

**PROPOSED REGULATION OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R010-10

March 16, 2010

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

AUTHORITY: §§1-9, section 4 of Assembly Bill No. 139, chapter 150, Statutes of Nevada 2009, at page 540 (NRS 319.267).

A REGULATION relating to housing; setting forth the procedures for the report to the Aging and Disability Services Division of the Department of Health and Human Services that is required to be made by certain owners of residential housing units; and providing other matters properly relating thereto.

Section 1. Chapter 319 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 9, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Department” means the Department of Health and Human Services.*

Sec. 4. *“Division” means the Aging and Disability Services Division of the Department.*

Sec. 5. *“Residential dwelling unit” has the meaning ascribed to it in NRS 278.4977.*

Sec. 6. *As used in section 4 of Assembly Bill No. 139, chapter 150, Statutes of Nevada 2009, at page 540 (NRS 319.267), and section 9 of this regulation, the Department will interpret the term “owner of residential housing” to mean a person listed as the owner of a new or existing residential dwelling unit, as shown on the records of the county assessor for the county where the residential dwelling unit is located.*

Sec. 7. *As used in section 4 of Assembly Bill No. 139, chapter 150, Statutes of Nevada 2009, at page 540 (NRS 319.267), the Department will interpret the term “unit of the residential housing that is available and suitable for use by a person with a disability” to mean a new or existing residential dwelling unit that is available and includes, without limitation:*

- 1. One entrance that is reasonably accessible by a wheelchair;*
- 2. One bedroom that is reasonably accessible by a wheelchair; and*
- 3. One bathroom that is reasonably accessible by a wheelchair, with a toilet that is reasonably accessible to a person with a disability.*

Sec. 8. *The Division shall adopt and provide a form and instructions for the report required pursuant to section 4 of Assembly Bill No. 139, chapter 150, Statutes of Nevada 2009, at page 540 (NRS 319.267).*

Sec. 9. *1. The information required to be reported by an owner of residential housing to the Division pursuant to section 4 of Assembly Bill No. 139, chapter 150, Statutes of Nevada 2009, at page 540 (NRS 319.267), must be submitted:*

- (a) On the form provided by the Division pursuant to section 8 of this regulation; and*
- (b) Not later than 30 calendar days after the end of each calendar quarter.*
- 2. The report described in subsection 1, with regard to each dwelling unit that is available and suitable for a person with a disability, must include, without limitation:*
 - (a) The physical address of the residential dwelling unit;*
 - (b) The unit number of the residential dwelling unit;*
 - (c) The square footage of the residential dwelling unit;*
 - (d) The number of bedrooms in the residential dwelling unit;*
 - (e) The number of bathrooms in the residential dwelling unit;*

(f) The amount of rent charged for the residential dwelling unit;

(g) The amount of any available subsidy payments toward the cost of the rent charged for the residential dwelling unit; and

(h) Any accessibility features of the residential dwelling unit, including the accessibility features described in section 7 of this regulation;

(i) The physical address, electronic mail address and telephone number of:

(1) The owner of residential housing; or

(2) A designee of the owner of residential housing who has authority to rent or lease the residential dwelling unit; and

(j) An attestation made by the owner of residential housing that, to the best of the knowledge and belief of the owner of residential housing, the information contained in the report is accurate and complete.

3. The report described in subsection 1, with regard to each residential dwelling unit that is suitable for a person with a disability, but is currently unavailable, must include, without limitation:

(a) The information required pursuant to paragraphs (i) and (j) of subsection 2; and

(b) A statement indicating that the residential dwelling unit is currently unavailable.