 is hereby amended to read as follows:

NAC 489.342 Possession of identification card. (NRS 489.231) A person licensed pursuant to the provisions of chapter 489 of NRS who ~~[rebuilds]~~, *reconstructs*, services or installs manufactured homes, mobile homes or commercial coaches shall carry upon his person, during working hours, the identification card issued to him by the Division.

SEC 15 NAC 489.345 IS HEREBY REPEALED.

~~[NAC 489.345 License plates for power units. (NRS 489.231, 489.601) A licensed dealer or manufacturer is entitled to two license plates for each power unit used to transport manufactured homes, mobile homes and commercial coaches.]~~

SEC 16 NAC 489.347 is hereby amended to read as follows:

NAC 489.347 Renewal of license for dealer, general serviceman or specialty serviceman. (NRS 489.231, 489.321) An applicant for the renewal of the dealer's, general serviceman's or specialty serviceman's license issued to him by the Division pursuant to chapter 489 of NRS must submit to the Division with his application for renewal:

1. The fee required pursuant to NAC 489.360;
2. ~~[The]~~ *Complete copies of* bank statements for:
 - (a) The operating account of the licensee for the immediately preceding 6 months; and
 - (b) The trust account of the licensee for the immediately preceding 6 months if the licensee is a dealer;
3. A copy of the *current* business license issued for the licensee's business by the county, city or town in which the licensee's business is located; and
4. Any other proof requested in writing by the Division pursuant to NRS 489.321 or 489.323.

SEC 17 NAC489.360 is hereby amended to read as follows:

NAC 489.360 Issuance and renewal of license; late renewal; investigating and hearing complaints. (NRS 489.231, 489.481)

1. The following fees for the issuance and renewal of a license will be charged:

- (a) Biennially, for a license as a dealer *of manufactured homes, mobile homes, commercial coaches, factory-built housing or manufactured buildings*..... \$600
 - For each additional officer or Partner.....\$150
 - Biennially, for each branch office.....\$150
- (b) Biennially, for a license as a *re-possessor/liquidator* limited dealers.....\$200
- (c) Biennially, to do business as a manufacturer of manufactured homes, mobile homes, commercial coaches, ~~for~~ travel trailers, *factory-built housing or manufactured buildings*.....\$750
 - For each additional officer or partner.....\$150
- (d) Biennially, for a general serviceman's or specialty serviceman's license.\$200
 - For each additional officer or partner.....\$150
 - Biennially, for each branch office.....\$150
- (e) Biennially, for a license as a salesman of manufactured homes, mobile homes, ~~for~~ commercial coaches, *factory-built housing or manufactured buildings*.....\$100
- (f) Biennially, for a responsible managing employee's license.....\$150
- (g) For each examination of an applicant for a license.....\$ 50
- (h) For a change of address by a licensee.....\$. 50
- (i) For a change of name by a licensee.....\$. 50
- (j) To activate a license from inactive or suspended status.....\$100

2. If a licensee fails to apply for the renewal of his license before the license expires, he must pay a fee equal to one and one-half times the fee otherwise required for renewal. If a licensee does not apply for the renewal of his license within 30 days after the license expires, he must retake and pass the applicable oral or written examination and submit the application and all of the fees required for an original license.

3. The Division may collect a fee from any licensee who is involved in a complaint from a consumer to recover the costs of investigating and hearing the complaint. The fee will be based upon the rates established in this section.

SEC 18 NAC489.370 is hereby amended to read as follows:

NAC 489.370 Additional fees for original application for license. (NRS 489.231, 489.481) In addition to the fees for a license required by the provisions of NAC 489.360, the Division will charge the following fees for processing an original application for a license:

- 1. As a dealer *of manufactured homes, mobile homes, commercial coaches, factory-built housing or manufactured buildings*..... \$400
 - For each additional officer or partner.....\$100
 - For each branch office.....\$100
- 2. As a *re-possessor/liquidator* limited dealer..... \$100

3. To do business as a manufacturer of manufactured homes, mobile homes, commercial coaches, ~~for~~ travel trailers, *factory-built housing or manufactured buildings*..... \$500
4. As a general serviceman or specialty serviceman..... \$100
 - For each additional officer or partner.....\$100
 - For each branch office.....\$100
5. As a salesman. *of manufactured homes, mobile homes, commercial coaches, factory-built housing or manufactured buildings*..... \$25
6. As a responsible managing employee..... \$100

SEC 19 NAC489.380 is hereby amended to read as follows:

NAC 489.380 Certificates and labels; inspections; miscellaneous fees. (NRS 489.231, 489.481)

1. The Division will charge the following fees:

- (a) For each certificate and label of compliance..... \$50.00
- (b) For each certificate and label of installation.....\$50.00
- (c) For each permit for installation, reconstruction, *repair* or addition.....\$10.00
- (d) For each original or duplicate certificate of ownership.....\$40.00
- (e) For each notice of conversion of real property.....\$40.00
- (f) For a replacement of a:
 - (1) Label of compliance.....\$50.00
 - (2) Label of installation.....\$50.00
 - (3) License.....\$50.00
- (g) For the inspection and approval of a set of plans:
 - For the first hour.....\$75.00
 - For each additional half hour or fraction thereof.....\$37.50
- (h) For the inspection and approval of a modification of an approved plan, per hour or fraction thereof.....\$75.00
- (i) For the consideration of a system of construction for approval.....\$500.00
- (j) For the inspection at the site and approval of the installation of:
 - (1) A commercial coach with a plumbing system, a manufactured home or a mobile home if the inspection is conducted within 25 miles of the inspector's station of duty.....\$100.00
 - (2) A commercial coach without a plumbing system if the inspection is conducted within 25 miles of the inspector's station of duty.....\$ 80.00
- (k) For the re-inspection, and approval of the installation of a manufactured home, mobile home or commercial coach, in addition to the original fee for inspection.....\$ 80.00
- (l) For the *final* inspection or re-inspection at the site of a manufactured home, mobile home, mobile home park, commercial coach or travel trailer, or of the installation of a device which burns solid fuel or for any other inspection or service for which a fee is not prescribed:
 - For the first hour.....\$ 80.00
 - For each additional half hour or fraction thereof.....\$ 40.00
- (m) For an inspection of a plant used to manufacture manufactured homes, \$750.00

commercial coaches or travel trailers.....	
(n) For each search conducted to determine title.....	\$ 15.00
(o) For the sale of printed material:	
For each page of a copy.....	\$ 0.25
For each study guide for an examination.....	\$ 15.00
For each copy of a regulation.....	\$ 5.00
(p) For filing a lien or an amended lien asserted upon a manufactured home, mobile home or commercial coach.....	\$ 40.00
(q) For collecting a fee after a check given for payment is dishonored.....	\$ 35.00
(r) For the inspection and approval of a set of plans for an attachment pursuant to <u>NAC 489.470</u> :	
For the first hour.....	\$ 75.00
For each additional half hour or fraction thereof.....	\$ 37.50
(s) For filing an affidavit of the sale of a manufactured home, mobile home or commercial coach to satisfy a lien.....	\$ 40.00
(t) For recording the sale of a manufactured home, mobile home or commercial coach without the immediate transfer of the certificate of title or certificate of ownership.....	\$ 40.00
(u) For filing a notice or an amended notice of sale by auction of a manufactured home, mobile home or commercial coach.....	\$ 40.00
(v) For a copy of the monthly report prepared by the Division on the record of sales of a dealer.....	\$ 75.00
(w) For a list of the certificates of ownership issued by the Division for a period of:	
Less than 2 years.....	\$ 75.00
Two years but not more than 5 years.....	\$ 150.00
More than 5 years.....	\$ 375.00
— (x) For a list of all licenses issued by the Division.....	75.00
(y) For a list of all mobile home parks or for a rent history of all mobile home parks.....	\$ 75.00

2. For each inspection or re-inspection conducted more than 25 miles from the inspector's station of duty, the Division will charge, in addition to the fee listed, the inspector's actual expenses for time and travel.

3. The Division will collect a fee for the sale of reports not listed in subsection 1 based upon the cost to the Division to produce those reports, plus a minimum fee for handling of \$40 for the first report.

4. The Division will collect a fee for inspection, pursuant to a schedule established by the Secretary of Housing and Urban Development, from each manufacturer of manufactured homes who has a plant located in this State. The Division will pay the fee to the Secretary of Housing and Urban Development.

5. As used in this section, "rent history" means the economic and demographic data collected by the Administrator pursuant to NRS 118B.025.

SEC 20 NAC489.416 is hereby amended to read as follows:

NAC 489.416 Standards for installation. (NRS 489.231, 489.251)

1. The Administrator hereby adopts by reference the Nevada Manufactured Home, Mobile Home and Commercial Coach Installation Standards in the edition most recently published by the Nevada Manufactured Housing Association and the Modular Building Institute of Nevada, unless the Administrator determines pursuant to subsection 3 that the most recent edition is not suitable for this State.

2. A copy of these standards may be obtained from the Division at 2501 East Sahara Avenue, Suite 204, Las Vegas, Nevada 89104, or ~~[901 South Stewart Street, Suite 1003, Carson City, Nevada 89701]~~ 788 Fairview Drive, Suite 100, Carson City, Nevada 89701, for the price of \$15.

3. The Administrator will review each successive edition of the standards to determine its suitability for this State. If the Administrator provisionally determines that the most recent edition is not suitable, he will hold a public hearing to review this determination. If, after the hearing, the Administrator finally determines that the most recent edition is not suitable for this State, he will, within 30 days after that determination, give notice that the edition is not adopted by reference.

SEC 21 NAC489.775 is hereby amended to read as follows:

NAC 489.775 Limited resale license: General requirements; change in name or address of mobile home park. (NRS 489.231, 489.336, 489.481)

1. Before a landlord or manager of a mobile home park may sell a used mobile home or manufactured home obtained through a lien sale, the landlord or manager must obtain a limited resale license from the Division. The license may be obtained by applying to the Division using a form supplied by the Division. Except as otherwise provided in this section, in addition to completing the application, the applicant must submit with the application:

(a) A fee of \$ ~~[35]~~ 50.00;

(b) ~~[A recent color photograph of the applicant;]~~

(c) A copy of the business license issued for the mobile home park where the used mobile home or manufactured home to which the limited resale license will apply is located;

(d) Proof that the applicant has:

(1) Complied with any applicable provision of NRS 118B.086 to 118B.089, inclusive; and

(2) During the 2-year period immediately preceding the application for the issuance or renewal of a license, completed at least 1 hour of continuing education that is approved by the Division pursuant to NRS 489.285 and concerns the provisions of this chapter and chapter 489 of NRS relating to sales of manufactured homes;

(e) An affidavit stating that the applicant:

(1) Owns or leases the mobile home park, if the applicant is the landlord of the mobile home park; or

(2) Is an employee of the landlord and has the written permission of the landlord to sell the used mobile home or manufactured home, if the applicant is the manager of the mobile home park;

(f) ~~[A copy of the certificate of title or certificate of ownership of the used mobile home or manufactured home; and~~

~~—(g) Any other information that the Division deems necessary.~~

~~— 2. An applicant for a limited resale license must submit to the Division proof that the landlord of the mobile home park, where the used mobile home or manufactured home to which the limited resale license will apply, [is located] has obtained a surety bond in the amount of \$5,000 from a surety authorized to do business in this State. The surety bond:~~

- ~~— (a) Must be made payable to the State of Nevada;~~
- ~~— (b) Must provide for a period for submitting a claim which is 3 years or less;~~
- ~~— (c) Must include a provision prohibiting cancellation of the surety bond unless the surety provides written notice to the Division not less than 30 days before the cancellation becomes effective; and~~
- ~~— (d) Must be used exclusively for the protection and benefit of a purchaser of a used mobile home or manufactured home who obtains a judgment against the licensee in an action for fraud, misrepresentation or deceit.]~~

3. Except as otherwise provided in subsection 4, an applicant who submits an application for a limited resale license to the Division within 2 years after submitting a previous application for such a license is not required to submit ~~[a photograph of himself or]~~ a copy of the business license for the manufactured home park where the used mobile home or manufactured home to which the limited resale license will apply is located.

4. If a landlord or manager of a mobile home park has applied for or holds a limited resale license and the landlord of the mobile home park changes the name or address of the mobile home park, the landlord or manager shall submit to the Division a copy of the business license which indicates the new name or address of the mobile home park not later than 10 days after the local government issues such a business license.

SEC 22 NAC489.780 is hereby amended to read as follows:

NAC 489.780 Limited resale ~~[license]~~ *permit fee*: Issuance; validity; termination of employment of manager. (NRS 489.231, 489.336)

1. Upon receipt of an application for a limited resale ~~[license]~~ *permit, the \$ 35.00 required fee* and any other information required by the Division, the Division will approve the application and issue to the applicant a limited resale ~~[license]~~ *permit*, unless the Division determines that the applicant is not fit to conduct the sale of the used mobile home or manufactured home *obtained through a lien sale as* identified in the application.

2. A limited resale ~~[license]~~ *permit* issued by the Division is valid only for the purpose of selling the used mobile home or manufactured home *obtained through a lien sale as* identified in the application for the ~~[license]~~ *permit* and for which the applicant submitted ~~[a copy of the certificate of title or certificate of ownership with the application.]~~

(a) copy of the certificate of title or certificate of ownership of the used mobile home or manufactured home; and

(b) copy of the notice of lien, the notice of sale by auction, the lien satisfaction form and

(c) any other information that the Division deems necessary.

3. If a landlord of a mobile home park terminates the employment of a manager of the park who has applied for or holds a limited resale license, the landlord shall, as soon as practicable, provide written notice of the termination to the Division and the application or license of the manager becomes invalid.

**CHAPTER 461 MANUFACTURED BUILDINGS
CHAPTER 461 OF NAC IS HEREBY AMENDED TO READ AS FOLLOWS**

NAC 461.205 (unpublished LCB file No R020-07 Effective date October 31, 2007) is hereby amended to read as follows:

SECTION 1. 461.205 The Division hereby adopts by reference:

1. The International Residential Code for One- and Two-Family Dwellings, ~~[2003]~~ **2006** edition, published by the International Code Council, with the following modifications:

(a) Any reference to the International Plumbing Code shall be deemed a reference to the Uniform Plumbing Code, ~~[2003]~~ **2006** edition, published by the International Association of Plumbing and Mechanical Officials;

(b) Any reference to the International Electrical Code shall be deemed a reference to the National Electrical Code, ~~[2002]~~ **2005** edition;

(c) Any reference to the International Mechanical Code shall be deemed a reference to the Uniform Mechanical Code, ~~[2003]~~ **2006** edition, published by the International Association of Plumbing and Mechanical Officials;

(d) The definition of “manufactured home” set forth in section R202 is deleted and replaced with “has the meaning ascribed to it in NRS 489.113”; and

(e) Appendix E is deleted.

The International Residential Code for One- and Two-Family Dwellings, ~~[2003]~~ **2006** edition, may be obtained from the International Code Council by mail at 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771, or at the Internet address <http://www.iccsafe.org>. The price is ~~[\$54]~~ **\$67.75** for members and ~~[\$72]~~ **\$90.50** for nonmembers.

2. The International Building Code, ~~[2003]~~ **2006** edition, published by the International Code Council with the following modifications:

(a) Any reference to the International Plumbing Code shall be deemed a reference to the Uniform Plumbing Code, ~~[2003]~~ **2006** edition, published by the International Association of Plumbing and Mechanical Officials;

(b) Any reference to the International Electrical Code shall be deemed a reference to the National Electrical Code, ~~[2002]~~ **2005** edition;

(c) Any reference to the International Mechanical Code shall be deemed a reference to the Uniform Mechanical Code, ~~[2003]~~ **2006** edition, published by the International Association of Plumbing and Mechanical Officials;

(d) The definition of “manufactured home” set forth in section G201.2 of Appendix G is deleted and replaced with “has the meaning ascribed to it in NRS 489.113”; and

(e) Section G501 of Appendix G is deleted.

The International Building Code, ~~[2003]~~ **2006** edition, may be obtained from the International Code Council by mail at 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771, or at the Internet address <http://www.iccsafe.org>. The price is ~~[\$72.50]~~ **\$84.75** for members and ~~[\$96.50]~~ **\$113** for nonmembers.

3. The Uniform Plumbing Code, ~~[2003]~~ **2006** edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials by mail at 5001 East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address <http://www.iapmo.org>. The price is ~~[\$100]~~ **\$74** for members and ~~[\$112]~~ **\$93** for nonmembers.

4. The Uniform Mechanical Code, ~~[2003]~~ **2006** edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials by mail at 5001 East

Philadelphia Street, Ontario, California 91761-2816, or at the Internet address <http://www.iapmo.org>. The price is ~~[\$100]~~ \$74 for members and ~~[\$112]~~ \$93 for nonmembers.

5. The National Electrical Code, ~~[2002]~~ 2005 edition, published by the National Fire Protection Association. This code may be obtained from the National Fire Protection Association, by mail at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, or at the Internet address <http://www.nfpa.org>. The price is ~~[\$156.83]~~ \$67.50 for members and ~~[\$174.25]~~ \$75.50 for nonmembers.

6. The NFPA 101: Life Safety Code, ~~[2003]~~ 2006 edition, published by the National Fire Protection Association. This code may be obtained from the National Fire Protection Association by mail at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, or at the Internet address <http://www.nfpa.org>. The price is \$67.50 for members and \$75 for nonmembers.

7. The International Energy Conservation Code, ~~[2003]~~ 2006 edition, published by the International Code Council. This code may be obtained from the International Code Council, by mail at 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771, or at the Internet address <http://www.iccsafe.org>. The price is ~~[\$24.75]~~ \$25 for members and ~~[\$33]~~ \$31 for nonmembers.