

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

**LCB File No. R127-08**

September 3, 2008

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

AUTHORITY: §§1-11, NRS 118B.024; §12, NRS 118B.024 and 118B.184; §§13-15, NRS 118B.024 and 118B.215.

A REGULATION relating to manufactured home parks; making various changes governing manufactured home parks; revising various provisions governing assistance for low-income owners of manufactured homes; and providing other matters properly relating thereto.

**Section 1.** Chapter 118B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this regulation.

**Sec. 2.** *A landlord shall use the same criteria in deciding whether to accept an applicant or approve a prospective tenant whether the applicant or prospective tenant is purchasing a manufactured home from a:*

- 1. Licensed dealer;*
- 2. Private party; or*
- 3. Manufactured home park.*

**Sec. 3.** *1. The receipt that a landlord who receives a payment of periodic rent from a tenant of a manufactured home park is required by NRS 118B.073 to issue to the tenant:*

- (a) May be printed or handwritten; and*

*(b) In addition to the information required by NRS 118B.073, must include any balance remaining unpaid.*

*2. Cancelled personal checks or cashier's checks and copies of money orders are not receipts for the purposes of this section and NRS 118B.073.*

**Sec. 4.** *1. The current report on the quality of the water that is supplied to a manufactured home park that a landlord is required by NRS 118B.077 to post in the park must, in addition to the requirements of NRS 118B.077, be posted in a location that is protected from the elements.*

*2. If the park has no location for posting the report that satisfies the requirements of this section and NRS 118B.077, the landlord shall send a copy of the report by United States mail, postage prepaid, to the mailing address of each tenant of the park.*

**Sec. 5.** *If there is any change in the information that a landlord is required by NRS 118B.080 to disclose in writing to each tenant of a manufactured home park, the landlord shall disclose the change in writing to each tenant of the park not later than 30 days after the change takes place.*

**Sec. 6.** *As used in NRS 118B.090, the Division will interpret the term "common areas" to include, without limitation, any electrical, plumbing and sanitary service apparatus located underground on each manufactured home lot, up to the disconnection point, which is not an appurtenance of the manufactured home.*

**Sec. 7.** *If there is any change in the name or telephone number of the third party with whom the manager of a manufactured home park contracts pursuant to NRS 118B.095 to provide emergency repairs for tenants of the park, the manager shall, not later than 24 hours after the change:*

- 1. Provide notice of the change to each tenant of the park;*
- 2. Post notice of the change in a conspicuous place in a common area of the park;*
- 3. Provide notice of the change to the telephone answering service of the park, if any; and*
- 4. Record the change on the answering machine of the park, if any.*

*Sec. 8. 1. Minor repairs, replacements and cosmetic changes to a manufactured home that are not required by law to be performed only by a person who is properly licensed may be performed by the owner of the manufactured home or any person qualified to make such repairs, replacements and changes.*

*2. As used in this section, “minor repairs, replacements and cosmetic changes” includes, without limitation, the changing of faucets, light fixtures, switches, smoke alarms and other items not requiring a permit or inspection.*

*Sec. 9. A tenant of a manufactured home park must secure the written approval of the landlord or manager of the park before making any exterior improvement to his manufactured home or the lot on which it is located that requires approval pursuant to his lease or rental agreement, or the rules or regulations of the park.*

*Sec. 10. A landlord shall not require a tenant to revise the terms of his lease or rental agreement based on:*

- 1. A guest who stays with the tenant for not more than a total of 60 days in a calendar year; or*
- 2. The tenant allowing a person to live with him who is not listed on the lease or rental agreement, so long as the tenant is authorized by the provisions of paragraph (i) of subsection 1 of NRS 118B.150 to allow the person to live with him without paying an additional charge or fee.*

**Sec. 11.** *As used in NRS 118B.153, the Division will interpret the term:*

*1. “Amenity” to include, without limitation, a gated community, pool, spa, clubhouse or recreational facility.*

*2. “Service” to include, without limitation, an on-site manager, security guard or security patrol.*

**Sec. 12.** *The resident impact statement that a landlord who begins the process of closing or converting a manufactured home park is required by NRS 118B.184 to submit to the appropriate local zoning board, planning commission or governing body must be made on a form prescribed by the Division.*

**Sec. 13.** NAC 118B.390 is hereby amended to read as follows:

118B.390 1. After the Division receives an application for assistance, it will mail to the manager of the manufactured home park where the applicant resides ~~[, a report on]~~ a *certification* form provided by the Division for completion by the manager.

2. The ~~[report]~~ *certification form* must include:

(a) The applicant’s monthly rent;

(b) The space number and size of the applicant’s lot;

(c) The date on which the applicant’s tenancy at the manufactured home park began; and

(d) Any other information the Division may require.

3. The manager shall complete the ~~[report]~~ *certification form* and return it to the Division within 5 days after he receives ~~[the report.]~~ *it*. The ~~[report]~~ *certification form* must be signed by the manager and notarized.

**Sec. 14.** NAC 118B.420 is hereby amended to read as follows:

- 118B.420 1. Each recipient shall submit ~~{an annual report}~~ to the Division ~~{on}~~ a *requalification* form provided by the Division not later than March 1 of each year.
2. The Division will mail the form to each recipient not later than January 31 of each year.
3. A recipient who submits an annual ~~{report}~~ *requalification form* which the Division receives after March 1 is not entitled to receive assistance from the 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}~~ *requalification form* 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. 15.** 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 *recertification* form provided by the Division not later than March 1 of each year.
2. The Division will mail the form to each manager or owner not later than ~~{January 31}~~ *February 1* of each year.
3. Each ~~{annual report}~~ *form* must be signed by the manager or owner and include a statement that the manager or owner who signed the ~~{annual report}~~ *form* has read and understood the provisions of NRS 118B.251.