

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

LCB File No. R115-16

AUTHORITY: NEW REG as required by AB 270 (2015)

NAC 489.....Any application for certificate of ownership for a home acquired through voluntary surrender in accordance of NRS 489.336 must be accompanied by an Affidavit of Voluntary Surrender on a form provided by the Division.

NAC 489.760 “Licensee” defined. (NRS 489.231, 489.336) “Licensee” means a landlord or manager of a mobile home park to whom a limited *lien* resale license is issued by the Division pursuant to NAC 489.780.

(Added to NAC by Mfd. Housing Div. by R036-03, eff. 9-24-2003)

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 acquired *through a voluntary surrender by the legal owner of the mobile or manufactured home, or* at a sale to enforce a lien pursuant to NRS 108.265 to 108.367, inclusive, the landlord or manager must obtain a limited *lien* resale license from the Division. The license may be obtained by applying to the Division on 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 \$50;

(b) A copy of the *State of Nevada* business license issued for the mobile home park where the used mobile home or manufactured home to which the limited *lien* resale license will apply is located; and

(c) 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.

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

NAC 489.780 Limited resale license: Issuance; validity; termination of employment of manager. (NRS 489.231, 489.336)

1. Upon receipt of an application for a limited *lien* resale license, the fee required by NAC 489.775 and any other information required by the Division, the Division will approve the

application and issue to the applicant a limited *lien* resale license, unless the Division determines that the applicant is not fit to conduct the sale of the used mobile home or manufactured home identified in the application.

2. A limited *lien* resale license issued by the Division is valid only for the purpose of selling the used mobile home or manufactured home identified in the application for the license and for which the applicant submitted:

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

(b) A copy of the *Affidavit of Voluntary Surrender, if applicable* ; and

(c) Any other information deemed necessary by the Division.

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 *lien* 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.

(Added to NAC by Mfd. Housing Div. by R036-03, eff. 9-24-2003; A by R126-08, 12-17-2008)

NAC 489.785 Records of sales: Maintenance; contents; availability. (NRS 489.231, 489.336)

1. A landlord of a mobile home park shall maintain a permanent record of each sale of a used mobile home or manufactured home located in the mobile home park that is authorized pursuant to a limited *lien* resale license. The record must include:

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

(b) A copy of the purchase agreement;

(c) A copy of any financing agreement related to the sale;

(d) The date on which the landlord received the money from the sale and the name of the person from whom the landlord received the money;

(e) The date of deposit of the money received from the sale into an account in a financial institution and the dates of any withdrawals of that money from that account; and

(f) Any other pertinent information concerning the sale.

2. The records maintained pursuant to subsection 1 must be made available at reasonable times for audit or inspection by the Administrator or his or her agent.

(Added to NAC by Mfd. Housing Div. by R036-03, eff. 9-24-2003)

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.

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.

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

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 Housing *Alliance* , 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 *is available free of charge on the Division's website and may be downloaded or* may be obtained from the Division at 2501 East Sahara Avenue, Suite 204, Las Vegas, Nevada 89104, or *1830 College Parkway, Suite 120*, Carson City, Nevada 89706, 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, the Administrator 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 or she will, within 30 days after that determination, give notice that the edition is not adopted by reference.

(Added to NAC by Mfd. Housing Div. by R192-05, eff. 9-18-2006; A by R126-08, 12-17-2008)