ASSEMBLY BILL NO. 161—ASSEMBLYMAN FLORES
PREFILED FEBRUARY 13, 2017

Referred to Committee on Commerce and Labor

SUMMARY—Requires the notarization of certain rental agreements. (BDR 10-733)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to real property; requiring certain rental agreements to be notarized; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:
Existing law sets forth certain requirements relating to a written rental agreement. (NRS 118A.200) This bill requires a written rental agreement for a single-family residence to be notarized.

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

Section 1. NRS 118A.200 is hereby amended to read as follows:
1. Any written agreement for the use and occupancy of a dwelling unit or premises must be signed by the landlord or his or her agent and the tenant or his or her agent.
2. The landlord shall provide one copy of any written agreement described in subsection 1 to the tenant free of cost at the time the agreement is executed and, upon request of the tenant, provide additional copies of any such agreement to the tenant within a reasonable time. The landlord may charge a reasonable fee for providing the additional copies.
3. Any written rental agreement must contain, but is not limited to, provisions relating to the following subjects:
   (a) Duration of the agreement.
   (b) Amount of rent and the manner and time of its payment.
(c) Occupancy by children or pets.
(d) Services included with the dwelling rental.
(e) Fees which are required and the purposes for which they are required.
(f) Deposits which are required and the conditions for their refund.
(g) Charges which may be required for late or partial payment of rent or for return of any dishonored check.
(h) Inspection rights of the landlord.
(i) A listing of persons or numbers of persons who are to occupy the dwelling.
(j) Respective responsibilities of the landlord and the tenant as to the payment of utility charges.
(k) A signed record of the inventory and condition of the premises under the exclusive custody and control of the tenant.
(l) A summary of the provisions of NRS 202.470.
(m) Information regarding the procedure pursuant to which a tenant may report to the appropriate authorities:
   (1) A nuisance.
   (2) A violation of a building, safety or health code or regulation.
(n) Information regarding the right of the tenant to engage in the display of the flag of the United States, as set forth in NRS 118A.325.

4. Any written rental agreement for a single-family residence must be notarized.

5. The absence of a written agreement raises a disputable presumption that:
   (a) There are no restrictions on occupancy by children or pets.
   (b) Maintenance and waste removal services are provided without charge to the tenant.
   (c) No charges for partial or late payments of rent or for dishonored checks are paid by the tenant.
   (d) Other than normal wear, the premises will be returned in the same condition as when the tenancy began.

6. It is unlawful for a landlord or any person authorized to enter into a rental agreement on his or her behalf to use any written agreement which does not conform to the provisions of this section, and any provision in an agreement which contravenes the provisions of this section is void.

7. As used in this section, “single-family residence” means a structure that is comprised of not more than four units. The term does not include a manufactured home as defined in NRS 118B.015.
Sec. 2. This act becomes effective on July 1, 2017.