

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

LCB File No. R213-03

January 7, 2004

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

AUTHORITY: §§1-5, 9 and 10, NRS 118B.024 and 118B.215; §§6 and 7, NRS 118B.024; §8, NRS 118B.024 and 118B.217.

Section 1. NAC 118B.310 is hereby amended to read as follows:

118B.310 “Applicant” means a tenant of a manufactured home park who has applied for assistance from the ~~Trust~~ Fund.

Sec. 2. NAC 118B.330 is hereby amended to read as follows:

118B.330 “Recipient” means a tenant of a manufactured home park who is receiving assistance from the ~~Trust~~ Fund.

Sec. 3. NAC 118B.340 is hereby amended to read as follows:

118B.340 ~~Trust~~ “Fund” means the ~~Trust~~ Fund for Low-Income Owners of Manufactured Homes created pursuant to NRS 118B.215.

Sec. 4. NAC 118B.350 is hereby amended to read as follows:

118B.350 The Division will determine the monthly income of an applicant by adding the annual income of each person who owns and occupies the manufactured home for which assistance from the ~~Trust~~ Fund is requested, dividing that total annual income by the number of persons who own and occupy the manufactured home and dividing that amount by 12.

Sec. 5. NAC 118B.370 is hereby amended to read as follows:

118B.370 The Division will use the guidelines for poverty established by the United States Department of Health and Human Services ~~[for all states (except Alaska and Hawaii) and the District of Columbia]~~ to determine eligibility for assistance from the ~~[Trust]~~ Fund.

Sec. 6. NAC 118B.380 is hereby amended to read as follows:

118B.380 1. An applicant who requests assistance from the ~~[Trust]~~ Fund must submit an application to the Division on a form furnished by the Division.

2. The application must include:

(a) Any proof of income the Division may deem necessary.

(b) Any proof of ownership of the manufactured home the Division may deem necessary.

(c) Any proof of tenancy the Division may deem necessary.

(d) The permission of the applicant which authorizes the Division to verify any information he furnishes to the Division.

3. The application must be signed by the applicant and notarized.

4. The Administrator will approve or deny any application for assistance ~~[it receives before the 10th day of each month for assistance for the following month.]~~ *in the order that applications are received.*

5. The Division will notify the applicant by mail upon the approval or denial of the application.

Sec. 7. NAC 118B.400 is hereby amended to read as follows:

118B.400 Except as otherwise provided in NAC 118B.410, the Administrator will, not later than the 10th day of each month ~~[, deposit]~~ :

1. Deposit the amount of the assistance *that has been approved by the Administrator* in the bank account established for the manufactured home park where the recipient resides ~~[,]~~ ; *or*

2. Issue a check made payable to the manufactured home park where the recipient resides for the amount of the assistance that has been approved by the Administrator.

↪ The manager of the manufactured home park shall, upon the receipt of the ~~[deposit in the account,]~~ *payment described in subsection 1 or 2*, credit the amount of the ~~[deposit]~~ *payment* to the recipient's rent and notify the recipient of that fact.

Sec. 8. NAC 118B.410 is hereby amended to read as follows:

118B.410 1. If the money in the ~~[Trust]~~ Fund is not sufficient to make all of the monthly ~~[deposits]~~ *payments* of assistance which have been approved by the Administrator, the Administrator ~~[will]~~ *may* reduce the amount of assistance distributed to each ~~[approved applicant]~~ *recipient* so that ~~[each approved applicant]~~ *the Division may provide assistance to any or all of those on the list of persons who are eligible to receive assistance from the Fund but do not receive assistance because the amount of money in the Fund is insufficient to provide assistance to those persons. Each recipient* will receive an equal percentage of his base rent, not to exceed ~~[\$100 per month, and make those deposits in the bank accounts of the manufactured home parks where the applicants reside.]~~ *an amount that the Administrator will determine.*

2. As used in this section, the term “base rent” means the amount of money a tenant pays for the rental of a manufactured home lot, not including any separate charges for utilities or any additional services provided.

Sec. 9. NAC 118B.420 is hereby amended to read as follows:

118B.420 1. Each recipient shall submit ~~[a]~~ *an annual* report to the Division on a form provided by the Division not later than ~~[January 31]~~ *March 1* of each year.

2. The Division will mail the form to each recipient not later than ~~December 15~~ *January 31* of each year.

3. A recipient who submits ~~a~~ *an annual* report which the Division receives after ~~January 31~~ *March 1* is not entitled to receive assistance from the ~~Trust~~ Fund unless he submits a new application for assistance to the Division and the Administrator approves the application. A person who submits a new application pursuant to this subsection is entitled to receive assistance subject to the provisions of NAC 118B.400 and 118B.410.

4. Each report must include a statement signed by the recipient under penalty of perjury that he has read and understood the provisions of NRS 118B.218 and 118B.251.

Sec. 10. NAC 118B.430 is hereby amended to read as follows:

118B.430 1. Each manager *or owner* of a manufactured home park shall submit a report to the Division on a form provided by the Division not later than ~~January 31~~ *March 1* of each year.

2. The Division will mail the form to each manager *or owner* not later than ~~December 15~~ *January 31* of each year.

3. Each *annual* report must be signed by the manager ~~[, notarized]~~ *or owner* and include a statement that the manager *or owner who signed the annual report* has read and understood the provisions of NRS 118B.251.