

LANDLORD TENANT

Bill	Effective Date	Description
<p>AB 58 – Billing of Tenants for Utilities NVAR monitored this bill</p>	<p>Failed to pass out of Assembly committee by the deadline and will not become law.</p>	<p>In AB 58, a landlord who bills a tenant of a dwelling unit individually for utility charges derived from a utility bill for more than one dwelling unit (covers utility usage for multiple tenants) would have had to provide each tenant:</p> <ul style="list-style-type: none"> • a copy of the utility bill (with charges for all tenants) • a statement that: <ul style="list-style-type: none"> • indicates the portion of the bill for which the tenant is responsible; • explains how the tenant’s portion was calculated; and, • itemizes of the specific utility charges for which the tenant is responsible, including any fees charged by the landlord relating to those utility charges.
<p>AB 66 – Vacant Properties Database NVAR opposed this bill</p>	<p>Failed to pass out of Assembly committee by the deadline and will not become law. After this bill failed, there was an attempt to amend this bill into AB 353.</p>	<p>This bill would have authorized a city to require an owner of a vacant dwelling or building located within the city and that has been vacant for 60 days or more to:</p> <ul style="list-style-type: none"> • register the vacant property with the city; • post a sign on the vacant property identifying it as such; and, • maintain liability insurance on the vacant property. <p>This bill would also have allowed the city to:</p> <ul style="list-style-type: none"> • require a fee for the registration of the vacant property; • require annual renewal of registration; and, • increase the registration fee annually if the property remains vacant.
<p>AB 139 – Rental Housing for Use by Persons with Disabilities NVAR monitored this bill</p>	<p>Effective July 1, 2009</p>	<p>In AB 139, owners of residential rental housing that:</p> <ul style="list-style-type: none"> • Is affordable housing; OR, • Is accessible to persons with disabilities <p>AND the owners</p> <ul style="list-style-type: none"> • have received government or other public money for that residential housing; <p>are required to report information concerning each unit of the housing that is available and suitable for use by persons with disabilities, at least once a quarter, to the Office of Disability Services.</p>

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<p>AB 189 – Eviction of Tenants NVAR opposed this bill</p>	<p>Failed the deadline to pass out of the Assembly and will not become law. After AB 189 failed, some of its provisions were added to AB 313.</p>	<p>AB 189 would have doubled most timeframes in which a tenant becomes guilty of unlawful detainer:</p> <ul style="list-style-type: none"> • Failure to pay: from 5 days to 10 days after notice is served. • Certain violations of the lease: from 3 days to 5 days after notice is served. • Failure to perform certain conditions of the lease: from 5 days to 10 days after notice is served. <p>AB 189 would also have extended the period of time when a tenant may save the lease from forfeiture from 3 days to 7 days after notice is served. In summary eviction procedures, AB 189 would have extended the pay or surrender period from 5 days to 10 days after the notice is served. In the event a landlord obtains a court order to remove the tenant, the timeframe to do so would have been extended from 24 hours to 5 days. AB 189 also would have added a delay before a summary removal order takes effect so that if a tenant that paid the rent and submitted the proof of payment to the court, the order would not have taken effect at all.</p>
<p>AB 258 – Security Deposits Kept in Escrow Accounts NVAR originally had concerns with certain provisions of this bill. Your Lobbying Team worked with the bill sponsor to address our concerns.</p>	<p>Failed to pass out of Assembly committee by the deadline and will not become law.</p>	<p>This bill would have required a landlord to place each security received in an escrow account designated as a security deposit account that may be used only as provided in this bill. The landlord would have had to:</p> <ul style="list-style-type: none"> • deposit the security in the escrow account within 2 business days after receiving it from the tenant; • provide the tenant with a written receipt for the deposit of the security in the account; • provide the tenant the name, address and location of the financial institution in which the account is held and any change thereof; and, • hold and administer the principal in the account for the benefit of the tenant. <p>If a landlord failed to deposit the security in an escrow account or disclose the required information to the tenant within 20 days after the tenant request the information, the landlord would have forfeited the security. If the landlord failed to return the amount of the forfeited security to the tenant within 20 days after the forfeiture, the landlord would have had to pay double the amount of the security.</p>

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<p>AB 313 – Late Fees for Late Payment of Rent NVAR originally opposed this bill, then switched to monitoring the bill when the most harmful provisions were removed.</p>	<p>When it came up for a vote in the Senate, AB 313 did not garner enough votes, and will not become law. After the bill lost in the Senate, some provisions of AB 313 were amended into AB 454.</p>	<p>Originally, this bill would have capped the amount of late fees a landlord can charge (for month-to-month or longer) to:</p> <ul style="list-style-type: none"> • 2% of rent for rent at least 5 days but less than 10 days overdue; and, • an additional 3% for rent 10 days or more overdue. <p>AB 313 would also have restricted the ability of a landlord to impose more than one late fee for each late or partial payment, and would not have allowed the landlord to deduct late fees from a subsequent rent payment.</p> <p>Both the Assembly and Senate committees proposed amendments to this bill, and the reprint that failed to pass the Senate did not have any provisions capping the late fees, and the restriction on using subsequent rent payments to cover late fees was removed. It also excluded commercial leases from its provisions.</p> <p>The version of AB 313 that went up for a vote would have included the provision that if a landlord imposes a late fee for late or partial payment of rent, the landlord may only do so once for each late or partial payment. It also would have included a few provisions we fought in AB 189, namely:</p> <ul style="list-style-type: none"> • it would have extended timeframe when a tenant becomes guilty of unlawful detainer from 5 days to 7 days when a residential tenant fails to perform any condition or covenant of the lease; • it would have extended from 3 to 5 days the timeframe allowed for residential tenants to save the lease from forfeiture by performing the condition or covenant; and, • it would have extended the timeframe for the sheriff to remove a residential tenant from 24 hours to 2 days after receipt of the order.
<p>AB 353 – Public Nuisance Abatement NVAR monitored this bill.</p>	<p>Effective October 1, 2009</p>	<p>This bill deals with the procedures regarding the abatement of public nuisances. An attempt was made in Senate committee to amend the provisions from AB 66 into this bill, but the committee did not accept the amendment.</p>
<p>AB 423 – Rent Control in Manufactured Home Parks NVAR opposed this bill.</p>	<p>Failed to pass out of Assembly committee by the deadline and will not become law.</p>	<p>This bill would have required a landlord of a manufactured home park that is operated for profit to reduce the rent of tenants who meet certain eligibility requirements (at least 55 years old, household adjusted gross income of less than \$25,000 and not receiving rent subsidy from a program paid by the Federal Government) and who request rent reduction. The maximum amount of rent the landlord would have been able to charge would have been determined using an incremental scale based on the household adjusted gross income of the tenant.</p>

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<p>AB 454 – Summary Eviction Order NVAR monitored this bill.</p>	<p>The Senate did not concur in the conference committee report; this bill did not pass and will not become law.</p>	<p>This bill was intended to clarify some provisions of rental agreements affecting certain tenants in a manufactured home park. An attempt was made in conference committee to add provisions from AB 313 to extend the timeframe for the sheriff to remove a tenant from 24 hours to 2 days after receipt of the order, but the conference committee amendment ultimately did not include this provision.</p>
<p>AB 512 – Surety Bonds NVAR monitored this bill.</p>	<p>Effective October 1, 2009</p>	<p>AB 512 introduces an alternative to security deposits to provide security to a landlord. A landlord may allow a tenant to provide the landlord with a surety bond (or a combination of a surety bond and other security) to cover the amount of security demanded by the landlord. A landlord is not required to accept a surety bond, and may not require a tenant to provide a surety bond in place of security.</p>
<p>SB 137 – Recycling Containers at Apartment Complexes and Condominiums NVAR monitored this bill.</p>	<p>Effective October 1, 2009</p>	<p>Clark and Washoe counties are already required to have a program for the separation at the source of recyclable material from other solid waste from residential premises and public buildings where services for the collection of solid waste are provided. SB 137 adds that the program has to include the placement of recycling containers on the premises of apartment complexes and condominiums where those services are provided. In all other counties and municipalities where this recycling program is not required by law, SB 137 adds the apartment complexes and condominiums requirement to those counties and municipalities who elect to conduct the recycling program.</p>
<p>SB 338 – Abandoned Property on Commercial Premises NVAR supported this bill.</p>	<p>Effective October 1, 2009</p>	<p>This bill authorizes a landlord who leases or subleases any commercial premises under a rental agreement that has been terminated for any reason to:</p> <ul style="list-style-type: none"> dispose of any abandoned property left on the commercial premises without incurring any civil or criminal liability if the landlord executes the appropriate notifications; and, charge and collect the reasonable and actual costs of inventory, moving and safe storage, if necessary, of the abandoned personal property before releasing the abandoned personal property to the tenant. <p>SB 338 also defines “abandoned personal property.” There are notifications requirements to meet, and the disposition of vehicles must be done in accordance with statutes addressing abandoned vehicles.</p>

