

**LCB File No. T016-03**

**ADOPTED TEMPORARY REGULATION OF THE  
MANUFACTURED HOUSING DIVISION OF THE  
DEPARTMENT OF BUSINESS AND INDUSTRY**

**Filed with the Secretary of State on February 20, 2003**

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

**LIMITED SALE OF HOMES BY THE LANDLORD OR  
MANAGER OF A MOBILE HOME PARK**

**Purpose:** To establish regulations for the issuance of limited resale licenses authorizing a landlord or manager to sell a used mobile home

**Authority:** NRS 489.336(1)

Address of Agency: 2501 East Sahara Avenue, Suite 204, Las Vegas, Nevada 89104; Telephone Number of Agency (702) 486-4135; Facsimile Number of Agency (702) 486-4309. Jerry Holmes is the Agency contact person

**Section 1.** Chapter 489 of NAC is hereby amended by adding thereto the following regulation:

*NAC 489.\_\_\_\_ Limited used resale licenses for landlord or manager of a mobile home park. A landlord or manager of a mobile home park shall apply to the division for a limited license to resell an individual home acquired by the mobile home park in accordance with the lien provisions of NRS 108.270 to 108.360 inclusive.*

*1. A license shall be subject to the following:*

*(a) The landlord license shall only be issued for resale of a home in a mobile home park owned or leased by the applicant.*

*(b) A manager license is valid only for the sale within a mobile home park owned by the landlord where he is employed.*

*(c) Application for a limited used resale license shall be on forms prescribed by the division and must contain:*

*(1) payment of a \$35 fee for each resale.*

*(2) completed application form.*

*(3) current color photo of the applicant.*

*(4) business license for the mobile home park issued by local government.*

*(5) proof that the landlord has obtained a surety bond of \$5,000 from an authorized surety in this state, payable to the State of Nevada, with a claims period not to exceed 3 years and a 30 day notice to the division of any request for cancellation, which shall be used exclusively for the protection and reimbursement of purchasers of homes sold pursuant to a*

*license obtained under this section who obtain a judgment against a licensee in an action for fraud, misrepresentation or deceit.*

*(6) Subsequent applications for resales within two (2) years after initial application shall not require additional submission of photos or business licenses.*

*(7) any other information the division deems necessary.*

*2. An application must be accompanied by an affidavit in the case of*

*(a) the landlord, which personally affirms the landlord owns, leases the mobile home park;*

*(b) the manager, that the landlord affirms the manager is a bona fide employee of the landlord and has the landlord's permission to conduct the sale.*

*3. A license shall be valid for one sale transaction, and a copy of the title to the home and any other documents deemed necessary by the Division shall accompany the application.*

*4. The applicant must prove to the satisfaction of the division that he is currently in compliance with any continuing education requirements set forth in NRS 118B.086 to 118B.089, inclusive and has completed 4 hours annual continuing education provided under NRS 489 for responsible managing employees and salesmen.*

*5. If a landlord changes the name or 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 new license.*

*6. A landlord shall notify the division in writing immediately when a manager or employee who holds a license is terminated from employment.*

*7. The division may deny an application for a limited used resale license where the division has cause to believe the applicant is not fit to engage in the activities for which the license is sought.*

**Section 2.** Chapter 489 of NAC is hereby amended by adding thereto the following regulation:

*NAC 489.\_\_\_\_ Accounting for money received or paid out in connection with a sale of a home by a landlord or manager; sales contracts prescribed by division.*

*1. A landlord must permanently maintain a record of each sale that must clearly indicate the date and from whom he received money, the date deposited, the dates of withdrawals, copies of title, financing and purchase agreements and other pertinent information concerning the transaction. The record shall be available at reasonable times for audit or examination by the administrator or his agent.*

*2. Sales contract forms prescribed by the division for the sale of a used manufactured home, mobile home or commercial coach must be used in the sale of any used manufactured home, mobile home or commercial coach.*

**Section 3.** Chapter 489 of NAC is hereby amended by adding thereto the following regulation:

*NAC 489.\_\_\_\_ Implied warranty of the essential systems of the manufactured or mobile home sold by a limited resale licensee.*

*A landlord shall be subject to NRS 489.751 for each sale of a manufactured or mobile home.*

**Section 4.** Chapter 489 of NAC is hereby amended by adding thereto the following regulation:

*NAC 489.\_\_\_\_ Documents and statement to be submitted to the division and county assessor and payment of property taxes.*

*1. When a person who is not a dealer or rebuilder conducts a sale he is required by the division to satisfy requirements of NRS 489.521.*

*2. The division shall not issue a certificate of ownership of a used manufactured or mobile home until the assessor of the county in which a home is sold pursuant to this section satisfies the requirements of NRS 489.531.*

**NOTICE OF ADOPTION OF TEMPORARY REGULATION  
LCB File No. T016-03**

**LIMITED SALE OF HOMES BY THE LANDLORD OR  
MANAGER OF A MOBILE HOME PARK  
(RESALE OF HOMES ACQUIRED BY A MOBILE HOME PARK  
IN ACCORDANCE WITH THE LIEN PROVISIONS OF  
NRS 108.270 TO 108.360 INCLUSIVE)**

On December 30, 2002, the Manufactured Housing Division adopted temporary amendments to Chapter 489 of the Nevada Administrative Code to establish regulations for the issuance of limited resale licenses authorizing a landlord or manager to sell a used mobile home acquired by a mobile home park in accordance with the lien provisions of NRS 108.270 to 108.360. A copy of the regulations as adopted is attached hereto.

Application packages are available from the Division's Carson City office (775-687-4298) and from the Licensing Officer (702-486-4590) in the Las Vegas office.

Classes to qualify for the education requirements are scheduled for Reno on March 12, 2003, and for Las Vegas on March 13, 2003. Classes will be scheduled again in June of 2003. The following education provider will mail further information directly to you:

Pursuant to Nevada Revised Statutes 233B, the Manufactured Housing Division proposed changes to Nevada Administrative Code chapter 489. Required notices were posted and mailed for workshops and hearings held on November 14, 2002, via teleconference in Las Vegas and in Carson City. Small businesses were consulted regarding the impact of the proposed changes.

Pursuant to NRS 489.211 the Administrator, after consideration of all written comments and comments offered at the workshops and hearings, hereby adopts the proposed changes. A copy of the regulations as adopted is attached hereto.