

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS

INFORMATIONAL STATEMENT AS REQUIRED BY NRS 233B.066

LCB FILE NO. R146-18

The following statement is submitted by the Office of the Attorney General (OAG) for adopted amendments to Nevada Administrative Code (“NAC”) Chapters 489, 461 and 118B.

1. A clear and concise explanation of the need for the adopted regulation.

The proposed amendments to Nevada Administrative Code (“NAC”) Chapters 489, 461 and 118B are to: authorize the staff of the Nevada Housing Division / Manufactured Housing to increase certain fees that the Division charges for various services it provides in relation to the regulation of manufactured housing. Some fees in this regulation have not been raised since 1982 and without this increase in the fees, the Division will consistently run into budgetary issues with regulating the manufactured housing industry.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

(a) A description of how public comment was solicited:

The Housing Division held a public workshop on January 6, 2020. Notice of the public workshop was posted on the Housing Division’s website and at the Housing Division’s Las Vegas and Carson City Offices.

The public workshop notice was also posted at the Carson City Public Library, the Nevada State Library and Archives and Public Records, the Carson City Office of the Nevada Attorney General, The State of Nevada Department of Administration website, the Nevada Legislature’s Administrative Regulation Notice website, and email notices were sent to all email address on the Housing Division’s administrative mailing list.

The Housing Division held a public hearing on October 7, 2020 at 9:00 a.m. Notice of the Public Hearing along with a copy of the Small Business Impact Statement was posted on the Housing Division’s website and at the Housing Division’s Offices in Las Vegas and Carson City. Due to COVID-19 and the Governor’s Emergency Directives regarding social distancing requirements, the Notice was not posted at the usual physical locations required by NRS 241. The Notice and Agenda were posted at the following locations:

Nevada Housing Division’s website at:

- 1) https://housing.nv.gov/resources/meetings/2020/public_meetings_and_agendas
- 2) Nevada State official website: <https://notice.nv.gov>
- 3) Nevada State Legislature’s Administrative Regulation Notice website: <https://www.leg.sate.nv.us/app/notice/a/>

(b) A summary of public response:

One public response regarding the amendments to Nevada Administrative Code (“NAC”) Chapters 489, 461 and 118B was received. The proposed amendment was delivered to the Manufactured Home Community Owners Association and no comments were returned. One individual gave testimony at the public workshop indicating that the proposed fee increases appeared to be

reasonable especially given the amount of time since the last fee increase. The Housing Division received no written comments regarding the amendments. Pursuant to the Governor's Emergency Directive 006 section 3, Directive 026 section 3, and Directive 29 section 4, the physical location requirement for the public Hearing was suspended; therefore, no members of the public attended the public Hearing on October 7, 2020 and no members of the public joined the call or video conference regarding the amendments.

(c) An explanation of how other interested persons may obtain a copy of the summary:

The summary in part 2(b) above reflects the comments and the testimony that transpired regarding LCB File No. R146-18. A copy of the summary may be obtained by contacting Tim Whitright, Deputy Administrator, at (702) 486-7259 or twhitright@housing.nv.gov. Tim Whitright may be contacted by mail at 3300 W. Sahara Avenue, Ste. 300, Las Vegas, NV 89102. The audio recording of the Public Workshop conducted on January 6, 2020 is available on the Housing Division website at: https://housing.nv.gov/resources/meetings/2020/public_meetings_and_agendas

3. The number of persons who:

(a) Attended each hearing:

Public Workshop: January 6, 2020:	1
Public Hearing: October 7, 2020:	0

(b) Testified at each hearing:

Public Workshop: January 6, 2020:	1
Public Hearing: October 7, 2020:	0

(c) Submitted to the agency written statements: 0

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3 (b) and (c), as provided to the agency:

0

5. A description of how comment was solicited from affected business, a summary of their responses, and an explanation of how other interested persons may obtain a copy of the summary.

Comments were solicited via email from the Manufactured Home Community Owners Association and all interested parties who requested to be included on the notification email list. One comment received during the January 6, 2020 Public Workshop was in support of the proposed amendments as presented and no comments were received at the October 7, 2020 Public Hearing. A copy of the summary may be obtained by contacting Tim Whitright, Deputy Administrator, at (702) 486-7259 or twhitright@housing.nv.gov. Tim Whitright may be contacted by mail at 3300 W. Sahara Avenue, Ste. 300, Las Vegas, NV 89102. The audio recording of the Public Workshop conducted on January 6, 2020 is available on the Housing Division website at: https://housing.nv.gov/resources/meetings/2020/public_meetings_and_agendas

6. If after consideration of public comment the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

No public comments were received by the Housing Division requesting any changes or modifications to the amended regulations. The regulations were, therefore, adopted without change.

7. (a) The estimated economic effect of the adopted regulation on the business which it is to regulate:

(1) Both adverse and beneficial effects:

Adverse effects: Costs will be passed on by businesses in most cases to the end user. Businesses that responded to the Small Business Impact Statement state that up to \$1,000/yr. in increased expenses would likely be passed on to the consumer.

Beneficial effects: Sustainability of the Manufactured Housing Division, which receives no state general fund dollars. Initial estimates are that the Housing Division revenue would increase by approximately \$55,000 per year. The additional revenues will allow modernization of the division Website, and a stronger, more efficient customer interface, as well as outreach to its customers, vendors and licensees. This will ensure the public is protected not only by regulating licensees, but also the establishments where the public receives the services.

(2) Both immediate and long-term effects:

Immediate effects: Homeowners may delay vital maintenance and repair of their homes which could result in diminishment of structure integrity and degradation of structural safety. Licensees may see a reduction in business, resulting in fewer permit requests.

Long-term effects: This is the first and only fee change for the State of Nevada Housing Division, for manufactured housing since 2003. The Nevada Housing Division Administrator has had lengthy meetings with industry representatives and the Manufactured Home Community Owners Association.

(b) The estimated economic effect of the adopted regulation on the public:

(1) Both adverse and beneficial effects:

Adverse effects: Homeowners may delay vital maintenance and repair of their homes which could result in diminishment of structure integrity and degradation of structural safety. Licensees may see a reduction in business, resulting in fewer permit requests

Beneficial effects: The additional revenues will allow modernization of the division Website, and a stronger, more efficient customer interface, as well as outreach to its customers, vendors and licensees. This will ensure the public is protected not only by regulating licensees, but also the establishments where the public receives the services

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Long-term effects: This is the first and only fee change for the State of Nevada Housing Division, for manufactured housing since 2003. The Nevada Housing Division Administrator has had lengthy meetings with industry representatives and the Manufactured Home Community Owners Association.

8. The estimated costs to the agency for enforcement of the adopted regulations.

There is no cost to the Housing Division for enforcement of this regulation.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

This regulation does not overlap or duplicate any regulations of other state or local government agencies. This regulation does not overlap or duplicate any federal regulations.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of those provisions.

This regulation is not required pursuant to a federal law. This regulation does not contain any provisions which are more stringent than a federal regulation that regulates the same activity.

11. If the regulation establishes a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

Initial estimates are that the Housing Division revenue would increase by approximately \$55,000 per year.