

ASSEMBLY BILL NO. 373—ASSEMBLYMAN GOICOECHEA

MARCH 21, 2011

Referred to Committee on Judiciary

SUMMARY—Prohibits the destruction of real property that is subject to foreclosure with the intent to defraud. (BDR 15-98)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to real property; prohibiting under certain circumstances the removal, concealing or destruction of real property that is subject to foreclosure with the intent to defraud; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill provides that a person in possession of real property who, under
2 certain circumstances, removes, conceals or destroys any real property that is
3 subject to foreclosure with the intent to defraud and who causes a secured party to
4 suffer pecuniary loss is guilty of a misdemeanor.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 206 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 *1. A person who occupies real property, including a person*
4 *with an ownership interest in the real property, who has personal*
5 *knowledge of the pendency of an action for the foreclosure of a*
6 *mortgage upon real property or a proceeding for the judicial or*
7 *other foreclosure of a deed of trust given to secure a loan made to*
8 *purchase real property shall not remove, conceal or otherwise*
9 *destroy any portion of the real property upon which a security*
10 *interest exists.*



* A B 3 7 3 R 1 *

- 1 **2. A person who:**
- 2 **(a) Violates the provisions of subsection 1 with the intent to**
- 3 **defraud the secured party; and**
- 4 **(b) Causes the secured party to suffer a pecuniary loss upon**
- 5 **the conclusion of a proceeding for the foreclosure of the real**
- 6 **property,**
- 7 **↳ is guilty of a misdemeanor.**

