



STEVE SISOLAK
Governor

STATE OF NEVADA
DEPARTMENT OF BUSINESS & INDUSTRY
HOUSING DIVISION
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Carson City, Nevada 89706

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Director

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**FIRST AMENDED NOTICE OF ADOPTION HEARING AND AGENDA
LCB File No. R146-18**

**Adoption of Permanent Regulations of the
Department of Business & Industry
Housing Division**

**October 7, 2020
9:00 a.m.**

The State of Nevada Housing Division will hold a public hearing at 9:00 am, on October 7, 2020. Pursuant to the Governor's Emergency Directive 006 section 3, Directive 026 section 3, and Directive 29 section 4, the physical location requirement for this hearing has been suspended.

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The purpose of the public hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to chapter 489, 461, and 118B of the Nevada Administrative Code (LCB File No. R146-18).

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The purpose of this regulation is to increase certain fees that the Division charges for various services it provides in relation to the regulation of manufactured housing. Some fees in this regulation have not been raised since 1982 and without this increase in the fees, the Division will consistently run into budgetary issues with regulating the manufactured housing industry.
2. This regulation is not a temporary regulation.
3. This is a permanent regulation and a copy of the regulation is attached to this notice. The text of the proposed regulation (LCB File No. R146-18) is also available in the State of Nevada Register of Administrative Regulations at <https://www.leg.state.nv.us/register/>.

NRS 233B.064 Permanent regulation: Prohibition against adoption until text approved or revised by Legislative Counsel; agency to provide written notification to Legislative Counsel of date of adoption; agency to issue statement of reasons for adoption upon request.

1. An agency shall not adopt, amend or repeal a permanent regulation until it has received from the Legislative Counsel the approved or revised text of the regulation in the form to be adopted. The agency shall immediately notify the Legislative Counsel in writing of the date of adoption of each regulation adopted.

2. Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

(Added to NRS by [1977, 1382](#); A [1997, 1391](#))

4. Estimated economic effects on businesses:

Adverse effects: Costs will be passed on by businesses in most cases to the end user. Businesses that responded to the Small Business Impact Statement state that up to \$1,000/yr. in increased expenses would likely be passed on to the consumer.

Beneficial effects: Sustainability of the Manufactured Housing Division, which receives no state general fund dollars. Initial estimates are that the Housing Division revenue would increase by approximately \$55,000 per year. The additional revenues will allow modernization of the division Website, and a stronger, more efficient customer interface, as well as outreach to its customers, vendors, and licensees. This will ensure the public is protected not only by regulating licensees, but also the establishments where the public receives the services.

Immediate effects: Homeowners may delay vital maintenance and repair of their homes which could result in diminishment of structure integrity and degradation of structural safety. Licensees may see a reduction in business, resulting in fewer permit requests.

Long-term effects: This is the first and only fee change for the State of Nevada Housing Division, for manufactured housing since 2003. The Nevada Housing Division Administrator has had lengthy meetings with industry representatives and the Manufactured Home Community Owners Association.

5. The Housing Division sent surveys to all licensees and had numerous discussions with industry representatives and reviewed the regulation with its legal counsel to determine the economic impact to small businesses. The impact to small business will likely be in permitting and titling, but the fee increases are minimal and within regulation.

6. There is no cost to the Housing Division for enforcement of this regulation.
7. This regulation does not overlap any other state or local governmental agency regulation.
8. This regulation is not required pursuant to a federal law.
9. This regulation does not contain any provisions which are more stringent than a federal regulation that regulates the same activity.
10. This regulation increases fees for existing services and licenses for the Housing Division specific to manufactured housing.

Persons wishing to submit public comment upon the proposed action of the Housing Division may appear at the hearing and be heard during the public comment sections of the agenda as set forth below. Members of the public may also submit comment in advance of the meeting. These comments must be transmitted on or before October 6, 2020 to Deputy Administrator, Tim Whitright, in writing by mail addressed to Department of Business and Industry, Housing Division, 3300 W. Sahara Avenue, 3rd Floor, Ste. 300, Las Vegas, NV 89102, **or** by e-mail addressed to Tim Whitright at twhitright@housing.nv.gov. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the State of Nevada Housing Division may proceed immediately to act upon any written submissions.

Please note due to COVID-19 and the Governor's Emergency Directives regarding social distancing requirements, this Notice will not be posted at the usual physical locations required by NRS 241. This notice and agenda have been posted at the following locations:

- (1) Nevada Housing Division's website at:
https://housing.nv.gov/Resources/Meetings/2019/Public_Meetings_and_Agendas/
- (2) Nevada State official website: <https://notice.nv.gov>
- (3) Nevada State Legislature's Administrative Regulation Notice website:
<https://www.leg.state.nv.us/App/Notice/A/>

Copies of this notice and the proposed regulation were mailed to members of the public at no charge upon pursuant to NRS 241.020(4)(c). Please contact Deputy Administrator, Tim Whitright, in writing by mail addressed to Department of Business and Industry, Housing Division, 3300 W. Sahara Avenue, 3rd Floor, Ste. 300, Las Vegas, NV 89102, **or** by e-mail addressed to Tim Whitright at twhitright@housing.nv.gov to be added to the Housing Division's Mailing List.

FIRST AMENDED AGENDA

Adoption of Permanent Regulations of the Department of Business & Industry Housing Division

**October 7, 2020
9:00 a.m.**

- **Items on this agenda may be taken out of order.**
- **Two or more items may be combined for consideration.**
- **Items may be removed from the agenda or delayed at any time.**
- **Public comment will be allowed at the beginning and at the end of the meeting. Because of time considerations, the period for public comment by each speaker may be limited to three (3) minutes.**
- **Public comment will not be restricted based on viewpoint.**
- **Meetings are audio-recorded as part of the public record. Speakers are requested to identify themselves before speaking.**

Action may only be taken on those items denoted “For Possible Action”

1. Call to Order (*For possible action*)

2. Public comments and discussion. (Discussion)

No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.

3. Review of the Proposed Regulation – LCB File No. R146-018 (Discussion)

The purpose of this regulation is to increase certain fees that the Division charges for various services it provides in relation to the regulation of manufactured housing. Some fees in this regulation have not been raised since 1982 and without this increase in the fees, the Division will consistently run into budgetary issues with regulating the manufactured housing industry.

4. Adoption of Proposed Regulation - LCB File No. R146-018 (*For Possible Action*).

5. Public comments and discussion. (Discussion)

No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.

6. Adjournment. (*For possible action*)

Members of the public who are disabled and require special accommodations or assistance at the hearing should notify the Deputy Administrator, Tim Whitright, in writing by mail addressed to Department of Business and Industry, Housing Division, 3300 W. Sahara Avenue, 3rd Floor, Ste. 300, Las Vegas, NV 89102, **or** by e-mail addressed to Tim Whitright at twhitright@housing.nv.gov, no later than 3 business days prior to the hearing.