

SENATE BILL NO. 266—SENATORS MANENDO,
BREEDEN; AND PARKS

MARCH 18, 2011

JOINT SPONSORS: ASSEMBLYMEN CARRILLO,
OHRENSCHALL; AND HOGAN

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions governing the possession of pets
by tenants of a manufactured home park.
(BDR 10-960)

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

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

AN ACT relating to property; revising provisions governing the
possession of pets by tenants of a manufactured home
park; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

1 Existing law generally prohibits a landlord of a manufactured home park or his
2 or her agent or employee from: (1) charging a fee for pets kept by tenants in the
3 park; or (2) including in a rental agreement the requirement to pay an additional fee
4 for keeping a pet. (NRS 118B.050, 118B.140) This bill additionally prohibits a
5 landlord or his or her agent or employee from requiring a tenant to pay a deposit as
6 a prerequisite to keeping a pet in the park. This bill also provides that a landlord
7 cannot prohibit a tenant from keeping at least one dog or cat as a pet, but authorizes
8 a landlord to adopt reasonable restrictions: (1) prohibiting a tenant from keeping a
9 vicious or dangerous animal; (2) concerning the size of a pet kept by a tenant; and
10 (3) concerning the number of pets kept by a tenant.



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

1 **Section 1.** NRS 118B.140 is hereby amended to read as
2 follows:

3 118B.140 1. Except as otherwise provided in subsection 2,
4 the landlord or his or her agent or employee shall not:

5 (a) Require a person to purchase a manufactured home from the
6 landlord or any other person as a condition to renting a
7 manufactured home lot to the purchaser or give an adjustment of
8 rent or fees, or provide any other incentive to induce the purchase of
9 a manufactured home from the landlord or any other person.

10 (b) Charge or receive:

11 (1) Any entrance or exit fee for assuming or leaving
12 occupancy of a manufactured home lot.

13 (2) Any transfer or selling fee or commission as a condition
14 to permitting a tenant to sell his or her manufactured home or
15 recreational vehicle within the manufactured home park, even if the
16 manufactured home or recreational vehicle is to remain within the
17 park, unless the landlord is licensed as a dealer of manufactured
18 homes pursuant to NRS 489.311 and has acted as the tenant's agent
19 in the sale pursuant to a written contract.

20 (3) Any fee for the tenant's spouse or children.

21 (4) Any fee for pets kept by a tenant in the park. If special
22 facilities or services are provided, the landlord may also charge a fee
23 reasonably related to the cost of maintenance of the facility or
24 service and the number of pets kept in the facility.

25 (5) Any additional service fee unless the landlord provides an
26 additional service which is needed to protect the health and welfare
27 of the tenants, and written notice advising each tenant of the
28 additional fee is sent to the tenant 90 days in advance of the first
29 payment to be made, and written notice of the additional fee is given
30 to prospective tenants on or before commencement of their tenancy.
31 A tenant may only be required to pay the additional service fee for
32 the duration of the additional service.

33 (6) Any fee for a late monthly rental payment within 4 days
34 after the date the rental payment is due or which exceeds \$5 for each
35 day, excluding Saturdays, Sundays and legal holidays, which the
36 payment is overdue, beginning on the day after the payment was
37 due. Any fee for late payment of charges for utilities must be in
38 accordance with the requirements prescribed by the Public Utilities
39 Commission of Nevada.

40 (7) Any fee, surcharge or rent increase to recover from his or
41 her tenants the costs resulting from converting from a



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1 master-metered water system to individual water meters for each
2 manufactured home lot.

3 (8) Any fee, surcharge or rent increase to recover from his or
4 her tenants any amount that exceeds the amount of the cost for a
5 governmentally mandated service or tax that was paid by the
6 landlord.

7 *(c) Require a tenant to pay a deposit as a prerequisite to*
8 *keeping a pet in the manufactured home park or prohibit a tenant*
9 *from keeping at least one dog or cat as a pet. The landlord may*
10 *adopt reasonable restrictions:*

11 *(1) Prohibiting a tenant from keeping a vicious or*
12 *dangerous animal;*

13 *(2) Concerning the size of a pet kept by a tenant; and*

14 *(3) Concerning the number of pets kept by a tenant.*

15 2. Except for the provisions of subparagraphs (3), (4), (6) and
16 (8) of paragraph (b) *and paragraph (c)* of subsection 1, the
17 provisions of this section do not apply to a corporate cooperative
18 park.



