

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-Second Session
March 29, 2023**

The Committee on Judiciary was called to order by Chair Brittney Miller at 8 a.m. on Wednesday, March 29, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Brittney Miller, Chair
Assemblywoman Elaine Marzola, Vice Chair
Assemblywoman Lesley E. Cohen
Assemblywoman Venicia Considine
Assemblywoman Danielle Gallant
Assemblyman Ken Gray
Assemblywoman Alexis Hansen
Assemblywoman Melissa Hardy
Assemblywoman Selena La Rue Hatch
Assemblywoman Erica Mosca
Assemblywoman Sabra Newby
Assemblyman David Orentlicher
Assemblywoman Shondra Summers-Armstrong
Assemblyman Toby Yurek

COMMITTEE MEMBERS ABSENT:

Assemblywoman Shannon Bilbray-Axelrod (excused)

GUEST LEGISLATORS PRESENT:

Assemblyman Steve Yeager, Assembly District No. 9



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Bradley A. Wilkinson, Committee Counsel
Devon Kajatt, Committee Manager
Connor Schmitz, Committee Secretary
Ashley Torres, Committee Assistant

OTHERS PRESENT:

Jonathan Norman, Statewide Advocacy, Outreach, and Policy Director, Nevada
Coalition of Legal Service Providers
Kimberly Ireland, Private Citizen, Las Vegas, Nevada
Angela Escalera, Private Citizen, Las Vegas, Nevada
Susie Martinez, Executive Secretary-Treasurer, Nevada State AFL-CIO
Marc Ellis, President, Communications Workers of America Local 9413
John D. Solomon, Private Citizen, Reno, Nevada
Paul Catha, Political Director, Culinary Workers Union Local 226
Maggie Carlton, Executive Director, United Labor Agency of Nevada
Sylvia Buenrostro, Private Citizen, Las Vegas, Nevada
Isheika Paisley, Private Citizen, Reno, Nevada
Chasity Martinez, Private Citizen, Reno, Nevada
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada
Lilith Baran, Policy Manager, American Civil Liberties Union of Nevada
Serena Evans, Policy Director, Nevada Coalition to End Domestic and Sexual
Violence
Annette Magnus, Executive Director, Battle Born Progress
Erika Minaberry, Private Citizen, Sparks, Nevada
Liz Sorenson, President, Nevada State AFL-CIO
Sue Bird, Private Citizen
Adrian Lowry, Private Citizen
Renee Ruiz, Legislative Advocate, National Nurses United
Shelly Speck, representing Children's Advocacy Alliance; and Nevada Strong Start
Coalition
Gerald Mayes, Chair, Veterans Affairs Committee, Las Vegas Branch 1111, National
Association for the Advancement of Colored People
Dora Martinez, Private Citizen, Reno, Nevada
Falasha Parlin-Wheson, Member, Las Vegas Branch 1111, National Association for
the Advancement of Colored People
Russ James, representing Nevada State AFL-CIO
Linda Ward-Smith, representing American Federation of Government Employees
Tiffany Banks, General Counsel, Nevada Realtors
John Sande IV, representing Nevada State Apartment Association
Dylan Keith, Assistant Director, Government Affairs, Vegas Chamber
Ron Aryel, Private Citizen, Reno, Nevada

Kirk Johnson, Private Citizen, Reno, Nevada

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada

Mendy K. Elliott, representing Southern Nevada Regional Housing Authority; and
Rural Nevada Housing Authority

William Brewer, representing Nevada Rural Housing Authority; and Reno Housing
Authority

Maria Moore, State Director, AARP Nevada

Barbara K. Paulsen, representing Nevadans for the Common Good

Chair Miller:

[Roll was called. Committee protocol was explained.] Good morning, we will be hearing one bill and we also have three bills on work session. We are going to start with the work session. With that, I will ask Diane Thornton, Committee Policy Analyst, to walk us through the first bill.

[Assembly Bill 32](#): Makes various changes relating to criminal justice. (BDR 14-263)

Diane C. Thornton, Committee Policy Analyst:

[Ms. Thornton read from [Exhibit C](#).] This measure is sponsored by this Committee and by the Department of Sentencing Policy, and was heard on February 15, 2023. This bill revises the qualifications of the executive director of the Department of Sentencing Policy and the membership of the Sentencing Commission. The bill requires that the system of graduated sanctions used by parole and probation officers when responding to a technical violation of the conditions of probation must include guidance on the use of confinement in a jail or detention facility and electronic monitoring. Lastly, the bill revises provisions relating to the temporary and full revocation of probation and the suspension of sentence or parole supervision for technical violations of the conditions of probation or parole.

There are two proposed amendments. The first amendment is proposed by Victoria Gonzalez, Executive Director, Department of Sentencing Policy. According to Ms. Gonzalez, she worked with Chair DeRicco of the State Board of Parole Commissioners; the Division of Parole and Probation; the public defenders; Las Vegas Metropolitan Police Department and other law enforcement lobbies; and John Jones and Jennifer Noble from the district attorneys' offices. This amendment amends sections 4 and 7 of the bill to make the violation of certain supervision conditions for sex offenders a technical violation. It amends section 5 to leave a 30-day temporary revocation for probationers; amends sections 5 and 8 to require the application of credit for time served when ordering a temporary revocation; amends sections 5 and 8 to require a finding that the graduated sanctions have been exhausted; amends section 3 to require the assessment be evidence-based; amends sections 5 and 8 to authorize the judge or Parole Board to revoke a probationer or parolee upon the request of the probationer or parolee. It deletes subsections 3 and 5 of section 6 of the bill; adds a new section to provide that data collected, housed, and analyzed by the Department of Sentencing Policy is not a public record and is not subject to subpoena. It authorizes the

Nevada Local Justice Reinvestment Coordinating Council to accept gifts and grants; and requires the Department of Sentencing Policy to further study temporary revocations and submit a report for the 2025 Legislative Session.

There is a second amendment proposed by Catrina Grigsby-Thedford, Executive Director, Nevada Homeless Alliance. She proposed amending *Nevada Revised Statutes* 176.01343 to require the Department of Sentencing Policy to include "housing status" as a data point to be collected at prison entry and exit.

Chair Miller:

Members, are there any questions? Not seeing any, I will entertain a motion to amend and do pass Assembly Bill 32.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 32.

ASSEMBLYWOMAN CONSIDINE SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN BILBRAY-AXELROD
WAS ABSENT FOR THE VOTE.)

I will assign that floor statement to Assemblywoman Marzola. Ms. Thornton, please walk us through Assembly Bill 67.

Assembly Bill 67: Creates the Fund for the Compensation of Victims of Securities Fraud. (BDR 7-415)

Diane C. Thornton, Committee Policy Analyst:

[Ms. Thornton read from Exhibit D.] Assembly Bill 67 creates the Fund for the Compensation of Victims of Securities Fraud. It was sponsored by this Committee on behalf of the Secretary of State and heard in Committee on February 21, 2023. This bill creates the Fund for the Compensation of Victims of Securities Fraud and requires that the money in the fund be used for the compensation of certain victims to whom restitution is owed. There is one amendment to this measure. Assemblywoman Cohen proposed adding language to the bill to allow the fund to accept gifts, grants, and donations.

Chair Miller:

Members, are there any questions? Not seeing any, I will entertain a motion to amend and do pass Assembly Bill 67.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 67.

ASSEMBLYWOMAN NEWBY SECONDED THE MOTION.

Members, is there any further discussion on the motion? Not seeing any, I will take a vote.

THE MOTION PASSED. (ASSEMBLYWOMAN BILBRAY-AXELROD
WAS ABSENT FOR THE VOTE.)

I will assign that floor statement to Assemblywoman Hansen. Ms. Thornton, will you walk us through Assembly Bill 255?

Assembly Bill 255: Revises provisions governing adoption. (BDR 11-658)

Diane C. Thornton, Committee Policy Analyst:

[Ms. Thornton read from Exhibit E.] Assembly Bill 255 was sponsored by Assemblywoman Cohen and heard in this Committee on March 13, 2023. This bill authorizes an agency which provides child welfare services to provide financial assistance to a family who adopts a child with special needs until the child graduates high school or reaches 19 years of age, whichever comes first.

There is one amendment proposed to the measure. Assemblywoman Cohen proposed adding Assembly members Bilbray-Axelrod, Hansen, Orentlicher, and Newby as cosponsors to this bill.

Chair Miller:

Members, are there any questions? Assemblywoman Cohen, was that a friendly amendment?

Assemblywoman Cohen:

The friendliest.

Chair Miller:

Seeing no further questions, I will entertain a motion to amend and do pass Assembly Bill 255.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 255.

ASSEMBLYWOMAN HANSEN SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN BILBRAY-AXELROD
WAS ABSENT FOR THE VOTE.)

I will assign that floor statement to Assemblywoman Cohen. That concludes our work session for today. We will now move into our bill hearing. Today we are hearing Assembly Bill 340, sponsored by Assemblywoman Summers-Armstrong, and it will be copresented by Jonathan Norman.

Assembly Bill 340: Revises provisions governing certain actions and proceedings relating to real property. (BDR 3-77)

Assemblywoman Shondra Summer-Armstrong, Assembly District No. 6:

I sit before you today to present Assembly Bill 340. The purpose of this bill is very simple: to bring the process of summary eviction in line with all other civil matters which are heard in the state of Nevada. We often hear the term "summary eviction." I think it is important to break it down to its basic core. In terms of law, "summary" means short and concise; "eviction" is the removal or expelling of someone—generally a tenant—from real property. Summary eviction is the quick removal of a human being from a place where they live. This is not a civil trial where you and I have a disagreement about a contract. We are not arguing over whether or not you did services I paid you for in a manner I believe was appropriate. This is a process where we are telling someone they have to move and move quickly.

We are not making any significant changes except to require in this case that the landlord file a complaint with the court that is answered by the tenant. With me today I have Jonathan Norman. He is with the Nevada Coalition of Legal Service Providers in southern Nevada. They are on ground zero of what has turned into a crisis of summary evictions and what we believe is due process for our citizens. I hope you will listen attentively. We look forward to your questions; I know there will be many. We want you to hold this one thing in mind: this is to bring the process of summary eviction in line with all other civil matters heard in our courts.

Jonathan Norman, Statewide Advocacy, Outreach, and Policy Director, Nevada Coalition of Legal Service Providers:

I am with the Nevada Coalition of Legal Service Providers, which includes the Legal Aid Center of Southern Nevada, Northern Nevada Legal Aid, the Southern Nevada Senior Law Program in Clark County, and the Volunteer Attorneys for Rural Nevadans. I want to thank the Committee, Chair, and Assemblywoman Summers-Armstrong for their attention and for the Assemblywoman for bringing this bill. I also want to thank the Committee staff for helping troubleshoot some issues yesterday. They were really great to work with. I have a brief statement followed by a brief presentation, and then I will walk you through the bill.

Nevada has a housing crisis. One of the primary ways tenants and landlords interface with the judicial system is through the summary eviction process. The Legal Aid Center of Southern Nevada operates the Civil Law Self-Help Center, which is a legal emergency room that services over 300 people a day seeking assistance because they are being evicted. That number can reach over 500 people on some days. The situation is repeated around the state as tenants feeling the pinch from inflation are left making difficult choices between rent and groceries or rent and medicine.

There is a lot to talk about with housing: from cost, to evictions, to rental assistance, to delays in process, to affordable housing, and, of course, fees. This bill—despite all the blue—is really simple. Assembly Bill 340 would require the first document filed with the court in a summary eviction action to be a complaint followed by an answer from the tenant. Our current system requires the tenant to file an answer before a complaint has been filed. Once a complaint is filed, the tenant no longer has the opportunity to file an answer. That opportunity has passed.

It is a confusing thing to even put into a sentence, that the complaint comes after the answer, and when the complaint is filed, the opportunity to answer has passed. It is even more confusing for tenants to understand. Many tenants are waiting for a court-stamped document, and the first time they really understand they are being evicted is when they receive a lockout notice from the constable's office. At that point, it is too late: many of those tenants come to legal aid offices around the state, and their opportunity to be heard by the court has largely passed.

I do want to acknowledge we are in ongoing discussions with the industry, which I think are fruitful. I think everyone benefits from having a clear and concise order for things to process through summary evictions. Other states have quick processes for eviction; what makes Nevada unique is the filing of the answer as the first document filed in the court.

I would like to draw your attention to the two handouts [pages 1 and 2, [Exhibit F](#)]. They look really similar—because we are only making one small change, which is in this box here [page 2, [Exhibit F](#)]. It goes through the "Landlord files a complaint with the justice court after the seven-day notice period expires." With that, I am going to run through our quick PowerPoint [[Exhibit G](#)], which goes through the process as envisioned with A.B. 340.

For those of you who do not know, I will give a brief context. Right now, I am going to talk about seven-day notices to pay or quit, because that is the simplest one for us to address and covers 90 percent of the evictions in our state. If you do not pay your rent, your landlord posts a notice on your door that states you have seven days to pay or quit [page 1, [Exhibit F](#)]. That means you can catch up on your rent. If you catch up, that means there is no reason for an eviction. You can vacate the premises, so you can surrender. If you surrender, there is no reason for an eviction. Or third, you can file an answer with the court. No complaint has been filed at that point. On the eighth judicial day—once those seven days have lapsed—if you are a tenant who is still occupying the premises and you have not paid, then the landlord goes to the court and files a complaint. At that point, the court tries to match that complaint

to see if an answer has been filed. If they match the complaint with an answer filed by the tenant, then they will set a court hearing. If the tenant has not filed an answer, then the court will issue a summary eviction order which then is transmitted to the constable. The next thing the tenant sees is the 24-hour lockout notice. That is posted and it says, "I am the constable. You have been evicted. I will be back not sooner than 24 hours and not later than 36 hours from right now to change the locks." That is what we are working under right now.

Now I am going to go through the proposed changes [page 2, [Exhibit G](#)]. I am going to just talk about the seven-day notice to pay or quit because it is simpler, but it is for all summary evictions. Step one, the landlord serves the eviction notice. This is the same. Within that notice period, the tenant again can vacate, pay, or cure the lease violation—which would not be in the seven-day notice, but they can fix the problem.

The proposed change is that at the end of the seven days, the landlord files a complaint with the court requesting the eviction of the tenant [page 3]. When that is served upon the tenant, the tenant then has ten days to file an answer, which must be filed with the appropriate justice court [page 4]. If they do not file within those ten days, then a default eviction will be issued. If they do file an answer, then a court hearing is going to be set—which is the same thing we have now, we are just switching the order. They must hold a hearing if a tenant files the answer. At the hearing, based on the evidence heard, the judge decides whether to grant the eviction order or if it should be denied. If the eviction is granted, we are still back in the universe we are in right now. We have that order transmitted to the constable's office, landlord goes and pays the fee at the constable's office, 24-hour lockout notice gets posted on the door. That is going to be the same process.

If the court determines the tenant has a legal defense, the court does not grant the eviction and instead the proceedings have to be conducted pursuant to *Nevada Revised Statutes* (NRS) 40.290 or NRS 40.420 [page 5]. We are not changing anything there; that is how the current law sits. And this slide [page 6] breaks down the previous slides.

I will now walk through the bill. Section 2 of the bill sets out the new procedure for summary eviction. It goes through the slides we just went through so I will not belabor those points, but we are changing the order and that sets out how that process will flow. Section 3 spells out service as it relates to weeklies outlined in section 2, subsection 3. Working with stakeholders, one of the things that has become apparent is, that section is not used by our courts. We have no attorney at Nevada Coalition of Legal Service Providers who has ever had a case using that provision. I spoke with a judge who has been working in this space for 15 years. She said she does not know if she has seen a single case under that provision. As we are talking and thinking about making this a statute that can be approached by laypeople—that is tenants as well as landlords, as most landlords do not have an attorney when they go to court either—I think it makes sense to remove that, but we are not there with an amendment for this morning's hearing.

Section 4 sets out the timeline for the constable to act when they receive the order of removal. Section 5 reorganizes NRS 40.253. Section 6 does the same. There is a lot of blue in the bill, which makes it seem like there are a lot of changes. There are not. Most of this is reorganization, and the change is just switching the order. We have a complaint filed followed by an answer. Section 7 lays out the new process for other types of evictions that are in the current NRS Chapter 40. Section 8 lays out the same procedure for commercial premises currently found in NRS 40.2542. Sections 9 through 20 make conforming changes, and section 21 enacts the law. With that, we are ready for questions.

Assemblywoman Summers-Armstrong:

Madam Chair, we have reached out to stakeholders from all sides. I would like the Committee to know you have a proposed amendment [[Exhibit H](#)] on your desks. That amendment came from robust discussions on Monday evening with the directors of both the Nevada Rural Housing Authority, and Mr. Brewer is here, and Lewis Jordan of the Southern Nevada Regional Housing Authority.

We found the language in section 7, subsection 1, paragraph (a)(3)(II), to be duplicative, and that was removed. That is the proposed amendment before you. We were not able to find a place of agreement with those in the apartment associations or in the Realtor space. We believe there is hope we can find some common ground. At the end of the day, this is about bringing a process that is currently extrajudicial—it is outside the court—and placing it firmly within what we believe are common practices of the court, which is that all these kinds of disputes are settled first by having someone complain and then someone answer. Now we are ready for questions.

Chair Miller:

Thank you for that, Assemblywoman Summers-Armstrong. I will say some of the people you are working with have reached out to me and echoed the same sentiments, that they are continuing to work with you and appreciate that process and willingness. Mr. Norman, thank you for presenting what often can be a very complicated process in a very concise manner. We love the charts [[Exhibit F](#)]. We will now move to questions from members.

Assemblywoman Mosca:

I appreciate that before we started I was able to see the process of the court. Thank you for that. Looking at the chart [page 2, [Exhibit F](#)], it seems like it would save time for the courts if we did the switch. Can you share more?

Jonathan Norman:

I would defer to the courts to answer that question. I think what it does is move time to where it can be more meaningful for the tenant. With the process as it is now, there can be a lag when the court has to do that matching. I do not believe that is done automatically. They are going through their database and matching them. They are not automatically matched. What I mean when I say it creates an opportunity for more meaningful time, is one of the biggest costs to our counties is rapid rehousing and the social services element.

Right now, the landlord files the complaint and then there is a lag when the court is matching that up. That can be several days. I do not want to hide the ball here; this would mean more time; it is not going to be strictly ten days. I think there will be a time savings for the court with the complaint filed first. We are going to save some days there. When we think of ten days, it will not be ten days from the outside perspective of the court. On the inside, it allows county social services to engage and start getting upstream. Now you might say that is not a lot of days for social services to get upstream, but it does give them an opportunity to intervene for tenants who are not going to maintain their housing or might be eligible for or need rental assistance.

Assemblywoman Newby:

How is this process done in other states? Is it the way that we currently have it, or is it the way this bill proposes to do it?

Jonathan Norman:

The short answer is the way we are proposing in A.B. 340. The longer answer is that every state has a summary or quick proceeding. What makes ours unique is it is the only proceeding I am aware of where the answer is the first thing filed with the court—the first document that opens a case. We have done a survey and looked at other jurisdictions and cannot find any that have that unique thing. I practiced in New Mexico previously; New Mexico's summary process is very similar to what we are outlining in A.B. 340. The only difference is in the ten days you can file your answer as a tenant, but you already get a court date before you file your answer; or you can show up at the court date and assert any of your defenses verbally to the judge. I would say that is probably more tenant-friendly than what we are envisioning here, but this is a substantial change in our process, which ultimately will be good for all stakeholders.

Assemblyman Yurek:

I was concerned in section 3, where it looked like this process might apply to short-term rentals in this process, and the idea of their having to have notice in their lease or something that would require before an eviction could be served, that that would be applicable to like an Airbnb. Was that going to be removed or is it still part of this?

Jonathan Norman:

We are still in discussions on that. I have gotten feedback from the courts, other stakeholders, and our own attorneys practicing in this area around the state—nobody has seen that section of our statute used. We are talking about people with 15 years practicing in this area. In the spirit of making this simple and something that can be approached by laypeople so that we have landlords and tenants who can engage with this statute, go to court, and know the process—that they understand it and do not necessarily need an attorney to represent them—I think it makes a lot of sense to remove that section.

We are discussing that, but we are just not there today. If you read the whole bill, that section echoes throughout—it is constantly being referenced. Sometimes those references are then re-referenced. It creates a lot of confusion. I honestly do not know where that originated; I just know that it is not used in practice.

Assemblywoman Cohen:

I want to talk about the landlords. We often hear about the mom-and-pop landlords. I want to know how this will impact them. I do not deal with this issue in my practice, except once for an odd situation where it was post-divorce. The wife ended up becoming a landlord to her ex-husband and needed to evict him. I had to help her with that. As an attorney, I started with this and I went through the statutes, and I remember I kept saying, This cannot be right. What do you mean an answer gets filed first. It makes no sense. I had to call other attorneys I knew to make sure I was not crazy or missing a big section of the statute in the process. I went to the Civil Law Self-Help Center to try to figure it out through your forms, as they are usually a good way to figure things out. How is this going to help our true mom-and-pop landlords?

Jonathan Norman:

I appreciate the shout-out to the Civil Law Self-Help Center. Their forms are amazing. I think attorneys around the state look to them. When I took this position, I was representing kids in foster care and doing work in education. I had done some work in New Mexico; I worked at a Legal Aid there. I asked our lead consumer attorney to walk me through evictions. He walked me through it, and I was looking at him like, No, no. That is not the process; there is no way. It is an extremely cumbersome statute to engage. If you do not practice in this area and you read this statute one time, you are not going to get it right.

Tenants, who are almost all pro se, and landlords I think, are representing themselves over 50 percent of the time in these actions, so for these mom and pops, having a statute which is clear and readable will be very beneficial. How filing the complaint specifically helps them, there are two things we are trying to do: make it simpler, which as the bill as written, I think we have worked with stakeholders to make it simpler and clearer. I felt like I needed three computer screens to refer back to the sections of NRS. That just echoes how difficult this statute was to start with. I think the Legislative Counsel Bureau did a great job in giving us a framework to then talk with people practicing to make it simpler.

I think filing the complaint first in a process—how that helps mom and pops, I do not know that it helps them. I think it helps the tenants know that this is an eviction. We often see people come to the Self-Help Center after receiving a notice. If you have moved here from another state, the idea that that notice is the first pleading—it is not a pleading, it is not stamped by the court—I think is really confusing. They are waiting for a document from the court, and then they come to our office. I think normalizing the process will help all stakeholders, specifically having the answer and complaint. I think that does help tenants and our social services engage tenants earlier, which could benefit landlords if social services are able to help navigate either a move-out to different housing or be able to save that housing through rental assistance.

Assemblywoman Hardy:

When I worked in justice court, one thing I did was process evictions. Luckily, I have a little more insight into the understanding of this process. My question is about section 2, subsection 11, paragraph (c), in regard to where this section would not apply, specifically in paragraph (c): "A tenant who provides proof to the landlord that he or she is a federal worker, tribal worker, state worker or household member of such a worker during a shutdown."

Hopefully we will never again be in the situation of a shutdown in our state. If you could just talk about how you came about putting that specific group defined in paragraph (c). And is there a procedure for evicting such a person if there were a shutdown? What proof is required? Also, as our shutdown lasted much longer than we thought, would they be required to continually show proof of employment?

Jonathan Norman:

I would point out that while this language is in blue, it is not new language. It is in our current statute; it is only blue because it is being reorganized. All this bill does is make the simple change of having the complaint filed first. I could find an answer, if you wanted to discuss offline why this is in our current statute. I could get answers; but I do not have those today because it is not a change this bill is addressing—it is just in blue because it is reorganized from one section of NRS Chapter 40 to a different section. I think that was done because we would like to have our statute easier to read, and I do not want to say we are there with how it sits today. We are working on that.

Assemblyman Gray:

In section 4, looking at the requirements for posting and then removal, what happens if the order is posted on a Thursday? You could put some of them in precarious positions over the weekends. So, if the order is received on Thursday, the posting happens Friday—I am not following the timeline there.

Jonathan Norman:

Again, I do not believe we are changing that from the current NRS. It is simply reorganized and that is why it is in blue. If we are talking about the constable's 24-hour notice—I do not know the days they go out—I agree. That 24- to 36-hour lockout notice puts people in a precarious position, whether that is a Friday, Tuesday, or any other day. This bill helps alleviate that by having the time period for the tenant to file an answer. At the end of the day, if somebody gets served a notice and a summons to respond and they do not, we can only do so much. At Legal Service Providers, we are going to try to help—those people walk in our door, we are going to try to help them and we do everything we can. This law is not seeking to change how the constable does their operation, so we are leaving it as it is. Maybe a future bill if you are interested, Assemblyman Gray.

Chair Miller:

I would like to clarify the days. I know in the bill there are times where it states ten days and then it also refers to judicial days. Can you give us a brief explanation on the difference between those two definitions?

Jonathan Norman:

Absolutely. Justice courts have gone to counting calendar days. In the bill, some of the notices say, "judicial days." That is one of the things we are working with stakeholders on. The reason it is important to go with calendar days over judicial days is that is how justice courts are going, but not all justice courts are open the same number of days a week. If you have one justice court that is open Monday through Thursday, your judicial days hit differently. To make it fair and uniform across the board—which goes a long way for clarity—we are looking to change it so every counting within our proposal will go off of calendar days. That is not reflected now because we have a lot of stakeholders giving wonderful input, and we are getting there.

Assemblywoman Gallant:

I can see the intent of trying to ensure the tenants have an ability to be able to advocate for themselves. Presenting this as a quick process, I can attest that it is taking four to five months now to go through the eviction process, so it is far from quick these days. However, I understand that a lot of evictions are filed. Do you have the numbers on how many lockouts occur? Those numbers are very different, at least in my book; it is very rare we get to that point.

Jonathan Norman:

I will answer in two parts. I can get the answer on the numbers of lockouts. The constables report back to the county commission with their data on how many lockouts they are doing. I do not have that number right now but I can get it to you.

On the speed of summary evictions—during the pandemic, we had historic unemployment and Nevadans struggling. Our federal government and this body stood up rental assistance programs. There are two things to acknowledge there. It is fundamentally unfair for a summary eviction proceeding to take five months. You will never hear me say that is how the process should work. There is a difficulty because landlords have been dealing with that. When this body and our state allowed for that rental assistance—just in Clark County, it kept 60,000 families in their homes during the heart of the pandemic. Around the state, that number would be much higher. The counties stood up rental assistance programs with a half-billion dollars out the door, which ultimately went into landlords' hands and kept Nevadans in their homes—it stabilized our communities. Part of the problem, as we have heard echoed throughout this building, is staffing issues over the last several years. While it was a Herculean effort to stand up those rental assistance programs, processing those applications takes time. That requires being robustly staffed. The counties did an amazing job standing up those programs and they saved a lot of Nevadans' homes.

I have talked with legislators who are landlords who said this made a difference for tenants they worked with. I would say the time frames are going to come down. We are going to return to prepandemic time frames. The reason is the Clark County CARES [Coronavirus Aid, Relief and Economic Security Act] Housing Assistance Program (CHAP), which was the largest rental assistance program in Clark County and got about \$300 million out the door, it stopped taking applications on January 23, 2023. They are still processing applications. It is a double-edged sword. It put landlords in a really difficult spot. I can also acknowledge that it did amazing things and kept Nevadans in their homes. The counties did an awesome job at rolling out that money. As we have seen in other committees, rolling out money that the Interim Finance Committee (IFC) has designated and then actually getting it on the street is difficult—as we have seen with funding for children's mental health. I think it is awesome they were able to do this. I also acknowledge it has caused delays.

To bring it home, right now Clark County is operating two rental assistance programs. I will speak to those programs because I know what they are doing. One is through the diversion court program. If you are a senior or on disability and have faced a rent increase in the last 12 months and your income has not gone up, it covers that difference. The other program is if you are no more than two months behind on rent and you had an economic hardship—economic hardship is loosely defined—you have to show you have the ability to pay ongoing rent. If we are able to get you right—if the county steps in and pays those one to two months and makes you whole—are you able, do you have the income to pay the next month's rent?

Those programs, we are talking about under \$20 million for the year; I will have to check to make sure that number is exactly right. I know they were given \$15 million from the IFC in October, and so when we are talking about these programs rolling out \$20 million to \$30 million a month, and now we have a program that is expending \$15 million to \$20 million a year, obviously the timelines are going to drop. Last time I checked with the county, with these new programs, we are looking at 11 days from the completed application to a determination. You are not going to get in front of a judge on a normal eviction in 11 days. It is difficult to talk about evictions because landlords had to deal with that five months you spoke about. I am hoping it is not an issue going forward, and I do not think it will be because of how rental assistance is functioning.

Assemblywoman Considine:

We are in a housing crisis. We have had questions today on judicial efficiency; we have heard about social programs; we have heard about having to match these two documents in the system with the way it is. My question is in a way trying to bring that all together, because I see this bill providing a clear way of doing this, a consistent way with other things; which then allows cutting through having to match two documents, having to do these other things, allowing counties to get realistic data on where we are, and allowing social service programs, when necessary, to step in, thereby hopefully cutting down the number of evictions. Do you see this bill, the results of this bill, allowing counties to get realistic data to use in order to attempt to tackle or come up with different ideas to solve the housing crisis?

Jonathan Norman:

I agree with everything you said in the statement up until the questions. I will co-opt that and sign off on it. I do think we are in a housing crisis. The notices are not filed with the court, so we are still not going to know; if you get a notice and you move out, we are not going to have that number in our new system. What we are going to have is more tenants engaging in the process, so we are going to have more accurate data in that we are capturing those tenants who are engaging and allowing social services to interface with those tenants earlier. What I hear from the counties is, the sooner they can get involved, the better. Right now, the same as when they get that 24-hour lockout notice that Assemblyman Gray referenced, that is when they are engaging with legal services. That is also when they are calling the county and saying, We need a housing option.

At that point, (1) rapid rehousing is extremely expensive for our local governments; and (2) you are probably looking at a tenant losing all their personal property. I could not imagine trying to move in a month, because I am like a secret hoarder. It would just be impossible. If you are somebody facing a 24- to 36-hour window, there is no way you are going to be able to move your property. Nobody in this room would be able to do that. The sooner we can interface, the better outcomes we have for tenants and families.

Las Vegas Justice Court piloted diversion court for those two pots of rental assistance I mentioned; those cases can be diverted to diversion court where the tenants are wrapped in social services. A fundamental problem in summary evictions with that diversion is, where is the time? You need some meaningful days to make social services effective. While this is not a lot of time, it is a lot better than where we are at now. I think having the normal flow of justice is good, where we have a complaint and then an answer.

Assemblywoman La Rue Hatch:

It is important we are acknowledging the housing crisis and the humanity of the people being served with these notices. Honestly, through this process I have learned this is very confusing—for everyone. I can only imagine if I was not a lawmaker and just looking at this dispassionately, but if I am somebody who is about to be evicted, who has kids, who is struggling because I cannot pay the bill this month, and I do not have a nice handy little chart to tell me what my next steps are. Can you speak to how many people you see who do not understand this process and come to you when it is too late for them to do anything? Or do you have any personal stories of what you have seen in this space with people reacting to this process?

Jonathan Norman:

I do not have data. The 300 to 500 people who come into the Civil Law Self-Help Center in Clark County are coming at the moment when it is too late—they got the lockout notice. I could probably get data for how many cases our legal service providers take, which are at that moment. But that would only cover a small fraction. The bottom line is a lot of tenants, the unfortunate reality is, cannot avail themselves of that for whatever reason.

I appreciate that you acknowledged when someone gets this notice, they are in a moment of extreme crisis—they may have their job and a million other things piling up. I think a lot of people can go into a trauma response where they have such difficulty even engaging with the eviction. We have clients who regularly come in and they are at the point of that lockout notice. It is really heartbreaking to deliver the state of the law to them and tell them the moment has passed. We are doing the best we can and connecting them with social services. There is real suffering there. How our law is structured now, once they are at that point, there is not a lot that can be done legally.

Assemblyman Orentlicher:

I want to pick up on one of the benefits of giving more time and more notice so they may be able to take advantage of rental assistance and avoid eviction. That makes me wonder if it is possible—maybe it is already being done—to make sure tenants who are at risk know about these rental assistance options earlier so we do not even get to the notice. For example, you mentioned if there is a rent increase and you are a senior, that triggers your eligibility for rental assistance. Does the landlord tell the tenant when they are notifying them of the rent increase, By the way, you may be eligible for rental assistance if this increase I am about to impose is a hardship. Or, in the original lease, could the landlord include some kind of notice about rental assistance?

Jonathan Norman:

I would say that is on an ad hoc basis with landlords. Some landlords are really good about engaging with the tenant before there is an issue. There is nothing I am aware of which would require those types of notices. The most expensive cost for a lot of landlords is when they have this moment. They want tenants who are paying their rent. We can have discussions about rents going up 20 and 25 percent. That is not in this bill, but landlords fundamentally want tenants in their units paying rent. I imagine there is a lag time of not just the time it takes to get the eviction, but also in getting the property relisted and getting a new tenant in. There is an incentive for landlords to let tenants know—especially if they work with elderly or people on fixed incomes—about the rental assistance programs. I think a lot of them do. I am not aware there is a requirement for them to do that, but I do think they have incentives to do that.

Every time a rental assistance program rolls out, I think a lot of landlords are first to engage. I would also acknowledge, whether it is the county or a lot of community partners who are here in the room, they do significant public outreach to make sure that tenants know not only about their rights but about rental assistance that is available. When CHAP rolled out in Clark County, we saw a significant increase in engagement with the judicial process from tenants. I think that was driven in large part by community partners and the county getting the word out. We can always do better on that front.

Assemblywoman Hansen:

I have lived this. I have mentioned before that I was raised by a single mom and moved 17 times in 18 years. I know what it is like to be evicted, to have our furniture repossessed. With that being said, we talk about the notice; we talk about this time frame. A lot of times,

as those of us who have been in these situations know, unfortunately it is often a parent who is starting to get behind, they are starting to struggle financially because of the circumstances, or they are living paycheck to paycheck. I am curious, do we have an average of how overdue a person gets before they are being evicted, before this whole process where they are going to say, My kids and I are going to have to move.

Jonathan Norman:

I do not know if that data exists. I guess you could really take a deep dive; the United States Census Bureau reports every month about how many tenants in Nevada are at risk for eviction [United States Census Bureau Household Pulse Survey]. You could look at that data and over a year you could note that in January there were 100,000 tenants who were at risk for eviction; and then in February it was 90,000. At a macro level, you could start to get a picture of where our state is. I could get you the links to those surveys. They are pretty illuminating on landlord-tenant issues. They cover not only evictions, but everything from food insecurity to how many people are current on their mortgage. Those reports might be illuminating for your question, but I do not know if there is data which is tracked unless maybe landlords do it within their own communities to understand where their tenants are at.

Assemblywoman Hansen:

I am asking the question generally because maybe some of those in the audience have data from the spheres of influence they are involved in. You mentioned "at risk for evictions." What does that mean? Do we have a checklist of what an at-risk individual is so that we know what those warning signs are?

Jonathan Norman:

I was referencing the United States Census Bureau's surveys. I do not know the questions they are asking tenants to determine what "at risk" means. Anecdotally, the things I would be looking for are the things that are common sense, such as, is the family living paycheck to paycheck, and those classic economic questions. I certainly think the United States Census Bureau has the survey available so you can see the questions they are asking to determine when someone is at risk. There may be a bit of subjectivity in that if you are asked in a survey, and I think they have a margin of error in these surveys.

Assemblyman Yurek:

As I sit here and listen to you and Assemblywoman Summers-Armstrong, your passion and heart to try to help the tenants in this time in which we are experiencing a housing crisis is obvious. I believe your intentions are absolutely noble and I really appreciate that. I want to make sure you understand that as I ask this question. My concern is not so much about what your intentions are. I am concerned about the potential policy implications this could have, the incentives that this sort of policy may create.

Let me put it in context: I appreciate your saying we are going to bring this in line with other civil court processes. As somebody who practices in civil court, that process can often be delayed, and as we have already indicated, not very efficient. I believe that is what the summary eviction process was established for. It was established to address the unique

relationship between a landlord and tenant, which is based largely and most often on a month-to-month financial transaction. The summary eviction process was intended to try to streamline that to resolve these sorts of disputes in weeks, not months.

With that, from a policy perspective, are you concerned there might be a deterrent effect with this sort of process, where landlords might not be able to absorb the loss of income for the months it might take to get through the normal civil court process, and therefore it would unintentionally lead to fewer people being willing to engage in these types of rentals and a reduction in the availability of housing at a time when we really need it most?

Jonathan Norman:

I think this is good policy, and I will tell you why. I do not know the idea that we are going to drive landlords away when we have seen 20 to 30 percent rent increases year over year; even if we factor in inflation running amok, this is a sizable increase in profits. If we are free market, we are not going to drive landlords away. I think landlords see our ecosystem and see the opportunity to make a better life for themselves and their families because of the rent increases. Secondly, while we say this is to get our procedure in line with all other civil procedure in this great state, I think in the United States—because I am not aware of any procedure anywhere in our country that has this piece—that does not mean the process tracks normal civil procedure. So, I know you are thinking in your case, are we going to have lengthy discovery? Are we going to have motions practice? This is still a summary process. You would have to file a formal eviction if you want to avail yourself of all those little pieces of civil procedure.

This still will be a very fast process, tracking summary eviction processes in other states that are fast. What slowed down the process with rental assistance and the time it has taken to get money out the door, we are talking about adding here, depending on how fast the court is turning around that order in our current process, I think that can be up to six days. If we look at it like that, we are adding four days. If we say they are turning around that order in three days, then we are adding seven days. I do not know from a policy perspective that we are going to drive landlords out of our ecosystem, because there is a lot of money being made right now. Secondly, adding those days from a policy perspective—when the tenants can still avail themselves of the legal process and social services can get involved—makes a lot of sense. I do appreciate that we do not want this process to be one which drags out for months, and I do not believe it will.

Assemblywoman Gallant:

Wow, 20 to 30 percent increases? I wish I was seeing that on my end. One of the other processes in this is we have to file the complaint. So, we file the summary complaint; the tenant has ten days to answer that. It states that the tenant has to be served with a stamped summary eviction or summary affidavit. Is that expected to be filed or sent by the courts, or is that expected to be processed and served by the landlord? How do you see that rolling out?

Jonathan Norman:

Two parts. If the tenant files an answer, the court is going to mail out the notice for the hearing date to the landlord and the tenant. For actually serving the complaint, that is going to be done by the landlord and not by the court, and it will be in the same manner as NRS 40.280 or the chapter that governs service. So, it would be the landlords who have to serve the tenant.

Assemblywoman Gallant:

Currently, the law states we have to pay a process server or a constable to post the seven-day notice to pay rent or quit. I also see that you added there could be a witness, which we got rid of four years ago and I am not sure why that is being added. However, now we get this summary affidavit; we do not actually go to the courthouse and get that stamped because we do it online. So now do we have to hire a process server again to post that or serve the tenant?

Jonathan Norman:

Yes. For everybody to understand, it is twice that notice would be served by the constable. The language you referenced about the witness, I think that relates back to that short weekly thing, and we anticipate getting that out of the bill as we continue to talk with stakeholders. You are right, it would require a second service by the constable. What that means for a landlord is, I believe in Clark County, it is a \$26 fee and \$2 per each mile the constable has to drive. If they are going to a property where they have to do multiple postings, so maybe they have six units in close proximity, it goes down to \$16; if you have ten or more units to be served on the same property and the mileage can only be counted once. But, yes, that is an additional cost.

Assemblywoman Gallant:

So, you expect rents to be affordable—

Chair Miller:

Assemblywoman, we are moving on.

Assemblywoman Cohen:

In section 2 on page 5, line 18 the "day of service" definition, where it divides up the date by whether notice is delivered before noon or after noon—that was a little unusual to me. What is the basis of that? Is that talking about the service to the tenants by the constable, not for service with the court?

Jonathan Norman:

I believe that language is what exists in statute. I can follow up with the court and constable's office as to why we have it laid out that way. Our bill is reorganizing that; that is not a new section to NRS Chapter 40. That is how it is in current statute.

Assemblywoman Cohen:

That might be a little confusing. If there are amendments, if we could look at starting with the way we do with regular civil procedure, where you start counting the day after service.

Jonathan Norman:

I think that makes sense. I know the constable's office is one of the stakeholders because they have timelines in this statute, so we are looking to have input from them. Maybe they have some ideas about that section.

Chair Miller:

We do have a few final questions. If you have noticed, we have a guest with us on the dais today. Speaker Yeager has a few questions for you.

Assemblyman Steve Yeager, Assembly District No. 9:

Thank you for allowing me to sit in today. It is nice to be back here. Thank you, Assemblywoman Summers-Armstrong and Mr. Norman, for presenting what I think is often a difficult concept. Just to make sure I am understanding what we are trying to do in the bill, this sort of dovetails with Assemblywomen Considine and Gallant's questions about data. One of the issues we have had over the years in this Committee is, it is hard to know how many people are getting served with these notices and vacating the premises or remedying the problem.

The way I understand this bill, the process of putting the notice on the door—the pay or quit notice, and there are other ones as well—that process is going to remain the same, and the complaint would be filed at the expiration of that process. So we are still not going to get the data about how many people voluntarily vacate the premises but once the complaint is filed, if this bill were to be passed, we will get some data on how many people at that point vacate the premises versus the court being required to actually issue a summary eviction notice. I want to ask if that is correct and if there is some value in having that data. What happens after the complaint is filed, does it actually get to a hearing, is there an answer filed, does the court have to do something, or does the landlord just come in and ask for a voluntary dismissal?

Jonathan Norman:

You are right that we will not have information on the notices; we are not changing that. Would I love to have data on how many people are leaving their homes? Absolutely. That could be really informative for policy makers, but I think that creates a lot of barriers. I have discussed with Las Vegas Justice Court about those notices flowing through the court and then back, and we do not know how many of those notices there are. I have heard anecdotally, in discussions when we were going through diversion court, in Clark County around 10 percent—anecdotally—of the notices that are given every month become filed eviction cases. When you think about that number, if we have 2,000 to 3,000 evictions filed in Clark County, and that is 10 percent of the properties getting notices, trying to process those would overwhelm the judicial system.

To the second part of your question, having the complaint as the first piece filed and served will increase tenant engagement. I think we will get data and know the number of eviction complaints filed; we will know the number that get answered, and I do not think understanding what happened is contemplated. Because some of those people may cure in that period or may work out a payment plan with the landlord, I do not think we will know if they self-evicted or if they cured; but we will be able to match up how many tenants engaged after receiving the complaint. I would anticipate more tenants engaging, and I think there will be value in that. We will have data that is better than what we are working from now.

Assemblyman Yeager:

I was a little concerned we were going to do away with the seven-day pay or quit notices and all of those were going to go to court. As you mentioned, the volume would probably be catastrophic for the court system to handle. On page 3 of the bill, section 2, subsection 5, we talk about the affidavit that has to be filed and there are certain things that have to be included in that affidavit. I think some of that is going to be valuable information, like the date the tenancy commenced. That will allow us to figure out if this is a monthly rental and if this is someone who has been in the property for years.

The reason I say that is we hear a lot of anecdotes in this Committee around this topic. I think there are good actors and there are bad actors in this space. I think we must acknowledge this may help us figure that out. When the affidavit is filed, is there going to be a tie-in to the eviction diversion court process where this would be a way to find folks who might benefit from that program, the suggestion being this affidavit could be a very valuable tool for obtaining some of the data we would like to see. I do not have anything specific, but as you work through this process, I would think about if there are other things that we could ask the landlord—things they could easily put in there—to help with the data collection.

One example is if there are children living in the property or is it just an adult—to the extent that they would know. I think that would help us get a real picture of who it is facing eviction and inform us of how we might be able to bring in social services to help with some of these issues. Some of these people will be evicted and should be evicted because they are not able to comply with the law, but it would be nice to have that entryway and entities communicating and looking at this information to proactively help some of those families.

Jonathan Norman:

Thank you for the suggestion. The only diversion court I am aware of is in Las Vegas Justice Court; they handle 70 percent or more of the evictions in the state. Right now, how diversion court functions is the tenant answer—the local rules were amended so that is the answer which must be used—that answer contains questions which allow the court to evaluate the case for diversion. For example, we are looking for people on a fixed income for that program I mentioned earlier. There are things in the answer which route the case, and the only way to get into diversion court is to answer those questions correctly.

Insofar as it makes sense, I think it might be difficult to have it in the statute because the criteria for different rental assistance programs are going to vary so we would have to cast a pretty wide net to encompass all of them. Asking if they have an economic hardship is only for this one discreet program; if there are other programs in the state, we would want them all. So maybe that would naturally belong in local rules and the forms we use. But I do really like the idea of adding data that would be informative for policymakers into statute—whether it is the age of the tenant, if we are talking about elderly people, or certain information that would be helpful to have data on. I think that could go a long way in informing the state.

And then, insofar as we can capture things that would be criteria for rental assistance programs—because rental assistance programs should be targeting our most vulnerable—and depending on how big our pools of money are, we can probably understand at a macro level how those are going to hit seniors or people with disabilities on a fixed income. If we could get to families with kids who are at risk of being homeless and then entering the child welfare system, that is what we are talking about when we are talking about vulnerable tenants. Maybe on a macro level we could guide that in statute. And then if there are any boutique rental assistance programs that do not go off those data points, that could be in local rule or statute. I think those are good ideas.

Chair Miller:

With that, we have concluded our questions. I will now open testimony in support of A.B. 340. We will start in Las Vegas.

Kimberly Ireland, Private Citizen, Las Vegas, Nevada:

I work at the Mirage hotel, and I am a proud member of the Culinary Workers Union Local 226. On January 31, 2023, I was forced out of my home. An eviction was granted. This was totally devastating for my family. I have two adult children. I have a grandson. It was totally devastating for us. About one year ago, I tested positive for COVID-19. I have not been able to go back to work since then. During that time, the CHAP rental assistance program assisted me and my family since I was out of work. Once the fund was exhausted, my landlord no longer wanted to work with me. That put us pretty much in the position we were in with the eviction.

Since then, it has been very challenging for us to find a new home. We have bounced around from weekly rentals to a short-term rental; we have lived with family since then. I can assure you, I would not wish this eviction process on anyone. I am here today to say it is imperative we do something. Something about this eviction process needs to happen differently.

Angela Escalera, Private Citizen, Las Vegas, Nevada:

I am a happy member of the Culinary Workers Union Local 226. I am a mother of six and I have a granddaughter. I was living in a studio paying \$1,000. I got sick, too, last year. I was positive for COVID-19 as well. I got off of work; I was not working for a while. All I had was my savings. Because of the size of my family, it was hard for me to find a place to go.

Either my credit, or they wanted, you know. I said I did not have any income at the moment, I just have my savings. So, I was stuck in the studio and I was paying \$1,000. All of my savings were running out. All I know is, thank God I went back to work.

One day my daughter calls me. She tells me, "Mom, the landlord and some guys are here. They are knocking on the door. They say we have five minutes to get out of the house and pick up whatever we are going to pick up." I did not know what was going on. I remember it was raining and it was a Thursday. I was about to start my shift when I told my kids I have to go. I pick up my kids and they are all crying, and I did not even know what to do at that point. It was really hard. Because of the size of my family and either they want double the rent, there is something to it; my credit, want more deposit. It has been really hard for me. I tried to go to the court and they said for the reason being, they did not grant it. I was unsuccessful. Because I needed more and Nevada needs more eviction refunds now.

Susie Martinez, Executive Secretary-Treasurer, Nevada State AFL-CIO:

On behalf of over 150,000 members and 120 unions, we are in full support of A.B. 340. All of us here today know that Nevada is facing a housing crisis. Many working families across the state have to stretch dollars in order to ensure they can keep a roof over their heads. The stress of the possibility of losing one's home is hard enough, and tenants should not have to deal with confusing legal processes on top of that. This bill will critically put the eviction process in the hands of the landlords rather than tenants themselves, reversing the backwards procedure that has put undue responsibility on tenants for far too long. I urge the Committee to support A.B. 340.

Marc Ellis, President, Communications Workers of America Local 9413:

Communications Workers of America represents 1,100 members throughout the entire state of Nevada. We are in full support of this bill.

John D. Solomon, Private Citizen, Reno, Nevada:

I am a member of Faith in Action, and I support A.B. 340. As a member of the Reno community, I find homelessness unacceptable. Our society is bleeding and all we are doing is cleaning up the blood. The passage of A.B. 340 will help stop the bleeding by making it more difficult to evict someone. Someone who is evicted with just seven days' notice is very likely to become homeless. My faith teaches me compassion. This bill will not cure the problem but may result in fewer evictions because it will give tenants a more reasonable amount of time to either come up with the back rent or find a new place to live. I work with homeless people and a part of most stories is an eviction, usually through no fault of their own. As a landlord, I know that in every other state, landlords somehow manage to make lucrative incomes despite the tenant-landlord law being very much as A.B. 340 provides. It is not a radical change. What is radical is the eviction process as it is now in Nevada.

As a landlord, for me eviction is a last resort. That is not true for many landlords. Instead, it is a knee-jerk reaction to any landlord-tenant problems or a way to get large increases by turning people out and getting more lucrative tenants. Not allowing summary evictions may

also make landlords communicate better with tenants instead of the atmosphere of fear which now exists. An eviction is a lose-lose situation, bad for the tenant and the landlord. Assembly Bill 340 is not an undue burden on my business.

Paul Catha, Political Director, Culinary Workers Union Local 226:

The COVID-19 pandemic hit Culinary Workers Union members and their families incredibly hard. While many hospitality workers have returned to work, culinary workers have not recovered from the effects of the pandemic. Thousands are still struggling with housing insecurity. The Culinary Union is a member of the Nevada Housing Justice Alliance (NHJA), and we thank Assemblywoman Summers-Armstrong for working with the NHJA on this bill.

In a 2022 survey of Culinary Union members, 21 percent had said their rent had gone up \$500; 21 percent said they are charged fees in addition to rent; 15 percent said they pay more than \$100 in fees each month. Rent increases have outpaced wage growth from the first quarter of 2019 through the second quarter of 2022. Market rate rent in Las Vegas increased 33.1 percent while average weekly earnings only grew 21.4 percent. In 2021, investors bought 18 percent of homes in the Las Vegas metropolitan area. In some areas of the metropolitan area, investors purchased 26 percent, over a quarter of homes sold. According to the January United States Census Bureau Household Pulse Survey, 49.8 percent of adults in Nevada said they struggled with paying household expenses in the last seven days. In the first weeks of January, Las Vegas had already had the highest numbers of eviction filings in the country out of most major cities.

Nevada must change the filing order for summary evictions because tenants should have the right to due process when threatened with losing their homes. Nevada's summary eviction process is unique in the United States, and it is the only civil procedure in Nevada that operates in this way. Nevada requires tenants to file the initial notice with the court. This is bad and confusing public policy which negatively impacts Nevadans and Culinary Union members. Every Nevadan deserves an affordable and stable home. An eviction should never be a surprise. Working families and people of color are disproportionately impacted by housing insecurity. The Culinary Union believes that every Nevadan deserves to be treated with dignity and respect. Nevadans should not have to choose between putting food on their table and having a house. The Culinary Union urges the Committee to support and pass A.B. 340.

Maggie Carlton, Executive Director, United Labor Agency of Nevada:

During the COVID-19 crisis, United Labor Agency of Nevada (ULAN) did not close. We stayed open. We were one of those trusted, vetted partners with Clark County that helped people get their rent paid. Assemblywoman Considine said it very well: we are in a housing crisis—but we are also in a homelessness crisis. The way to keep people from becoming homeless is to keep them in their homes and to help them pay their rent and to walk them through this process.

I have read legislation for a very long time, and when I had to sit down and read that portion to be sure that I understood it when I was helping walk people through this process, thank goodness I had friends at Legal Aid to help me through it. It was very confusing to me and to everyone who calls. In our office, we have had to turn our phones down to almost silent because they do not stop ringing. It is for food, and it is for housing. People just do not understand that when they get that notice on the door that they need to act quickly. They all think, naturally, I can fix this. I will figure a way out. They do not call you until a day or two before it actually happens.

The first thing we tell them to do is to go down and file that response. As soon as they file that response, we do an application with them. During the height of the pandemic, the volume was very unmanageable. Yes, it was taking four to five months, but that is because we normally only had 10 or 12 clients a week. We were getting 100 faxes and requests a day for rental assistance from the community in Las Vegas. It was overwhelming for everyone, not just for the nonprofits in Clark County but the justice system also. The ultimate goal is to get the landlord paid.

Most of the clients who come to ULAN want to pay their rent. They want to stay where they are. They do not want to move. They are tied to that community. Their kids are going to that school. They do not want to have to pack up and leave. So by giving us, as nonprofits, this bill will give me more time to help folks. I will have that extra week or so to get them processed, and at ULAN, if you have an eviction, we bump you to the top of the list. We do have folks who come that just need assistance who have not gotten that eviction notice yet. They are being proactive and are trying to be responsible. But if you have gotten a notice, we try to put you at the top of the list to make sure.

When I talk with the landlords, most of them are willing to work with us. They say, Okay, if you can give me just a little bit of assurance that I might get paid, I am more than happy to work with you. Unfortunately, some of the out-of-state landlords have not been as accommodating. Most of the landlords in Las Vegas have worked really well with us. I will tell you as far as getting referrals, once I have helped one landlord, they start telling the other tenants whom to call. When I say, Who referred you to us, it is not their friend or neighbor; it is their landlord sending them to us to get assistance because they are willing to take our check. That is the goal—to get a check to cover that rent. I am very happy to see this bill. We have to straighten this process out. We have to keep families and children in their homes, in the school they are used to, and this, I think, will really help with the homelessness issue in the future.

Sylvia Buenrostro, Private Citizen, Las Vegas, Nevada:

I am a member of the Culinary Union and an organizer for many years. I would like to share my story for those who have never been evicted. I can walk you through all of the letters an eviction notice might bring. People are not able to understand that. About ten years ago, my younger son had an asthma attack. I am a single mother of five and I had to stop working because I had to be in the hospital with him for that time. I have great medical insurance,

a good steady pay, but I was never aware this process was to happen. I talked to the landlord who was out of state, and he said that I had to talk to his attorneys. They only said I had a seven-day notice posted on the door because he wanted me to pay them.

I struggled, but I got the money together. The next thing I know, a 24-hour notice came up. I had no idea what to do. I called the landlord again and I said I did not know why I got this notice; I do not have a place to go. I just got out of the hospital with my son. And he said, Talk to my lawyers, I cannot talk to you. They say you have to go to the court, so Friday morning at 8 a.m., I went to the courthouse with cash. I did not know what I had to do. At the moment I am there with the clerk to make the payment of rent, my daughter calls me, and she says, There is a constable at the door, there is someone at the door breaking in. I said, Look out the window and see who it is. She said, It is a police guy, I do not know. He busted into the door and yelled at her to get out of the house. It was wintertime. My son had just come home from the hospital with asthma, and they were thrown out with no regard. It has been over ten years and it still hurts.

I have been renting ever since then because I lost my house in 2009. This process has to change. This has been way too long for all Nevadans, and everybody has to go through ignorant processes that we have not been informed of. I had applied when I received that seven-day notice for rental assistance. That process takes longer than the eviction, and of course we ended up homeless. It is something that haunts you for life. It is not easy to recover, especially with the children. They are always afraid that if we are short in any kind of way, we are going to get an eviction notice. I support this bill, and I hope you do as well so that Nevadans can have peace of mind and have a place to live and a roof over their head.

Isheika Paisley, Private Citizen, Reno, Nevada:

I am here today to show my support for A.B. 340. I am part of Faith in Action as well. I am a resident of Reno and I live in Assembly District 24. Why this bill really matters to me: I was evicted at one point, so it is important to me to see the law change. I can remember before my rent was coming up, I asked my landlord if they could give me some time to pay my rent. I was waiting to receive their response, and I did not get one. Then I reached out to them and said, I emailed you guys asking for time to pay my rent, and I did not receive anything back. What is going on? They said, Well, we cannot do anything because there is an eviction letter out for you. I am like, How do you guys send an eviction letter when I did ask you guys for time?

Unfortunately, I was not at home at the time when they sent the eviction letter to my house; I was already four days out of my eviction. I did not know what to do. I am a single mom. I have a son. When I found out, I ran to the Sierra Street court for assistance for them to help with the eviction notice. On top of that, I did not know I had to pay a fee because I have barriers getting a job. I cannot work. I am not allowed to work. So, I still have barriers. I am asking for your strong support in changing this situation. This summary is not good especially for people who have barriers, like with jobs and all of that. Also, I do not know that they can go to the court to get assistance with their summary eviction letter. Also, they have something like Washoe County and can help you do the waiver.

Chasity Martinez, Private Citizen, Reno, Nevada:

I am here to express my support for A.B. 340. I am a resident of Reno in Assembly District 27. I also work as a community organizer with Faith in Action Nevada. We organize both with faith communities and also with those that are directly impacted by issues of economic injustice and racial injustice. We are also members of the Nevada Housing Justice Alliance, and we believe housing should be a human right. We believe those closest to the problem should be at the heart of finding the solution. I just want to uplift the stories that were shared today, the facts you heard in support of A.B. 340 and reforming the whole summary eviction process. I urge you to support this bill along with other humanizing approaches so we can assure that we can prevent further housing insecurity for our most vulnerable neighbors.

Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada:

I am the policy director with the Progressive Leadership Alliance of Nevada and a founding member of the Nevada Housing Justice Alliance here in support of A.B. 340. First, we want to thank Assemblywoman Summers-Armstrong for bringing forward this important bill that we discussed in detail during the interim. Every Nevadan deserves an affordable and stable place to call home. Yet the current summary eviction process allows landlords to entirely sidestep the judicial system when trying to evict residents from their home and places the burden on tenants to initiate a court case should they hope to have the due process of a court hearing and judicial oversight afforded to tenants across the nation.

Evictions and economic displacement impact us all by putting more economic burden on our communities through increased demands on social services, shelters, and hospitals by families who become homeless and other costs associated with the disruption caused by housing instability. By contrast, stable homes promote education, opportunity for children, and economic opportunity for families, allowing Nevadans to save for a house, pursue new employment options, and open a new business. During the past two years, our coalition has conducted community outreach, put on educational trainings on tenant law, and assisted in filing for CHAP and responding to summary eviction notices. However, far too many times when a tenant was finally able to be connected with us for support, the time had run out on their summary eviction. Sometimes we even had to help them move. This is inexcusable. The time is now to update our summary eviction process. We urge your support of this bill.

Lilith Baran, Policy Manager, American Civil Liberties Union of Nevada:

This is an incredibly important piece of legislation that we unfortunately had the opportunity to do something about in the previous session. As we heard Mr. Norman say, there have been about 150,000 people. Conservatively speaking, if there were 300 people a day for the last two years who have come through his doors and have tried to address this problem, I can assure you that 150,000 were not housed after coming through those doors, which makes this the No. 1 bleeding artery for homelessness. If we do not cauterize this wound, we are going to continue seeing it affect all other areas of our community.

We have heard things relating to education where there are school discipline issues. A lot of that sprouts from housing insecurity. We talk about reentry and how difficult it is for these folks coming out of the carceral system to find housing. A lot of that comes from housing insecurity and food insecurity. These things will never end if we do not make smart choices like this one, and this is a very easy step in the right direction. I would also like to note that in Washoe County, it does cost the tenant \$71 to file and you must do it in person. We do not have an online system.

I am also the board president of The Reno Initiative for Shelter and Equality, which is the family and senior shelter. Most of our families are in the shelter because of the summary eviction process. Landlords are going and turning around, using this as a tool to then double or triple the rent they were receiving before. This is not something that is affecting people who are landlords—becoming homeless is not happening to them. They are not going to social services because they are unable to evict people. However, the people they are evicting are going directly to these social services to find security. Please pass this legislation.

Serena Evans, Policy Director, Nevada Coalition to End Domestic and Sexual Violence:

The conversation of housing justice is not just about tenant rights. Housing justice plays a much bigger and critical role in the prevention and intervention of domestic and sexual violence and the overall safety of our communities. Summary evictions are burdensome for tenants and require them to engage in lengthy and confusing legal procedures only for them to be evicted, forcing them to find new housing in an impossibly short time. This process puts the tenant at extreme risk for becoming homeless and for victim-survivors, potentially pushing them back into the arms of an abuser. Both scenarios directly increase risk for domestic and sexual violence. The No. 1 request we see from domestic and sexual victim-survivors is for emergency shelter and rental and deposit assistance. Our direct service providers have also shared that their clients are being served sudden evictions following instances of assault in the home. Experiencing violence should not be a cause for eviction. Housing justice is violence prevention. We urge the Committee to pass this bill.

Annette Magnus, Executive Director, Battle Born Progress:

We are here today in strong support of A.B. 340 to reform the summary eviction process. The summary eviction process has been abused against Nevada tenants for far too long. During the COVID-19 pandemic, despite state and federal eviction moratoriums, we saw corporate landlords trying to kick families out on the street during a public health crisis. I personally helped Nevadans who had to navigate this complicated process while running a community food pantry out of my garage. I have seen the damage this process can cause firsthand. It was disgusting, but sadly allowed to happen due to unscrupulous landlords taking advantage of the summary evictions, knowing their often low-income or otherwise vulnerable tenants would be unprepared to respond without outside resources or legal assistance.

All Nevada tenants deserve a chance for an eviction hearing. Tenants should have access to resources and interventions when coming to court and should have adequate time to find new housing. The current summary eviction process does not allow this. If passed, A.B. 340 will be a strong step towards giving tenants their fair opportunity to defend themselves or at the very least to find a new living situation before they are evicted. We urge your support.

Erika Minaberry, Private Citizen, Sparks, Nevada:

I am here representing my three children. In 2018 and 2019, I was separated from them for 18 months because I had to relinquish custody due to the housing crisis. I simply could not afford to house them. I clawed my way up and out of that hole and was able to be reunited with them when I got a summary eviction in the summer of last year. Let me tell you, the trauma-induced panic that incurred during that time almost made me nonfunctional. As a single parent, I had to move me and my three kids, find a new place, and I had to do it all by myself without any assistance because the wait lists were so long that there was not enough time. I maxed out my credit cards trying to pay for application fees, only to get the word that that place had already been rented immediately. I was running out of time. I was staring down the barrel of being separated once again from my children. My family has been traumatized by this, and we still are. We are still scared that the new place I have could increase the rent, they could give me another summary eviction at any time, and I am paying too much in rent to actually have savings, so I will not have anything to help me if I do get another summary eviction.

The biggest tragedy that happened during this time, though, was that this all happened during the primaries of last summer. I was plopped into a new district that I was not educated about; I had no idea who the candidates were, I was a super volunteer for a primary candidate in my old district, and I was not even able to vote for them because the housing crisis is a covert way of voter suppression. Make no mistake that the people who knock on doors for all of you are knocking on doors because of the housing crisis. It makes it incredibly difficult to knock on doors for a candidate when you do not have a door yourself. It is true that in sessions past, there have been opportunities for you to help us and you have not followed through. We need your help now more than ever. We are all watching; we are all voting. Please, help us.

Liz Sorenson, President, Nevada State AFL-CIO:

I am here today in support of A.B. 340. I urge the Committee to support the bill as well.

Sue Bird, Private Citizen:

I am a senior on a fixed income living in rural Nevada. This process is very complicated. I cannot imagine trying to figure it out by myself and having to go to someone to help me. I am here today in full support of A.B. 340. I beg you, please support the bill.

Adrian Lowry, Private Citizen:

I want to agree with all of the previous comments, and say thank you. Please support this bill.

Renee Ruiz, Legislative Advocate, National Nurses United:

Unstable housing and the stress of eviction is a public health issue and a public health crisis. We stand in full support of A.B. 340. We urge the Committee to support the bill as well.

Shelly Speck, representing Children's Advocacy Alliance; and Nevada Strong Start Coalition:

[Ms. Speck read from written testimony, [Exhibit I](#)]. In order to prevent families from slipping into homelessness, we must ensure tenants are given clear and concise instruction on how to respond when receiving an eviction notice so they can take appropriate corrective action. Since evictions have become commonplace statewide due to a lack of oversight and competition for properties, tenant protection is needed now more than ever. Summary eviction notices are issued to tenants by landlords without court involvement, and this creates a chaotic situation where tenants are at times unable to navigate the legal jargon of the eviction notice to be able to address it. Within a short, allotted time frame given, tenants must file an affidavit in court to contest the eviction before the landlord files anything. Many tenants simply give up, resulting from a misunderstanding of the process; they self-evict and then languish on waiting lists in limbo for alternate housing.

The stress of such a complex process affects families and children. By streamlining the summary eviction procedure, children will have a better chance of achieving stability and successful outcomes when they are less likely to be thrown out into the streets. It is unimaginable that families were evicted so easily this past year in northern Nevada during the coldest winter in the last 50 years. When we first secure housing, then we can ensure the health, safety, and well-being of children. Ask yourselves, What can I do to prevent another child from entering into homelessness due to unfair practices? When you leave here today, please make a commitment to repeal, revise, and reorganize the summary eviction procedures in existing laws and support A.B. 340.

Gerald Mayes, Chair, Veterans Affairs Committee, Las Vegas Branch 1111, National Association for the Advancement of Colored People:

I am a veteran of the United States Marine Corps, and I am testifying in my capacity as the chair of the Veterans Affairs Committee for the National Association for the Advancement of Colored People (NAACP) in Las Vegas. I am here to urge you to take action to address the issue of summary evictions in Nevada. This practice is detrimental to the well-being of our veterans and all Nevadans. One of the biggest problems with summary evictions is that there is no way to involve critical social services or achieve early intervention ahead of proceedings, which can lead to a rapid instability for tenants. The eviction notices themselves are complex and difficult for the average tenant to understand. This creates a burden on tenants to initiate court action against themselves as defendants, which is counterintuitive and unlike any other civil court action in Nevada.

The impact of summary evictions is severe, forcing tenants to find new housing in an unreasonably short amount of time and putting them at risk of losing their jobs. This instability can lead to transiency for many families, negatively affecting access to health and social services, student outcomes, and ultimately increasing the risk of becoming unhoused.

All Nevadans, including our veterans, deserve the chance for an eviction hearing. Tenants should have access to resources and interventions when coming to court and should have adequate time to find new housing. I urge you to take action to ensure that our most vulnerable populations are protected from the devastating impact of summary evictions.

Dora Martinez, Private Citizen, Reno, Nevada:

I appreciate the prior comments and agree with them. I am a blind person who was evicted when my youngest daughter was under ten years old. I was served with an inaccessible format of communication which was troublesome for me to understand. I was scared when people showed up at my door. I appreciate the sponsor, and I hope that this measure will be inclusive and accessible from the get-go so anyone with a disability will get reasonably adequate communication in regard to their disability. I am also a blind person who is helping another blind person who is being evicted. I had to get a U-Haul and find a person who can drive for her. It was very difficult, but doable, because our needs are different than another person who can get a U-Haul for themselves and move out.

Falasha Parlin-Wheson, Member, Las Vegas Branch 1111, National Association for the Advancement of Colored People:

I am speaking to you today as a member of the NAACP Branch 1111 political committee in support of A.B. 340. As an organization that community members often reach out to when in need of help, our members are regularly contacted by folks who have unfortunately already received a lockout notice, having not realized they must file an answer to the seven-day notice. Many of these individuals—having not grown up in Nevada—are dumbfounded when they learn that the impetus was in fact on them—not their landlords—to begin the court proceedings in order for them to receive their day in court. This widespread misunderstanding of the process and the extremely short deadline it imposes lead to unnecessary evictions for both those actively in the process of coming up with the funding to get caught up and those with legitimate landlord-tenant disputes, such as those intentionally withholding rent in order to compel their landlords to make statutorily required repairs. We strongly urge you to support this bill to help decrease the confusion caused by the current process, and in turn, the number of Nevadans unnecessarily facing homelessness.

Russ James, representing Nevada State AFL-CIO:

I am here in full support of A.B. 340. I urge the Committee to support it as well.

Linda Ward-Smith, representing American Federation of Government Employees:

I am calling in support of A.B. 340. I urge the Committee to support it as well. Thank you.

[[Exhibit J](#) and [Exhibit K](#) were submitted and are included in the record for the hearing.]

Chair Miller:

We will now move to testimony in opposition to A.B. 340. We will start in Carson City.

Tiffany Banks, General Counsel, Nevada Realtors:

We are testifying today in opposition to Assembly Bill 340. We would like to thank Assemblywoman Summers-Armstrong for continuing to work with us on this bill to get us to a place where there is a fair and balanced approach for both landlords and tenants alike. It is our understanding that most states do have an informal eviction process. In the interest of time, I am only going to briefly touch on a few of the concerns we have. In section 2, subsection 2, paragraph (b), it is not clear whether it is meant to notify a tenant that failure to act may result in a summary eviction or rather to explain the summary eviction procedure. It is crucial to have a clear understanding of what the notice actually means. The more confusing a notice gets, the harder it is for the tenant to understand what action they have to take; which ultimately defeats the purpose.

Nevada Revised Statutes Chapter 40 is already extremely confusing. As drafted, much of this creates more confusing language. Section 2, subsection 3 of the bill uses language already required by NRS 40.280, stating that a landlord shall attempt to deliver personally in the presence of a witness or without a witness if served by the constable, sheriff, or process server. As this bill is drafted, if service is unsuccessful, it eliminates the ability to serve on a person of suitable age and discretion who opens the door. Rather, it requires the landlord to post and mail using overnight mail, which is currently not required in statute. Section 2, subsection 6, no method of services identified: it appears in section 2, subsection 6, paragraph (b)(1) adds an additional ten days to the eviction process to an already extremely lengthy process.

Finally, section 2, subsection 7, it should be required that the tenant raise any legal defense they may have in the answer as well as any stay of execution of an eviction order so the answer also includes any defenses to be considered.

As you can see, there are some difficult issues that need to be worked out from the legal technicalities and policy perspective; I just covered a few of these today. We will continue to work with the bill sponsor and legal aid to address these issues.

John Sande IV, representing Nevada State Apartment Association:

I truly valued and enjoyed the conversation I had with Assemblywoman Summers-Armstrong regarding this important piece of legislation. However, we are opposed here today on the bill. I do not think it would be worthwhile to go through all of the issues we have with the bill as drafted; instead I offer the main reason for our opposition. Our opposition is based on the fact that this will, as drafted, impact the cost of affordability for housing. Housing in our state is an ecosystem. If we increase cost within the ecosystem, the cost will be spread throughout. In this case, those costs will be incurred by existing and new tenants through higher rents. This body has devoted countless hours seeking policies that can help with housing costs, discussing issues like homelessness, low-income housing, affordable housing, attainable housing, and workforce housing. In our opinion, it is imprudent to simultaneously pursue policies that will thwart efforts to reduce costs and housing.

With that said, there is a bright side. We believe this bill is an opportunity. The current eviction process in Nevada is convoluted, difficult, and unnecessarily expensive. In fact, over one-half of the evictions in the state are initiated by attorneys. If we can create a process that is simple, streamlined, and capable of handling without attorneys, we can actually help landlords and tenants and potentially make a dent in some of the housing issues we have now. We have made a commitment to work with the proponents of this bill in an attempt to accomplish this goal. We are not opposed to reworking the summary eviction process by changing the order or the way that notices are made to tenants. However, we believe this process needs to be streamlined and efficient.

This process is emotional for everybody. Landlords have costs and obligations. They need to make not only payments to creditors but to the other residents. They are intimidated by the system as well. Hopefully, we can all work together to find a system that makes sense for all Nevadans; we appreciate the opportunity to be a part of it.

Chair Miller:

Thank you. I appreciate your willingness to continue working with the bill sponsor.

Dylan Keith, Assistant Director, Government Affairs, Vegas Chamber:

We are in opposition to the bill today as written, but we will continue to work with the sponsor. Evictions are not an easy process. They are often drawn out in length. While we appreciate the intent of this legislation, we do not believe that this bill as written will alleviate the issues tenants face currently. Tenants and landlords are often able to find a solution before engaging with courts. As neither party generally actually wants to go through this process, we believe this bill will remove that mediation period between the parties and will further lengthen the amount of time for evictions, thereby increasing the cost on both landlords and tenants.

Chair Miller:

Thank you for that. Is there anyone else here in Carson City wishing to testify in opposition? [There was no one.] Can we please go to the phone lines?

Ron Aryel, Private Citizen, Reno, Nevada:

I am opposed to A.B. 340 because it has nothing to do with alleviating the problems it says it will. Instead, it will make it much more difficult for landlords to properly evict tenants. If you want to help tenants, there are simple things you can do. For example, increase the summary eviction notice time from 7 days to 10 or 12 days. I certainly would be 100 percent in favor of increasing access to legal aid, spending more money to subsidize legal aid, and provide all tenants with access to an attorney or to a legal aid center. If you want to increase my property taxes modestly to arrange for that, I will be the first one to fork over a check to the property taxes to help that. I am fully in support of that. But unfortunately, Jonathan Norman's frankly wild exaggerations about—

Chair Miller:

Mr. Aryel, we are not going to comment on other individuals. Please stick to the policy.

Ron Aryel:

Okay. The proposed policy is based on exaggerations and on statements which are not supported by data, so it is incumbent on the proponents to prove their case and show the data; they have not. The last thing I am going to say is, if you remove single-family zoning restrictions from wide swaths of Nevada and allow the market to operate, you will get a lot more housing at different price points and you can even require that some of that housing be restricted to low-income or moderate-income tenants. That is going to fix your housing process, not putting burdens on landlords and pretending that rent control or making the eviction process more complicated is somehow going to protect tenants.

Kirk Johnson, Private Citizen, Reno, Nevada:

I am calling to express opposition to the extent A.B. 340 applies to commercial evictions. I have handled commercial evictions on both the landlord and the tenant side for close to 30 years here in Reno. I think all the testimony we have heard today has been focused on the residential side of the equation—none of which applies to the commercial side. I am particularly concerned with section 2, subsection 6, which requires the landlord to—after already serving a five-day notice which the tenant has not responded to—file a landlord affidavit, serve that affidavit, and then the tenant now would have another ten days to respond.

Most commercial leases have a requirement that before we can start the eviction process, the tenant has to be in default. In order to put the tenant in default under the lease, usually a landlord must give them some sort of written notice. By the time we get to this third landlord affidavit and serving it, we are now giving the commercial tenants a third opportunity to pay their rent. Again, these are theoretically sophisticated businesses; most if not all are entities. As entities, they have to be represented by attorneys in the process. There is no reason to make this cumbersome process and procedure, which basically more than doubles the response time for commercial tenants, applicable to the commercial eviction process.

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:

I will ditto the comments made by the previous callers. This housing and affordability crisis is largely a result of these eviction moratoriums, which we were told we had to have because of a so-called pandemic. Yet we have not been told whether these measures have worked. If you look at Nevada, only 1 percent of the state is urbanized. Ninety-nine percent of the land is available. We have a lot of space and room to grow. Part of the reason that is causing the housing shortage is because we have a lack of housing and construction—we have technologies such as three-dimensional printers and Boxabl that can easily produce tiny casitas very easily. Not to mention, we have tens of thousands of hotel rooms. We can apply a similar model in terms of building housing, like what they are doing in many inner cities such as San Francisco, New York, and Chicago. Build them on vacant land or empty parking lots we have out here—problem solved. And not to mention a lot of the zoning codes and the permitting cost also drive up prices. When people say housing is a right, what am I entitled to? A drawer? A mansion? This is one of the reasons why immigration and family policies are very important. Thank you so much and please reconsider the bill or vote no.

[[Exhibit L](#) was submitted and made part of the record for this hearing.]

Chair Miller:

Seeing no other callers or participants in Las Vegas, I will now open testimony in neutral on A.B. 340.

Mendy K. Elliott, representing Southern Nevada Regional Housing Authority; and Rural Nevada Housing Authority:

With me today is Mr. Brewer, and he will also have some comments. I want you to know that all three housing authorities do everything possible to keep tenants housed. There are those who must be evicted as a last resort. I want to personally thank Assemblywoman Summers-Armstrong and Mr. Norman for bringing A.B. 340 and for their passion and commitment to this issue. Our late-night discussions have been very positive. Further, I thank Assemblywoman Summers-Armstrong for agreeing to remove section 7, subsection 3. We are anxious to continue to support them in this effort and continue to work with Mr. Norman on a few small tweaks on behalf of the housing authorities, which will not change the substantive intent of the bill.

William Brewer, representing Nevada Rural Housing Authority; and Reno Housing Authority:

We are here in neutral today. We appreciate the opportunity to have input. We are just here to indicate that we administer federal programs and federal dollars in supportive housing. Those programs come with a lot of requirements. Most of them are far more stringent than anything we see in Nevada law. When we find bills that are duplicative and intend to treat us in a different way than any other landlord, it becomes a little more challenging for us. Our only concerns are technical in nature. We would like to see this bill make us just like any other landlord, and we are working with the sponsor to get that done.

Chair Miller:

Is there anyone else here in Carson City who would like to testify in neutral? [There was no one.] We will move to Las Vegas for neutral testimony.

Maria Moore, State Director, AARP Nevada:

I am the Nevada state director for AARP, representing 347,000 Nevadans. In general, we do support A.B. 340. However, we believe that there are ways to strengthen this legislation, and we are working with Assemblywoman Summers-Armstrong to address that. According to AARP's statistical analysis of data available by the United States Census Bureau, in the state of Nevada more than 4,700 older adults aged 55-plus are expected to be evicted in 2023, and more than 3,200 older adults 55-plus are expected to experience homelessness. Furthermore, according to the same data, close to 13,500 people of all ages are expected to be evicted in 2023 and more than 9,300 persons of all ages are expected to experience homelessness.

We would like to provide two recommendations for A.B. 340. In relation to section 2, when landlords provide eviction notice to tenants for nonpayment of rent, we may want to require landlords to provide all the rights, remedies, and/or rental assistance programs available at the federal, state, or local level to the tenant to seek help with the payment of rent. Invariably, tenants do not have information about their rights, remedies, or assistance that they can have. Providing such information along with notice will help tenants understand their rights.

Furthermore, we would request the Nevada Housing Division to work with the Office of the Attorney General to develop flyers that landlords can provide the tenants with notice of eviction. Secondly, we would like to suggest that the state work on creating eviction diversion programs that will allow landlords and tenants to mediate and settle disputes out of court before any eviction proceedings are instituted. It is proven that partnerships with local court systems, legal system organizations, are critical tools for preventing housing insecurity and helping landlords recover from rental [unintelligible]. Similarly, programs have been introduced in Massachusetts and at the local level in Kentucky, Tennessee, and Pennsylvania.

Barbara Paulsen, representing Nevadans for the Common Good:

[Read from written testimony, [Exhibit M](#).] I am a member of Boulder City United Methodist Church, which is a proud member of Nevadans for the Common Good, a broad-based community organization representing over 100,000 people in southern Nevada. Our organization, through small group meetings and numerous neighborhood walks, has interacted with countless numbers of southern Nevadans on housing issues over the last several years. We have heard countless stories from tenants who do not understand what the posted eviction notice means, do not know how to access the court, have had difficulty navigating the court system when they have tried, and many for a variety of reasons avoid the court system and just self-evict. Not only, as we have heard this morning, does this leave many vulnerable people with situations regarding housing, but it also prevents the courts, social services, and housing advocates from having a clear picture of what the eviction levels really are in our community. Since the eviction is initiated by the landlord, the burden of moving that forward in the court system is necessary, and we do very much support the part of the bill that is changing so that it is the landlord who initially has to file with the court. Our concern is in section 2, subsection 6. Just ahead of that in subsection 5, there are very clear and specific guidelines given—

Chair Miller:

If you have a specific concern with the policy, then that would be more opposition. The last testimony we heard had more suggestions, but if you have an actual conflict with the bill, so do you want to move your testimony into opposition?

Barbara Paulsen:

No, no. I do have a suggestion. I am just getting to that right now.

Chair Miller:

Okay, let us hear the suggestion.

Barbara Paulsen:

Okay. In section 2, subsection 5, landlords are given clear guidance on what they need to submit to the court when they first file. Also, section 2, subsection 6 states what the tenant will receive from the court but does not give them any guidance in how to do that written report. It just says they must file a written response. We already know that lack of people coming to the court is a real issue in making this whole process successful. We feel that there needs to be language in the bill that provides guidance and assistance that will encourage and enable tenants to respond to the court and not to continue to self-evict in the numbers they have. We are in support of the concept, but we would like to see that change in the bill, and therefore we are in neutral.

Chair Miller:

What you probably cannot see is that the bill sponsor and copresenter were taking notes as you were making those suggestions.

Is there anyone else there in Las Vegas who would like to testify in neutral? Not seeing anyone, I will go ahead and close testimony and welcome the bill sponsor and presenter back up for any final remarks.

Assemblywoman Summers-Armstrong:

I know this was a long presentation. There is a lot to digest here and a lot of emotions. I will try my best to keep mine under control. During the pandemic, the majority of the calls I received were from people being evicted; they did not know what to do. By the time a notice was posted on their door, often it was too late. I was so grateful when the CHAP money came and we had a process where we could send our constituents to get assistance to keep the people who were out of work from being homeless.

We recognize that things are balancing out. The CHAP program has ended. There will be other crises. But what we are supposed to do as leaders and people who raise their hands to do this work is to make sure we are prepared the next time; that we propose and present legislation and we lobby within our own ranks for legislation that makes life equitable for our constituents.

I represent Assembly District 6 in Las Vegas. These are regular folks. They do not have attorneys on speed dial; they do not have lots of money. They voted for a girl with red glasses, and they sent me here to do something about this issue and I promised that I would try. I know this is hard and I know there is a lot of pushback, but we cannot have a process that is more fair, equitable, and clear for multimillion-dollar businesses to fight with one another than it is for regular people to stay housed. That is not the Nevada way. Equity, care, and fairness—that is the Nevada that I know, that I represent, that I want to see. We will continue to work with anyone who comes forward with ideas. The most important thing is that the process be fair. Thank you. I am in my mid-fifties; my apologies, I cannot help but get emotional.

Jonathan Norman:

I cannot follow that. I just want to thank everyone for their time and attention to this important issue. I want to thank the sponsor and all the commenters both in support and in opposition. I took a lot of good notes, and I think we can get to a consensus. I appreciate your time this morning.

Assemblywoman Summers-Armstrong:

I do want to say thank you to Jonathan Norman and Legal Aid. They have served and saved a lot of our constituents, and we should honor them and thank God for them. They do God's work and I appreciate all that you do. Thank you.

Chair Miller:

Yes, thank you, Mr. Norman. It was a tremendous presentation, and Assemblywoman Summers-Armstrong, you do not need to apologize for emotion when people elect us. What they are hoping is that we see them and feel for them as people and humans, first and foremost. Being passionate about our fellow Nevadans is why we are here. I will go ahead and close the hearing on A.B. 340. The last item today on the agenda is public comment. [Public comment was heard.]

That ends our business for the day. Thank you, everyone. I will see you back tomorrow morning at 8 a.m. This meeting is adjourned [at 10:33 a.m.].

RESPECTFULLY SUBMITTED:

Connor Schmitz
Committee Secretary

APPROVED BY:

Assemblywoman Brittney Miller, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for [Assembly Bill 32](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 67](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 255](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is two fact sheets titled, "Overview of the Summary Eviction Process (Non-Payment of Rent)" and "Overview of the Summary Eviction Process (Non-Payment of Rent) if AB340 becomes law," presented by Jonathan Norman, Statewide Advocacy, Outreach, and Policy Director, Nevada Coalition of Legal Service Providers.

[Exhibit G](#) is a copy of a PowerPoint presentation titled, "Summary Eviction in Nevada: Proposed Changes," presented by Jonathan Norman, Statewide Advocacy, Outreach, and Policy Director, Nevada Coalition of Legal Service Providers.

[Exhibit H](#) is a proposed amendment to [Assembly Bill 340](#), submitted and presented by Assemblywoman Shondra Summers-Armstrong, Assembly District No. 6.

[Exhibit I](#) is a letter dated March 29, 2023, submitted by Shelly Speck, representing Children's Advocacy Alliance; and Nevada Strong Start Coalition, in support of [Assembly Bill 340](#).

[Exhibit J](#) is a letter submitted by Austin Krehbiel, Private Citizen, Las Vegas, Nevada, in support of [Assembly Bill 340](#).

[Exhibit K](#) is a collection of letters submitted by Ariel Guevarra, Private Citizen, Las Vegas, Nevada, in support of [Assembly Bill 340](#).

[Exhibit L](#) is a copy of an email dated March 23, 2023, submitted by Ron Aryel, Private Citizen, Reno, Nevada, in opposition to [Assembly Bill 340](#).

[Exhibit M](#) is written testimony dated March 29, 2023, submitted by Barbara K. Paulsen, representing Nevadans for the Common Good, regarding [Assembly Bill 340](#).