

## CHAPTER 489 - MANUFACTURED HOMES; MOBILE HOMES AND SIMILAR VEHICLES; FACTORY-BUILT HOUSING

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## GENERAL PROVISIONS

### **NRS 489.021 Legislative findings and declaration.**

1. The Legislature finds that the construction, assembly and use of manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches and factory-built housing and their systems, components and appliances, and the alteration, transportation and installation of manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing, like other products having concealed vital parts, may present hazards to the health, life and safety of persons and the safety of property unless they are properly manufactured, altered, transported and installed.

2. In the sale of manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches and factory-built housing, there is also the possibility of unascertained defects in them even though they are inspected by purchasers.

3. It is the policy and purpose of this State to protect the public against these hazards and to prohibit the manufacture, sale, distribution, alteration, transportation and installation in this State of manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches and factory-built housing which are not constructed in a manner which provides reasonable safety and protection to owners and users.

4. The Legislature further intends to provide a procedure to ensure that this State assumes the fullest responsibility for the administration and enforcement of federal safety and construction standards for manufactured homes in Nevada in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq.

(Added to NRS by 1973, 1065; A 1977, 1452; 1983, 776; [2009, 1901](#))

**NRS 489.031 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 489.036](#) to [489.155](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1973, 1065; A 1975, 1579; 1977, 1227, 1452; 1979, 1214; 1983, 777; [1999, 860](#); [2001, 1726](#); [2005, 1628](#); [2009, 1901](#); [2011, 1630](#))

**NRS 489.036 “Administrator” defined.** “Administrator” means the Chief of the Manufactured Housing Division.

(Added to NRS by 1979, 1201)

**NRS 489.043 “Brokerage agreement” defined.** “Brokerage agreement” means a contract between a dealer and a client in which the dealer agrees to accept compensation to:

1. Assist, solicit or negotiate the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing; or

2. Induce any person to buy or exchange an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing.

(Added to NRS by [1999, 858](#); A [2009, 1901](#))

**NRS 489.051 “Certificate of compliance” defined.** “Certificate of compliance” means a certificate issued by this state certifying that the plumbing, heating, electrical systems, body and frame design and construction requirements of a commercial coach or the reconstruction or alteration requirements of a mobile home or commercial coach comply with standards adopted by the Division.

(Added to NRS by 1973, 1065; A 1977, 1453; 1981, 1191; 1983, 777; 1993, 2052)

**NRS 489.056 “Client” defined.** “Client” means a person who has entered into a brokerage agreement with a dealer.

(Added to NRS by [1999, 858](#))

**NRS 489.062 “Commercial coach” defined.** “Commercial coach” means a structure without motive power which is designed and equipped for human occupancy for industrial, professional or commercial purposes. The term does not include a recreational park trailer or portable building.

(Added to NRS by 1977, 1451; A 1979, 1215; [2001, 1726](#); [2011, 1630](#))

**NRS 489.076 “Dealer” defined.**

1. “Dealer” means any person who:

(a) For compensation, money or any other thing of value, sells, exchanges, buys or offers for sale, negotiates or attempts to negotiate a sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing subject to the requirements of this chapter, or induces or attempts to induce any person to buy or exchange an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing;

(b) For compensation, money or any other thing of value, leases or rents, offers for lease or rental, negotiates or attempts to negotiate the lease or rental of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing subject to the requirements of this chapter, or induces or attempts to induce any person to lease or rent an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing;

(c) Receives or expects to receive a commission, money, brokerage fees, profit or any other thing of value from either the seller or purchaser of any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing;

(d) Is engaged wholly or in part in the business of:

(1) Selling, renting or leasing manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing;

(2) Buying or taking manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing in trade for the purpose of resale, selling or offering them for sale or consignment to be sold;

(3) Buying or taking manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing in trade to rent, lease or offer them for rent or lease; or

(4) Otherwise dealing in manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing; or

(e) Acts as a reposessor or liquidator concerning manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing,

↳ whether or not they are owned by such persons.

2. The term does not include:

(a) Receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under the order of any court;

(b) Public officers while performing their official duties;

(c) Banks, savings and loan associations, credit unions, thrift companies or other financial institutions proceeding as reposseors or liquidators of their own security;

(d) A person who rents or leases his or her manufactured home, mobile home, manufactured building, commercial coach or factory-built housing;

(e) An owner selling his or her private residence; or

(f) A real estate broker, real estate broker-salesperson or real estate salesperson who is licensed pursuant to [chapter 645](#) of NRS and who, for another and for compensation or with the intention or expectation of receiving compensation, sells, exchanges, options, purchases, rents or leases, or negotiates or offers, attempts or agrees to negotiate the sale, exchange, option, purchase, rental or lease of, or lists or solicits prospective purchasers, lessees or renters of, used manufactured homes or used mobile homes in connection with the sale of a fee simple interest in real property and the used manufactured home or used mobile home is situated on the real property sold.

(Added to NRS by 1975, 1571; A 1977, 1453; 1983, 777; 1987, 2088; [1999, 860](#); [2005, 663](#); [2009, 1901](#))

**NRS 489.081 “Distributor” defined.** “Distributor” means any person who engages in the sale and distribution of manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing for resale.

(Added to NRS by [2009, 1900](#))

**NRS 489.091 “Division” defined.** “Division” means the Manufactured Housing Division of the Department of Business and Industry.

(Added to NRS by 1979, 1201; A 1993, 1653)

**NRS 489.092 “Dwelling” defined.** “Dwelling” means one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking and eating.

(Added to NRS by 1979, 1201)

**NRS 489.095 “Established place of business” defined.**

1. “Established place of business” means an enclosed building or structure owned either in fee or leased with sufficient space to conduct the business of the dealer and large enough to accommodate the office or offices of the dealer and to provide a safe place to keep the books and other records of the business of the dealer, at which site or location the principal portion of the dealer’s business is conducted.

2. The books and records of a dealer must be kept and maintained at the dealer’s established place of business and be open to inspection during usual business hours by any authorized agent of the Division.

(Added to NRS by 1975, 1571; A 1977, 1453; 1979, 1215)

**NRS 489.097 “Factory-built housing” defined.** “Factory-built housing” has the meaning ascribed to it in [NRS 461.080](#).

(Added to NRS by [2009, 1900](#))

**NRS 489.100 “Firm” defined.** “Firm” means a corporation, partnership, association or governmental agency of the United States or of any state.

(Added to NRS by 1973, 1066)

**NRS 489.101 “Franchise” defined.** “Franchise” means a written agreement between a franchisor and franchisee which establishes that the franchisee will sell or distribute new or used manufactured homes, mobile homes, manufactured buildings, commercial coaches, factory-built housing or related goods or services under, or operate using, the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor.

(Added to NRS by [2009, 1900](#))

**NRS 489.1013 “Franchisee” defined.** “Franchisee” means any natural person or entity that, pursuant to a franchise, sells or distributes new or used manufactured homes, mobile homes, manufactured buildings, commercial coaches, factory-built housing or related goods or services under, or operates using, the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor.

(Added to NRS by [2009, 1900](#))

**NRS 489.1017 “Franchisor” defined.** “Franchisor” means any natural person or entity that owns the overall rights to the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor and grants a franchise for their use by a franchisee.

(Added to NRS by [2009, 1900](#))

**NRS 489.102 “General serviceperson” defined.**

1. “General serviceperson” means a person who owns or is the responsible managing employee of a business which:

(a) Installs or repairs the awnings, roofing, skirting, plumbing, heating or electrical systems of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing;

(b) Installs, removes or prepares for transport a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing at the site where it will be or has been used for occupancy; or

(c) Reconstructs a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing by the alteration, addition or substitution of substantial or essential parts.

2. The term does not include:

(a) A licensed manufacturer engaged in the installation, repair or service of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing that was manufactured by the licensed manufacturer;

(b) The owner or purchaser of a manufactured home, mobile home or manufactured building or factory-built housing who uses the manufactured home, mobile home or manufactured building or factory-built housing as a private residence; or

(c) The owner or purchaser of a commercial coach who uses the commercial coach for his or her own industrial, professional or commercial purposes.

(Added to NRS by [2005, 1625](#); A [2009, 1903](#))

**NRS 489.104 “Installation” defined.**

1. “Installation” means the complete operation of fixing in place a manufactured home, mobile home or commercial coach for occupancy.

2. The term includes, without limitation, pier blocking, prefabricated footings, ground anchoring and the connection to utility terminals on the site.

(Added to NRS by 1979, 1201; A 1983, 777)

**NRS 489.110 “Label of compliance” defined.** “Label of compliance” means a label permanently attached to:

1. A commercial coach upon the completion of the construction of the coach; or

2. A mobile home or commercial coach upon the completion of any reconstruction or alteration of the home or coach,

↳ under the authority of the Division which certifies that the mobile home or commercial coach is in compliance with standards adopted by the Division.

(Added to NRS by 1973, 1066; A 1977, 1453; 1979, 1215; 1983, 778; 1993, 2052)

**NRS 489.112 “Manufactured building” defined.** “Manufactured building” has the meaning ascribed to it in [NRS 461.132](#).

(Added to NRS by [2009, 1900](#))

**NRS 489.113 “Manufactured home” defined.**

1. “Manufactured home” means a structure which is:

(a) Built on a permanent chassis;

(b) Designed to be used with or without a permanent foundation as a dwelling when connected to utilities;

(c) Transportable in one or more sections; and

(d) Eight feet or more in body width or 40 feet or more in body length when transported, or, when erected on-site, contains 320 square feet or more.

2. The term includes:

(a) The plumbing, heating, air-conditioning and electrical systems of the structure.

(b) Any structure:

(1) Which meets the requirements of paragraphs (a), (b) and (c) of subsection 1, and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq.; or

(2) Built in compliance with the requirements of [chapter 461](#) of NRS.

3. The term does not include a recreational park trailer.

(Added to NRS by 1983, 775; A 1995, 2601; [2001, 1726](#))

**NRS 489.115 “Manufacturer” defined.** “Manufacturer” means every person, including, without limitation, a partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or a corporation, engaged in the business of manufacturing manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches or factory-built housing.

(Added to NRS by 1975, 1571; A 1977, 1454; 1983, 778; [2009, 1903](#))

**NRS 489.120 “Mobile home” defined.**

1. “Mobile home” means a structure which is:

(a) Built on a permanent chassis;

(b) Designed to be used with or without a permanent foundation as a dwelling when connected to utilities; and

(c) Transportable in one or more sections.

2. The term includes the design of the body and frame and the plumbing, heating, air-conditioning and electrical systems of the mobile home.

3. The term does not include a recreational park trailer, travel trailer, commercial coach or manufactured home or any structure built in compliance with the requirements of [chapter 461](#) of NRS.  
(Added to NRS by 1973, 1066; A 1975, 1579; 1977, 1454; 1979, 1216; 1983, 778; [2001, 1726](#))

**NRS 489.121 “Modular component” defined.** “Modular component” has the meaning ascribed to it in [NRS 461.145](#).  
(Added to NRS by [2009, 1900](#))

**NRS 489.122 “Movement” defined.** “Movement” means the act of towing, pushing or otherwise propelling a manufactured home, mobile home or commercial coach upon a highway or road.  
(Added to NRS by 1979, 1201; A 1983, 778)

**NRS 489.125 “New manufactured home,” “new mobile home,” “new travel trailer,” “new manufactured building,” “new commercial coach” and “new factory-built housing” defined.** “New manufactured home,” “new mobile home,” “new travel trailer,” “new manufactured building,” “new commercial coach” or “new factory-built housing” means a manufactured home, mobile home, travel trailer, manufactured building or commercial coach or factory-built housing, respectively, which has never been sold at retail or occupied either before or after sale for the purpose intended by the manufacturer and has never been registered with or been the subject of a certificate of title issued by the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or any foreign state, province or country.  
(Added to NRS by 1975, 1571; A 1977, 1454; 1983, 778; [2009, 1903](#))

**NRS 489.133 “Portable building” defined.** “Portable building” means a structure which:

1. Is at ground level, has no axles and rests on the surface of the ground;
2. Is for nonresidential use;
3. Is not a fixture or improvement to real property;
4. Is designed to be used without a permanent foundation; and
5. Contains an electrical system with a component that allows for the quick connection or disconnection of the electrical system to a source of electricity.

(Added to NRS by [2011, 1629](#))

**NRS 489.1351 “Recreational park trailer” defined.** “Recreational park trailer” has the meaning ascribed to it in [NRS 482.1005](#).  
(Added to NRS by [2001, 1726](#))

**NRS 489.1353 “Responsible managing employee” defined.** “Responsible managing employee” means the person designated by the employer to exercise authority in connection with his or her principal or employer’s business in the following manner:

1. To make technical and administrative decisions.
2. To hire, superintend, promote, transfer, lay off, discipline or discharge other employees and to direct them, either personally or through others, or effectively recommend such action on behalf of his or her principal or employer.

(Added to NRS by 1979, 1201)

**NRS 489.137 “Salesperson” defined.** “Salesperson” means any person employed by a dealer or distributor under any form of contract or arrangement to sell, distribute, rent, lease, exchange or buy, or offer for sale, distribution, rental, lease or exchange, an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing to any person, and who receives or expects to receive a commission, fee or any other consideration from his or her employer.  
(Added to NRS by 1975, 1572; A 1977, 1455; 1983, 779; [1999, 861](#); [2005, 1628](#); [2009, 1903](#))

**NRS 489.147 “Specialty serviceperson” defined.**

1. “Specialty serviceperson” means a person who owns or is the designated responsible managing employee of a business which is limited in the scope of the work it may perform on or in a manufactured home, mobile home, manufactured building, modular component or commercial coach or factory-built housing in accordance with [NRS 489.325](#).
2. The term does not include:

(a) A licensed manufacturer engaged in the repair or service of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing that was manufactured by the licensed manufacturer;

(b) The owner or purchaser of a manufactured home, mobile home or manufactured building or factory-built housing who uses the manufactured home, mobile home or manufactured building or factory-built housing as a private residence; or

(c) The owner or purchaser of a commercial coach who uses the commercial coach for his or her own industrial, professional or commercial purposes.

(Added to NRS by [2005, 1626](#); A [2009, 1904](#))

**NRS 489.150 “Travel trailer” defined.** “Travel trailer” means a portable structure mounted on wheels, consisting of a vehicular chassis primarily designed as temporary living quarters for recreational, camping or travel use and designed to be drawn by another vehicle, and designated by the manufacturer as a travel trailer. The term does not include a recreational park trailer.

(Added to NRS by 1973, 1066; A 1977, 1455; 1979, 1216; [2001, 1727](#))

**NRS 489.155 “Used manufactured home,” “used mobile home,” “used travel trailer,” “used manufactured building,” “used commercial coach” and “used factory-built housing” defined.** “Used manufactured home,” “used mobile home,” “used travel trailer,” “used manufactured building,” “used commercial coach” or “used factory-built housing” means a manufactured home, mobile home, travel trailer, manufactured building or commercial coach or factory-built housing, respectively, which has been:

1. Sold, rented or leased and occupied before or after the sale, rental or lease; or
2. Registered with or been the subject of a certificate of title issued by the appropriate agency of authority of any other state, the District of Columbia, or any territory or possession of the United States or any foreign state, province or country.

(Added to NRS by 1975, 1572; A 1977, 1455; 1983, 779; [2009, 1904](#))

## ADMINISTRATION AND ENFORCEMENT

**NRS 489.201 Administration of chapter.** The provisions of this chapter must be administered by the Division, subject to administrative supervision by the Director of the Department of Business and Industry.

(Added to NRS by 1979, 1202; A 1993, 1653)

**NRS 489.211 Administrator: Qualifications; conflicts of interest prohibited.** The Administrator:

1. Must possess a broad knowledge of generally accepted management practices and be reasonably well informed on laws governing manufactured homes, mobile homes, travel trailers, manufactured buildings, factory-built housing and commercial coaches.

2. Shall not hold an interest in any firm which sells, distributes, manufactures, rebuilds or services any manufactured home, mobile home, travel trailer, manufactured building, commercial coach or factory-built housing or which installs any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, or act as agent for any of them.

(Added to NRS by 1979, 1202; A 1983, 779; [2009, 1904](#))

**NRS 489.221 Employees of Division: Conflicts of interest prohibited.** An employee of the Division shall not hold an interest in any firm which sells, distributes, manufactures, rebuilds or services any manufactured home, mobile home, travel trailer, manufactured building, commercial coach or factory-built housing or which installs any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, or act as an agent for any of them.

(Added to NRS by 1979, 1202; A 1983, 779; [2009, 1904](#))

**NRS 489.231 Administrator: Powers.**

1. To carry out the provisions of this chapter, the Administrator may:

- (a) Issue subpoenas for the attendance of witnesses or the production of books, papers and documents; and
- (b) Conduct hearings.

2. The Administrator may apply for and receive grants from the Secretary of Housing and Urban Development for developing and carrying out a plan for enforcement and administration of federal standards of safety and construction respecting manufactured homes offered for sale or lease in this state.

3. The Administrator may adopt regulations to ensure acceptance by the Secretary of Housing and Urban Development of the state plan for administration and enforcement of federal standards of safety and construction respecting manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq.

4. The Administrator may:

- (a) Make inspections;
- (b) Approve plans and specifications;
- (c) Provide technical services;
- (d) Issue licenses, permits, certificates of ownership and certificates and labels of compliance and installation;
- (e) Enter into reciprocal agreements with other states or private organizations that adopt and maintain standards reasonably consistent with this chapter;
- (f) Collect the fees provided for in this chapter; and
- (g) Adopt regulations necessary to carry out his or her duties under this chapter.

5. The Administrator or a representative of the Administrator may enter, at reasonable times and without notice, any mobile home park or place of business or any factory, warehouse or establishment in which manufactured homes, mobile homes, travel trailers, manufactured buildings or factory-built housing are manufactured, stored or held for sale or distribution and inspect at reasonable times in a reasonable manner the premises and books, papers, records and documents which are relevant to the manufacture, distribution and sale of manufactured homes, mobile homes, travel trailers, manufactured buildings or factory-built housing and compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., this chapter and [chapter 461](#) of NRS, and any regulations adopted pursuant thereto, and to compliance by landlords of mobile home parks with the prohibition in [NRS 118B.140](#) against charging or receiving any entrance or exit fee. A magistrate shall issue a warrant to permit an inspection if the Administrator has shown:

(a) Evidence that a violation of a provision of this chapter or of the prohibition in [NRS 118B.140](#) against charging or receiving any entrance or exit fee has been committed or is being committed; or

(b) That the business has been chosen for an inspection on the basis of a general administrative plan for the enforcement of the provisions of this chapter.

(Added to NRS by 1979, 1202; A 1981, 85, 1852; 1983, 780; [2009, 1905](#))

**NRS 489.233 Deposit of administrative fines; appointment of hearing officers or panels by Administrator; presentment of claim to State Board of Examiners.**

1. Except as otherwise provided in this section, all money collected from administrative fines imposed pursuant to this chapter must be deposited in the State General Fund.

2. The money collected from an administrative fine may be deposited with the State Treasurer for credit to the Fund for Manufactured Housing created pursuant to [NRS 489.491](#) if:

(a) The person pays the administrative fine without exercising his or her right to a hearing to contest the administrative fine; or

(b) The administrative fine is imposed in a hearing conducted by a hearing officer or panel appointed by the Administrator.

3. The Administrator may appoint one or more hearing officers or panels and may delegate to those hearing officers or panels the power of the Administrator to conduct hearings and other proceedings, determine violations, impose fines and penalties and take other disciplinary action authorized by the provisions of this chapter.

4. If money collected from an administrative fine is deposited in the State General Fund, the Administrator may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

(Added to NRS by [2005, 1628](#))

**NRS 489.235 Administrator: Regulation of structures built in compliance with requirements of [chapter 461](#) of NRS.** The Administrator or a designee of the Administrator shall regulate, in accordance with the standards established by the regulations of the Division pursuant to [chapter 461](#) of NRS, a structure built in compliance with the requirements of [chapter 461](#) of NRS.

(Added to NRS by 1995, 2601)

**NRS 489.241 Regulations: Federal and national standards; issuance of certificates and labels of compliance.** The Administrator shall adopt regulations:

1. Consistent with the federal regulations governing procedure and enforcement respecting manufactured homes to administer and enforce federal construction and safety standards respecting manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.).

2. For the construction of commercial coaches that are reasonably consistent with nationally recognized standards.

3. For the:

(a) Reconstruction; and

(b) Alteration, including that done to a plumbing, heating or electrical system,

↳ of mobile homes and commercial coaches that are reasonably consistent with nationally recognized standards.

4. For the issuance of certificates and labels of compliance. The regulations must provide for, without limitation:

(a) Inspection at the place of manufacture;

(b) Submission and approval of plans and specifications or for the actual inspection and approval of the mobile home, travel trailer or commercial coach or acceptance of a label of compliance issued by another state or a private organization which the Administrator finds has a competent inspection program reasonably consistent with this chapter; and

(c) Revocation for cause, upon notice and hearing, of the right of a manufacturer to sell mobile homes, travel trailers or commercial coaches in this state for use in this state.

5. Consistent with nationally recognized standards governing the minimum requirements for the design of travel trailers.

(Added to NRS by 1979, 1208; A 1981, 1191; 1983, 781; 1993, 2052)

**NRS 489.251 Regulations pertaining to safety standards and inspection; certificate of installation and label of installation prerequisite to connecting utilities.**

1. The Administrator shall adopt regulations pertaining to:

(a) Safety standards for the installation, support and tie down of manufactured homes, mobile homes or commercial coaches which are designed to protect the health and safety of occupants of manufactured homes, mobile homes or commercial coaches against uplift, sliding, rotation and overturning, subject to the following provisions:

(1) Safety standards must be reasonably consistent with nationally recognized standards for placement, support and tie down of manufactured homes, mobile homes or commercial coaches.

(2) The Administrator may designate wind pressure zones in which the regulations for tie down of manufactured homes, mobile homes or commercial coaches apply.

(b) The inspection of plumbing, heating, cooling, fuel burning and electrical systems connections to a manufactured home, mobile home or commercial coach at the time of installation of the manufactured home, mobile home or commercial coach, which regulations are designed to protect the health and safety of occupants of manufactured homes, mobile homes and commercial coaches.

2. Unless the Division determines otherwise, the plumbing, heating, cooling, fuel burning and electrical systems of a manufactured home, mobile home or commercial coach may not be connected or activated until a certificate of installation has been issued and a label of installation affixed to the manufactured home, mobile home or commercial coach.

(Added to NRS by 1979, 1208; A 1983, 781)

**NRS 489.261 Regulations pertaining to accessory structures.**

1. The Administrator may adopt regulations pertaining to the construction, installation and use of accessory structures and devices which burn solid fuel and air-conditioning for manufactured homes and mobile homes consistent with nationally recognized construction standards, except where those standards conflict with the standards adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.) and would prevent enforcement of that act in this state.

2. As used in this section, "accessory structure" includes awnings, cabanas, carports, porches, skirting or steps established for the use of the occupant of the manufactured home or mobile home and which depends upon the manufactured home or mobile home for some or all of its structural support.

(Added to NRS by 1979, 1208; A 1981, 1191; 1983, 782; 1993, 1186)

**NRS 489.262 Regulations pertaining to portable buildings.** The Administrator shall adopt regulations prescribing safety standards for:

1. The construction, transportation, installation and use of a portable building;
  2. The inspection of any plumbing, heating, cooling, fuel burning or electrical system contained in a portable building; and
  3. The maintenance and repair of a portable building.
- (Added to NRS by [2011, 1630](#))

**NRS 489.263 Regulations establishing system for issuance of permits for installation, design, approval, repair or modification.**

1. The Administrator may adopt regulations establishing a system for the issuance of permits for the installation, design, approval, repair or modification of manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing.
  2. The regulations may include, without limitation:
    - (a) The requirements and procedures for applying for a permit;
    - (b) The criteria for determining whether to issue a permit;
    - (c) The grounds for revocation and the requirements for reinstatement of a permit; and
    - (d) The procedures for the enforcement of a system for issuing permits.
- (Added to NRS by [2005, 808](#); A [2009, 1906](#))

**NRS 489.265 Trust account for deposit of advance fees for payment of services of Division; regulations.**

1. The Division may establish a trust account in the State Treasury in which persons who require the services of the Division may deposit advance fees for payment of those services. Unless the appropriate fee accompanies the request for service, upon providing the service the Division shall cause the account to be debited.
  2. The Division shall prescribe, by regulation, the services for which advance fees may be deposited and paid for upon providing the service.
  3. The trust account established pursuant to this section must be administered by the Administrator.
- (Added to NRS by 1995, 956)

**NRS 489.272 Regulations concerning certain sales or transfers of title or ownership.** The Administrator shall adopt regulations:

1. Requiring a person who is buying or selling a manufactured home, mobile home or commercial coach pursuant to:
    - (a) A sale to satisfy a lien; or
    - (b) A contract for sale or other agreement by which the certificate of title or certificate of ownership does not pass immediately from the seller to the buyer upon the sale,  
↳ to submit to the Administrator such information regarding the sale as the Administrator deems necessary.
  2. Establishing requirements for the issuance or transfer of a certificate of title or certificate of ownership of a mobile home, manufactured home or a commercial coach in cases involving:
    - (a) More than one transferor or transferee;
    - (b) A transferor or transferee who holds a certificate of title or certificate of ownership in trust for another person;or
    - (c) A sale to satisfy a lien.
- (Added to NRS by 1993, 233)

**NRS 489.281 Regulations concerning issuance and renewal of limited dealer's license.**

1. The Division shall adopt regulations for the issuance and renewal of a limited dealer's license authorizing a person other than a bank, savings and loan association, credit union, thrift company or other financial institution to act as a reposessor or liquidator concerning manufactured homes, mobile homes or commercial coaches.
  2. Regulations adopted by the Division concerning the issuance and renewal of a limited dealer's license must not require more than 2 hours of continuing education per year and the required continuing education must be limited to topics relating to the processes and procedures for the sale of a manufactured home.
- (Added to NRS by 1987, 2087; A [2005, 1607](#))

**NRS 489.285 Regulations concerning continuing education requirements for dealers, distributors, general servicepersons, specialty servicepersons, responsible managing employees and salespersons.**

1. The Division shall adopt regulations concerning continuing education requirements for dealers, distributors, general servicepersons, specialty servicepersons, responsible managing employees and salespersons. The regulations must include the:

(a) Criteria for determining what qualifies as continuing education;  
(b) Criteria for approving educational and training programs;  
(c) Requirements for submitting evidence of completion; and  
(d) Grounds and procedures for granting an extension of time within which to comply with continuing education requirements.

2. In adopting regulations pursuant to subsection 1, the Division shall:

(a) Allow for alternative subjects, instructors, schools and sources of programs, with consideration for specialized areas of practice, availability and proximity of resources to the licensees and applicants, and the time and expense required to participate in the programs.

(b) Approve courses offered by generally accredited educational institutions and private vocational schools if those courses otherwise qualify as continuing education.

(c) Approve training and educational programs and seminars offered by:

(1) Individual sponsors;

(2) Manufactured housing firms and businesses such as dealers, distributors, general servicepersons, specialty servicepersons, manufacturers and suppliers of the various components for constructing such homes or coaches, including heating and air-conditioning systems, material for roofing and siding, skirting, awnings and other components;

(3) Professional and industry-related organizations; and

(4) Other organized educational programs concerning technical or specialized subjects, including in-house training programs offered by an employer for his or her employees and participation in meetings and conferences of industry-related organizations.

(d) Solicit advice and assistance from persons and organizations that are knowledgeable in the construction, sale, distribution, installation, rebuilding and servicing of manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing and the method of educating licensees.

3. The Division is not responsible for the costs of any continuing education program, but may participate in the funding of those programs subject to legislative appropriations.

4. As used in this section, "industry-related organizations" includes, without limitation, the:

(a) Manufactured Housing Institute;

(b) Manufactured Home Community Owners;

(c) Nevada Association of Manufactured Home Owners, Inc.;

(d) Nevada Association of Realtors;

(e) Nevada Housing Alliance;

(f) Modular Building Institute; and

(g) Any other organization approved by the Division.

(Added to NRS by [1997, 2986](#); A [2001, 486](#); [2005, 1629](#); [2009, 1906](#))

#### **NRS 489.287 Enforcement of regulations; inspections.**

1. Except as otherwise provided in subsection 2, a city or county building department may, with the written approval of the Division, enforce all regulations adopted pursuant to this chapter and make all inspections within its jurisdiction required by those regulations regarding the installation and tie down of manufactured homes, mobile homes or commercial coaches. Those inspections must be conducted in compliance with the provisions of this chapter and the regulations adopted pursuant to this chapter.

2. If a city or county building department fails to enforce the regulations adopted pursuant to this chapter or make the inspections required by subsection 1, the Division shall enforce those regulations and make the inspections in that jurisdiction, and may, at no cost to the local governing body, engage an independent contractor to perform any inspection.

(Added to NRS by 1993, 1185; A [2005, 808](#))

#### **NRS 489.288 Adoption of ordinances and regulations by local governing body; preemption of more stringent ordinances and regulations; exception.** Except as otherwise provided in [NRS 278.02095](#):

1. A local governing body may adopt ordinances and regulations which, except for ordinances and regulations regarding any prerequisites to the classification of a manufactured home or mobile home as real property pursuant to [NRS 361.244](#), are no more stringent than the provisions of this chapter, the regulations adopted pursuant to this chapter and applicable federal statutes and regulations. Compliance with an ordinance or regulation of a local governing body does not excuse any person from compliance with this chapter and the regulations adopted pursuant to this chapter.

2. The provisions of this chapter and the regulations adopted pursuant to this chapter supersede and preempt any ordinance or regulation of a local governing body that is more stringent than those provisions, except for an ordinance or regulation regarding any prerequisites to the classification of a manufactured home or mobile home as real property pursuant to [NRS 361.244](#).

(Added to NRS by 1993, 1185; A [1999, 3466](#))

**NRS 489.289 Variances for local governing bodies.** A local governing body may apply to the Administrator for a variance, within the geographical jurisdiction of the local governing body, from any of the regulations adopted pursuant to this chapter. The Administrator may, for good cause shown, grant such a variance.

(Added to NRS by 1993, 1185)

**NRS 489.291 Enforcement of statutes and regulations: Notice of violation; penalty; liability for costs of enforcement.**

1. If the Administrator finds a violation of this chapter or of the prohibition in [NRS 118B.140](#) against charging or receiving an entrance or exit fee, or of any regulation adopted pursuant to this chapter, the Administrator may issue a notice of violation to the person alleged to have violated the provision. The notice of violation must set forth the violation which the Administrator alleges with particularity and specify the corrective action which is to be taken and the time within which the action must be taken. If the person is alleged to have violated the prohibition in [NRS 118B.140](#) against charging or receiving an entrance or exit fee, the notice of violation must specify that the fee be repaid in full, and may specify any other corrective action which the Administrator deems necessary.

2. Any person who fails to take the corrective action required in a notice of violation is guilty of a misdemeanor and the Administrator may:

(a) Apply to the district court for the judicial district in which the violation is alleged to have occurred for an injunction and any other relief which the court may grant to compel compliance;

(b) Request that the district attorney of the county in which the violation is alleged to have occurred prosecute the person for the violation;

(c) If the person is alleged to have violated the prohibition in [NRS 118B.140](#) against charging or receiving an entrance or exit fee, assess a penalty against the person equal to three times the amount of the fee which was charged or received; or

(d) If the person is alleged to have violated [NRS 489.311](#) and while acting without a license is alleged to have caused damage to a mobile home, manufactured home or commercial coach, require that the person reimburse the owner of the mobile home, manufactured home or commercial coach for the cost of repairing such damage and assess a penalty against that person equal to the estimated cost of such repairs.

3. The assessment of a penalty pursuant to paragraph (c) or (d) of subsection 2 is a contested case.

4. Any person who is found to have violated a provision of this chapter, the prohibition in [NRS 118B.140](#) against charging or receiving an entrance or exit fee, or a regulation adopted pursuant to this chapter, is liable for the cost incurred by the Division in enforcing the provision or regulation.

(Added to NRS by 1981, 1852; A 1985, 344; [1997, 211](#))

**NRS 489.293 Enforcement of subpoenas issued by Administrator.**

1. If any person to whom the Administrator has directed a subpoena refuses to attend, testify or produce evidence which the subpoena requires, the Administrator may present a petition to the district court for the judicial district in which the investigation or hearing is being carried on, setting forth that:

(a) Notice has been given of the time and place at which the person was required to attend, testify or produce evidence;

(b) A subpoena has been served on the witness or custodian of the evidence in sufficient time to enable the witness to comply with its provisions; and

(c) The person has failed or refused to attend, to answer questions, or to produce evidence required by the subpoena,

↳ and asking that the court issue an order compelling the person to attend and to testify or produce the evidence specified in the subpoena.

2. When the district court receives a petition from the Administrator, it shall order the person to whom the subpoena was directed to appear at a time and place fixed by the court in its order, which must be not more than 10 days after the date of the order, and show cause why the person should not be held in contempt. A certified copy of the order must be served on the person to whom the subpoena was directed.

3. If it appears to the court that the subpoena was properly issued by the Administrator and that there is not sufficient reason that the person failed or refused to appear, the court shall order the person to appear at the time and place fixed by the court and to testify or produce the required evidence. If the person fails to comply with the order of the court, the person must be punished as for a contempt of court.

(Added to NRS by 1981, 1851)

**NRS 489.295 Order to vacate used manufactured home, used mobile home or used commercial coach.**

1. If an inspection reveals that a used manufactured home, used mobile home or used commercial coach is constructed or maintained in violation of this chapter, the Division may order its use discontinued and the used manufactured home, used mobile home or used commercial coach, or any portion thereof, vacated.

2. The order to vacate must be served upon the person using the used manufactured home, used mobile home or used commercial coach and copies of the order must also be posted at or upon each exit of the used manufactured home, used mobile home or used commercial coach.

3. The order to vacate must include a reasonable time within which the violation may be corrected.

4. A person shall not occupy or use the used manufactured home, used mobile home or used commercial coach in violation of the order to vacate.

(Added to NRS by 1981, 1190; A 1983, 783; 1985, 344)

**NRS 489.297 Order to stop work.**

1. Whenever any construction, rebuilding or other work is performed in violation of this chapter or any regulation adopted pursuant to this chapter, the Division may order the work stopped.

2. The order to stop work must be served upon the person doing the work or upon the person causing the work to be done. The person served with the order shall immediately cease the work until authorized by the Division to continue it.

3. A copy of the order to stop work must be posted at or upon a recognized entrance of the used manufactured home, used mobile home or used commercial coach.

(Added to NRS by 1981, 1190; A 1983, 783)

## CONSTRUCTION, SALE AND INSTALLATION

**NRS 489.301 License for manufacturing plant: Requirements; regulations.**

1. In order to engage in business in this state or be entitled to any other license or permit required by this chapter, each manufacturing plant must be issued a license for the manufacturing plant by the Division.

2. The Division shall adopt regulations providing for the issuance of the license for the manufacturing plant.

(Added to NRS by 1979, 1205; A 1983, 784)

**NRS 489.305 License for branch office of dealer, distributor, general serviceperson or specialty serviceperson.** To open a branch office, a dealer, distributor, general serviceperson or specialty serviceperson must:

1. Obtain a license from the Division to operate the branch office; and

2. Provide for direct supervision of the branch office, either alone or by employing a responsible managing employee.

(Added to NRS by 1981, 1191; A 1987, 1862; [2005, 1629](#); [2009, 1907](#))

**NRS 489.311 License to engage in business of dealer, distributor, manufacturer, general serviceperson or specialty serviceperson: Requirements.**

1. Except as otherwise provided by [NRS 489.331](#), no person may engage or offer to engage in the business of a dealer, distributor, manufacturer, general serviceperson or specialty serviceperson in this State, or be entitled to any other license or permit required by this chapter, until the person has applied for and has been issued a license by the Division.

2. For the purposes of this section, a person engages in the business of a dealer, distributor, manufacturer, general serviceperson or specialty serviceperson in this State if the person, without limitation, submits a bid to perform any activity requiring a license pursuant to this section.

(Added to NRS by 1979, 1203; A 1981, 1853; 1983, 784; [2005, 809](#), [1630](#); [2009, 1907](#))

**NRS 489.321 License to engage in business of manufacturer, dealer, distributor, general serviceperson or specialty serviceperson: Application; issuance; provisional license; expiration and renewal. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for**

**withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]**

1. An application for a manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license must be filed upon forms supplied by the Division and include the social security number of the applicant. The applicant must furnish:

(a) Any proof the Division may deem necessary that the applicant is a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson.

(b) Any proof the Division may require that the applicant has an established place of business.

(c) Any proof the Division may require of the applicant's good character and reputation and fitness to engage in the activities for which the license is sought.

(d) A complete set of the applicant's fingerprints and written permission authorizing the Administrator to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The Administrator may exchange with the Central Repository and the Federal Bureau of Investigation any information relating to the fingerprints of an applicant under this section.

(e) In the case of a dealer in new manufactured homes, an instrument in the form prescribed by the Division executed by or on behalf of the manufacturer certifying that the applicant is an authorized franchise dealer for the make or makes concerned.

(f) A reasonable fee fixed by regulation.

(g) In the case of a dealer, distributor or general serviceperson, proof of passing the examination required under subsection 1 of [NRS 489.351](#).

(h) In the case of a specialty serviceperson, proof of passing the examination required under subsection 1 of [NRS 489.351](#) or proof that the examination has been waived pursuant to subsection 2 of [NRS 489.351](#).

(i) Any additional requirements the Division may from time to time prescribe by regulation.

2. Within 60 days after the receipt of a complete application, the Division shall issue or deny the license.

3. The Administrator may issue a provisional license pending receipt of the report from the Federal Bureau of Investigation. Upon receipt of the report and a determination by the Administrator that the applicant is qualified, the Division shall issue to the applicant a dealer's, manufacturer's, distributor's, general serviceperson's or specialty serviceperson's license containing the applicant's name and the address of the applicant's fixed place of business.

4. Each license is valid for a period of 2 years after the date of issuance and may be renewed for like consecutive periods upon application to and approval by the Division.

(Added to NRS by 1979, 1203; A 1981, 1853; 1983, 144, 784; 1987, 1862; [1997, 2083](#); [2003, 2856](#); [2005, 1630](#); [2007, 381](#); [2009, 1907](#))

**NRS 489.321 License to engage in business of manufacturer, dealer, distributor, general serviceperson or specialty serviceperson: Application; issuance; provisional license; expiration and renewal. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]**

1. Applications for a manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license must be filed upon forms supplied by the Division, and the applicant shall furnish:

(a) Any proof the Division may deem necessary that the applicant is a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson.

(b) Any proof the Division may require that the applicant has an established place of business.

(c) Any proof the Division may require of the applicant's good character and reputation and fitness to engage in the activities for which the license is sought.

(d) A complete set of the applicant's fingerprints and written permission authorizing the Administrator to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The Administrator may exchange with the Central Repository and the Federal Bureau of Investigation any information respecting the fingerprints of an applicant under this section.

(e) In the case of a dealer in new manufactured homes, an instrument in the form prescribed by the Division executed by or on behalf of the manufacturer certifying that the applicant is an authorized franchise dealer for the make or makes concerned.

(f) A reasonable fee fixed by regulation.

(g) In the case of a dealer, distributor or general serviceperson, proof of passing the examination required under subsection 1 of [NRS 489.351](#).

(h) In the case of a specialty serviceperson, proof of passing the examination required under subsection 1 of [NRS 489.351](#) or proof that the examination has been waived pursuant to subsection 2 of [NRS 489.351](#).

(i) Any additional requirements the Division may from time to time prescribe by regulation.

2. Within 60 days after receipt of a complete application, the Division shall issue or deny the license.

3. The Administrator may issue a provisional license pending receipt of the report from the Federal Bureau of Investigation. Upon receipt of the report and a determination by the Administrator that the applicant is qualified, the Division shall issue to the applicant a dealer's, manufacturer's, distributor's, general serviceperson's or specialty serviceperson's license certificate containing the applicant's name and the address of the applicant's fixed place of business.

4. Each license is valid for a period of 2 years after the date of issuance and may be renewed for like consecutive periods upon application to and approval by the Division.

(Added to NRS by 1979, 1203; A 1981, 1853; 1983, 144, 784; 1987, 1862; [1997, 2083](#); [2003, 2856](#); [2005, 1630, 1631](#); [2007, 381, 382](#); [2009, 1907, 1908](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

**NRS 489.323 Proof of completion of continuing education required for renewal of license of dealer, distributor, general serviceperson, specialty serviceperson, responsible managing employee or salesperson.** If a licensee is a dealer, distributor, general serviceperson, specialty serviceperson, responsible managing employee or salesperson, the Division shall not renew a license issued to that licensee until the licensee has submitted proof satisfactory to the Division that the licensee has, during the 2-year period immediately preceding the renewal of the license, completed at least 8 hours of continuing education approved by the Division pursuant to [NRS 489.285](#).

(Added to NRS by [1997, 2987](#); A [2001, 487](#); [2005, 1631](#); [2009, 1909](#))

**NRS 489.325 Regulations providing for licensing of specialty servicepersons.**

1. The Administrator may adopt regulations which provide for the licensing of specialty servicepersons. A person licensed as a specialty serviceperson pursuant to this section must be limited in the scope of the work he or she may perform to installation or repair in one of the following categories:

(a) Awnings, roofing or skirting;

(b) Plumbing;

(c) Heating and air-conditioning systems;

(d) Electrical systems; or

(e) Any other category that may be similarly licensed by the State Contractors' Board.

2. The Administrator shall provide in those regulations for:

(a) The imposition of reasonable fees for application, examination and licensure.

(b) The creation and administration of a written or oral examination for each category of limited licensure.

(c) Minimum qualifications for such a license, including, without limitation, the passage of any applicable examination required pursuant to subsection 1 of [NRS 489.351](#), unless waived pursuant to subsection 2 of [NRS 489.351](#).

3. A person who is licensed as a specialty serviceperson shall comply with each statute and regulation which applies to general servicepersons, including, without limitation, the payment of a fee required pursuant to subparagraph 1 of paragraph (c) of subsection 2 of [NRS 489.4971](#).

(Added to NRS by 1993, 827; A [1999, 861](#); [2003, 587](#); [2005, 1631](#); [2007, 383](#))

**NRS 489.331 Authority to sell used manufactured and mobile homes in connection with sale of real property without license issued pursuant to this chapter.** A licensed real estate broker and his or her licensed salespersons may, without applying for or obtaining any license issued pursuant to the provisions of this chapter, sell used manufactured homes and used mobile homes when the sale is in connection with the sale of a fee simple interest in real property and the used manufactured home or used mobile home is situated on the real property sold.

(Added to NRS by 1979, 1204; A 1983, 785; 1991, 1326; [2005, 664](#))

**NRS 489.336 Limited lien resale licenses and permits authorizing landlord or manager of mobile home park to sell used mobile home: Regulations; authorized use.**

1. The Division shall adopt regulations for the issuance of limited lien resale licenses and permits authorizing a landlord or manager to sell a used mobile home if:

(a) The mobile home is located in a mobile home park that the landlord or manager owns, leases or manages; and

(b) The landlord or manager purchased the mobile home at a sale to enforce a lien pursuant to [NRS 108.270](#) to [108.367](#), inclusive.

2. The regulations must specify the requirements for the issuance of a license or permit, including, without limitation, any educational requirements.

3. A person who is issued a license or permit pursuant to the regulations may sell a used mobile home in accordance with the license or permit.

4. As used in this section:

(a) "Landlord" has the meaning ascribed to it in [NRS 118B.014](#).

(b) "Manager" has the meaning ascribed to it in [NRS 118B.0145](#).

(c) "Mobile home park" has the meaning ascribed to "manufactured home park" in [NRS 118B.017](#).

(Added to NRS by [2001, 1947](#); A [2009, 1909](#))

**NRS 489.341 License for salesperson or responsible managing employee: Requirements; issuance; provisional license; expiration; limitations; transfer. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]**

1. A person shall not act as a salesperson in this State or as a responsible managing employee for a person who sells, leases, distributes, reconstructs, improves, repairs or installs any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing subject to the provisions of this chapter without first having received a license from the Division. Before issuing such a license, the Division shall require:

(a) An application, signed and verified by the applicant, stating that the applicant desires to act as a salesperson or responsible managing employee and providing the applicant's residential address and social security number and the name and address of his or her employer.

(b) Proof of the employment of the applicant at the time the application is filed. An applicant for a license as a responsible managing employee shall submit proof of 2 years' experience within the previous 4 years in the business in which the applicant is seeking to be licensed as a responsible managing employee.

(c) Proof of the applicant's good character and reputation and fitness to act as a salesperson or responsible managing employee.

(d) A complete set of the applicant's fingerprints and written permission authorizing the Administrator to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The Administrator may exchange with the Central Repository and the Federal Bureau of Investigation any information relating to the fingerprints of an applicant.

(e) A statement as to whether any previous application of the applicant has been denied or license revoked.

(f) Payment of a reasonable license fee established by regulation.

(g) The applicant to have passed the examination required by [NRS 489.351](#).

(h) Any other information the Division deems necessary.

2. Within 60 days after the receipt of a complete application, the Division shall issue or deny the license.

3. The Administrator may issue a provisional license pending receipt of the report from the Federal Bureau of Investigation. Upon receipt of the report and a determination by the Administrator that the applicant is qualified, the Administrator shall issue to the applicant a license as a salesperson or a responsible managing employee. The license must contain the licensee's name and the address of his or her employer's place of business.

4. Each license is valid for 2 years after the date of issuance and may be renewed for like consecutive periods upon application to and approval by the Division.

5. A person licensed pursuant to this section shall not engage in sales activity other than for the account of, or for and in behalf of, a single employer who is a licensed dealer or distributor.

6. A license issued pursuant to this section may be transferred to another licensed employer upon application and the payment of a transfer fee of \$10. When a salesperson or responsible managing employee holding a current license leaves the employment of one dealer, distributor, general serviceperson or specialty serviceperson for that of another, the new employer may employ the salesperson or responsible managing employee pending the transfer of the license if the transfer is completed within 10 days.

7. A license issued pursuant to this section must be posted in a conspicuous place on the premises of the employer for whom the holder of the license is licensed.

8. If a salesperson or responsible managing employee ceases to be employed by a licensed dealer, distributor, general serviceperson or specialty serviceperson, his or her license to act as a salesperson or responsible managing employee is automatically suspended and the person's right to act in that capacity immediately ceases, and he or she shall not engage in such an activity until reemployed by a licensed dealer, distributor, general serviceperson or specialty serviceperson. Every licensed salesperson and responsible managing employee shall report in writing to the Division every change in his or her place of employment or termination of employment within 5 days after the date of making the change.

(Added to NRS by 1979, 1204; A 1981, 1854; 1983, 786; 1991, 1326; [1997, 2084](#); [2003, 2857](#); [2005, 1632](#); [2009, 1909](#))

**NRS 489.341 License for salesperson or responsible managing employee: Requirements; issuance; provisional license; expiration; limitations; transfer. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]**

1. A person shall not act as a salesperson in this State or as a responsible managing employee for a person who sells, leases, distributes, reconstructs, improves, repairs or installs any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing subject to the provisions of this chapter without first having received a license from the Division. Before issuing such a license, the Division shall require:

(a) An application, signed and verified by the applicant, stating that the applicant desires to act as a salesperson or responsible managing employee and providing the applicant's residential address and the name and address of his or her employer.

(b) Proof of the employment of the applicant at the time the application is filed. An applicant for a license as a responsible managing employee shall submit proof of 2 years' experience within the previous 4 years in the business in which the applicant is seeking to be licensed as a responsible managing employee.

(c) Proof of the applicant's good character and reputation and fitness to act as a salesperson or responsible managing employee.

(d) A complete set of the applicant's fingerprints and written permission authorizing the Administrator to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The Administrator may exchange with the Central Repository and the Federal Bureau of Investigation any information respecting the fingerprints of an applicant.

(e) A statement as to whether any previous application of the applicant has been denied or license revoked.

(f) Payment of a reasonable license fee established by regulation.

(g) The applicant to have passed the examination required by [NRS 489.351](#).

(h) Any other information the Division deems necessary.

2. Within 60 days after receipt of a complete application, the Division shall issue or deny the license.

3. The Administrator may issue a provisional license pending receipt of the report from the Federal Bureau of Investigation. Upon receipt of the report and a determination by the Administrator that the applicant is qualified, the Administrator shall issue to the applicant a license as a salesperson or a responsible managing employee. The license must contain the licensee's name and the address of his or her employer's place of business.

4. Each license is valid for 2 years after the date of issuance and may be renewed for like consecutive periods upon application to and approval by the Division.

5. A person licensed pursuant to this section shall not engage in sales activity other than for the account of or for and in behalf of a single employer who is a licensed dealer or distributor.

6. A license issued pursuant to this section may be transferred to another licensed employer upon application and the payment of a transfer fee of \$10. When a salesperson or responsible managing employee holding a current license leaves the employment of one dealer, distributor, general serviceperson or specialty serviceperson for that of another, the new employer may employ the salesperson or responsible managing employee pending the transfer of the license if the transfer is completed within 10 days.

7. A license issued pursuant to this section must be posted in a conspicuous place on the premises of the employer for whom the holder of the license is licensed.

8. If a salesperson or responsible managing employee ceases to be employed by a licensed dealer, distributor, general serviceperson or specialty serviceperson, his or her license to act as a salesperson or responsible managing employee is automatically suspended and the person's right to act in that capacity immediately ceases, and he or she shall not engage in such an activity until reemployed by a licensed dealer, distributor, general serviceperson or specialty serviceperson. Every licensed salesperson and responsible managing employee shall report in writing to

the Division every change in his or her place of employment or termination of employment within 5 days after the date of making the change.

(Added to NRS by 1979, 1204; A 1981, 1854; 1983, 786; 1991, 1326; [1997, 2084](#); [2003, 2857](#); [2005, 1632, 1633](#); [2009, 1909, 1911](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

**NRS 489.342 Payment of child support: Statement by applicant for license; grounds for denial of license; duty of Division.** [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. A natural person who applies for the issuance or renewal of a manufacturer's, dealer's, distributor's, general serviceperson's, specialty serviceperson's, salesperson's or responsible managing employee's license shall submit to the Division the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Division shall include the statement required pursuant to subsection 1 in:

- (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or
- (b) A separate form prescribed by the Division.

3. A manufacturer's, dealer's, distributor's, general serviceperson's, specialty serviceperson's, salesperson's or responsible managing employee's license may not be issued or renewed by the Division if the applicant is a natural person who:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2082](#); A [2005, 1634](#); [2009, 1912](#))

**NRS 489.343 Partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company or corporation doing business as manufacturer, dealer, distributor, general serviceperson or specialty serviceperson.**

1. Every partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company doing business as a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson in this State shall designate one of its members, and every corporation doing business as a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson in this State shall designate one of its officers, to submit an application for a manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license.

2. The Division shall issue a manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license to the member or officer on behalf of the corporation, company or partnership upon:

(a) The designated member or officer, in the case of a dealer, distributor, general serviceperson or specialty serviceperson, successfully passing the examination required pursuant to subsection 1 of [NRS 489.351](#) unless, in the case of a specialty serviceperson, the examination is waived pursuant to subsection 2 of [NRS 489.351](#); and

(b) Compliance with all other requirements of law or any other additional requirements the Division may from time to time prescribe by regulation by the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or corporation, as well as by the designated member or officer.

3. Upon receipt of the license, the designated member or officer is entitled to perform all the acts authorized by a license issued by the Division, except:

(a) That the license issued entitles the designated member or officer to act pursuant to the terms and conditions of the license issued by the Division only as officer or agent of the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or corporation, and not on his or her own behalf; and

(b) That if the person designated by the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or corporation:

(1) Is refused a license by the Division; or

(2) Ceases to be connected with the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company or corporation,

↳ the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company, or corporation may designate another person who shall make application and qualify as in the first instance.

(Added to NRS by 1995, 955; A [2005, 1635](#); [2007, 383](#); [2009, 1912](#))

**NRS 489.344 Member or officer of partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company or corporation who performs specified acts to obtain separate applicable license.** Each member or officer of a partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or a corporation who will perform or engage in any of the acts specified in [NRS 489.076](#), [489.081](#), [489.102](#), [489.115](#) or [489.147](#), other than the member or officer designated for that purpose by the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company, or the corporation, in the manner provided in [NRS 489.343](#), must apply for and take out a separate manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license in his or her own name. The license issued to any such member or officer of a partnership, company or corporation entitles the member or officer to act as a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson only as an officer or agent of the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company, or corporation and not on his or her own behalf.

(Added to NRS by 1995, 955; A [2005, 1636](#); [2009, 1913](#))

**NRS 489.351 Examination of applicant for license; waiver for specialty serviceperson in certain circumstances.**

1. Except as otherwise provided in subsection 2, the Administrator shall require an oral or written examination of each applicant for a license as a dealer, distributor, responsible managing employee, salesperson, general serviceperson or specialty serviceperson.

2. The Administrator may waive the examination required pursuant to subsection 1 for an applicant for a license as a specialty serviceperson if:

(a) The applicant holds another valid license issued by this State; and

(b) The services performed by the applicant pursuant to that license are substantially similar to the services to be performed by the applicant as a specialty serviceperson.

(Added to NRS by 1979, 1205; A 1981, 1856; 1989, 1267; [2005, 1636](#); [2007, 384](#); [2009, 1914](#))

**NRS 489.357 License not to be used by person other than to whom issued; disciplinary action.**

1. A license issued pursuant to this chapter must not be used for any purpose by any person other than the person to whom the license is issued.

2. The holder of such a license shall not assign, transfer or otherwise authorize the use of the license by any other person.

3. In addition to any other remedy or penalty authorized pursuant to this chapter, if the holder of a license violates any provision of this section, the violation is cause for the automatic cancellation and revocation of the license.

(Added to NRS by [2005, 1626](#))

**NRS 489.381 Disciplinary action against licensees.** The Division may impose an administrative fine of not more than \$1,000 per violation, and may deny, suspend or revoke any license issued under this chapter or reissue the license subject to reasonable conditions upon any of the grounds set forth in [NRS 489.391](#) to [489.421](#), inclusive, which constitute grounds for disciplinary action. If discipline is imposed pursuant to this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the Division.

(Added to NRS by 1979, 1205; A 1993, 899; [1997, 96](#))

**NRS 489.391 Grounds for disciplinary action: Failure to establish place of business; conducting business from unauthorized location; insolvency; furnishing false information; failure to prove employment or good character; other conduct; obtaining contents of examination.** The following grounds, among others, constitute grounds for disciplinary action under [NRS 489.381](#):

1. Except for a salesperson, failure of the applicant to have an established place of business or conducting business from a location that is not authorized by the Division.
2. Financial insolvency of the applicant or licensee.
3. Material misstatement in the application or otherwise furnishing false information to the Division.
4. Failure of a salesperson or applicant for licensing as a salesperson to establish by proof satisfactory to the Division that he or she is employed by a licensed dealer.
5. Failure of an applicant for a license to provide proof satisfactory to the Division of the applicant's good character and reputation and fitness to engage in the activities for which the license is sought.
6. Any conduct before licensing which was in fact unknown to the Division and would have been grounds for denial of a license had the Division been aware of the conduct.
7. Obtaining or disclosing the contents of an examination given by the Division.

(Added to NRS by 1979, 1205; A 1983, 787; [1997, 96](#); [2005, 1636](#))

**NRS 489.401 Grounds for disciplinary action: Deceptive advertising; misrepresentation; failure to disclose; failure to provide copy of certificate of installation; inducing falsification of credit application; failure to obtain acknowledgment of notice.** The following grounds, among others, constitute grounds for disciplinary action pursuant to [NRS 489.381](#):

1. The intentional publication, circulation or display of any advertising which constitutes a deceptive trade practice as that term is defined in [NRS 598.0915](#) to [598.0925](#), inclusive.
2. Failure to include in any advertising the name of the licensed dealer, distributor, general serviceperson or specialty serviceperson, or the name under which the person is doing business.
3. Making any substantial misrepresentation or false promise which is likely to influence, persuade or induce, or continually failing to fulfill promises to sell, breaching agreements or contracts or making false promises by any means.
4. Failure to disclose all terms and conditions of a sale, purchase or lease or offer to sell, purchase or lease a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing.
5. Failure to disclose to a person with whom the licensed dealer or distributor is dealing with regard to the sale, distribution, purchase or lease of a manufactured home any material facts, structural defects or other material information which the licensed dealer or distributor knew, or which by the exercise of reasonable care and diligence should have known, concerning the manufactured home or concerning the sale, distribution, purchase or lease of the manufactured home.
6. Failure to comply with the provisions of [NRS 489.595](#).
7. Representing to any lender, guaranteeing agency or other interested party, orally or through the preparation of false documents:
  - (a) An amount in excess of the actual sales price;
  - (b) A false amount as the down payment, earnest money deposit or other valuable consideration;
  - (c) Terms differing from those actually agreed upon; or
  - (d) False information on a credit application.
8. Inducing an applicant to falsify a credit application.
9. Failure to obtain from the holder of any lien or security interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing within 10 days before the closure of a sale a written acknowledgment that the holder of the lien or security interest has received written notification of the sale.

(Added to NRS by 1979, 1206; A 1983, 787; 1985, 2261; 1989, 651; 1991, 2047; 1993, 1186; [1997, 96](#); [2005, 1636](#); [2009, 1914](#))

**NRS 489.411 Grounds for disciplinary action: Compensation from certain exclusive agreements; conflicts of interest; paying unlicensed person; commingling; allowing unlicensed person to engage in acts requiring licensure; failure to account for or remit money or to discharge final judgment; acting as agent and undisclosed principal.** The following grounds, among others, constitute grounds for disciplinary action under [NRS 489.381](#):

1. Claiming, demanding or receiving a fee, compensation or commission under any exclusive agreement, authorizing or employing a licensee to sell, distribute, buy or exchange a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing for compensation or commission, where the agreement does not contain a definite specified date of final and complete termination, does not set forth the terms and conditions of the exclusive agreement or is not signed by both the licensee and the owner.

2. While the employee, agent or fiduciary of a licensee, soliciting, accepting or agreeing to accept any benefit, fee, commission or compensation for the performance of any of the acts specified in this chapter from any person except the licensee with whom he or she is associated or employed.

3. Paying a commission or other compensation to any person or employing any person for performing the services of a person required to be licensed under this chapter who has not first secured a license pursuant to this chapter.

4. Commingling the money or other property of his or her principals with his or her own or converting the money of others to his or her own use.

5. Knowingly permitting a person whose license has been revoked or suspended or who does not hold a valid license to engage on behalf of the licensed dealer or distributor in acts that require a license.

6. In the case of a salesperson, failing to give to the licensed dealer or distributor by whom the salesperson is employed, as soon as practicable after receipt, a deposit or other money or consideration entrusted to him or her by a person dealing with the salesperson as a representative of the licensed dealer or distributor.

7. Failing within a reasonable time to account for or to remit any money coming into his or her possession which belongs to others.

8. Failure or refusal by a licensee to pay or otherwise discharge any final judgment rendered and entered against the licensee which arises out of the conduct of the licensee's business licensed under this chapter.

9. Acting in the dual capacity of agent and undisclosed principal in a transaction.

(Added to NRS by 1979, 1206; A 1983, 788; [1997, 97](#); [2009, 1915](#))

**NRS 489.416 Grounds for disciplinary action: Substandard or unsafe workmanship; failure to honor warranty or other guarantee; performing act requiring licensure in grossly negligent or incompetent manner.**

The following grounds, among others, constitute grounds for disciplinary action under [NRS 489.381](#):

1. Workmanship which:

(a) Is not commensurate with standards of the trade in general;

(b) Is below standards adopted by the Division or the codes and standards adopted pursuant to this chapter and [chapter 461](#) of NRS, and any regulations adopted pursuant thereto; or

(c) Endangers the life and safety of an occupant of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing.

2. Failure to honor any warranty or other guarantee given by a licensee for workmanship or material as a condition of securing a contract, or of selling, distributing, leasing, reconstructing, improving, repairing or installing any manufactured home, mobile home, manufactured building, commercial coach, factory-built housing or accessory structure.

3. Gross negligence or incompetence in performing an act for which a license is required pursuant to this chapter.

(Added to NRS by 1983, 776; A [1997, 98](#); [2009, 1915](#))

**NRS 489.421 Grounds for disciplinary action: Revocation or denial of license; failure to maintain license or to respond to notice; failure to take corrective action or permit access; violation of order, agreement or law; convictions and certain pleas; fraudulent dealing.** The following grounds, among others, constitute grounds for disciplinary action under [NRS 489.381](#):

1. Revocation or denial of a license issued pursuant to this chapter or an equivalent license in any other state, territory or country.

2. Failure of the licensee to maintain any other license required by any political subdivision of this State.

3. Failure to respond to a notice served by the Division as provided by law within the time specified in the notice.

4. Failure to take the corrective action required in a notice of violation issued pursuant to [NRS 489.291](#).

5. Failure or refusing to permit access by the Administrator to documentary materials set forth in [NRS 489.231](#).

6. Disregarding or violating any order of the Administrator, any agreement with the Division, or any provision of this chapter or any regulation adopted under it.

7. Conviction of a misdemeanor for violation of any of the provisions of this chapter.

8. Conviction of or entering a plea of guilty, guilty but mentally ill or nolo contendere to:
  - (a) A felony relating to the position for which the applicant has applied or the licensee has been licensed pursuant to this chapter; or
  - (b) A crime of moral turpitude in this State or any other state, territory or country.
9. Any other conduct that constitutes deceitful, fraudulent or dishonest dealing.  
(Added to NRS by 1979, 1206; A 1981, 1299; 1983, 380, 788; 1987, 1863; 1995, 2475; [1997, 98](#); [2003, 1497, 2702](#); [2007, 1465](#))

**NRS 489.423 Disciplinary action against licensed dealer or distributor for knowledge of unlawful act of employee or associate or failure to maintain adequate supervision; disciplinary action against general serviceperson or specialty serviceperson for knowledge of unlawful act of employee or associate.**

1. Upon a finding that a licensed dealer or distributor knew, or by the exercise of reasonable care and diligence should have known, of any unlawful act or violation of a provision of this chapter by a salesperson, general serviceperson, specialty serviceperson or any other person who is employed by or associated with the licensed dealer or distributor, the Administrator may suspend or revoke the license of the licensed dealer or distributor and impose an administrative fine upon him or her of not more than \$1,000.
2. Upon a finding that a licensed dealer or distributor failed to maintain adequate supervision of a salesperson, general serviceperson or specialty serviceperson who, while employed by or associated with the licensed dealer or distributor, committed any unlawful act or violated a provision of this chapter, the Administrator may suspend or revoke the license of the licensed dealer or distributor and impose an administrative fine upon him or her of not more than \$1,000.
3. Upon a finding that a licensed general serviceperson or specialty serviceperson knew, or by the exercise of reasonable care and diligence should have known, of any unlawful act or violation of a provision of this chapter by any person who is employed by or associated with the licensed general serviceperson or specialty serviceperson, the Administrator may suspend or revoke the license of the licensed general serviceperson or specialty serviceperson and impose an administrative fine upon him or her of not more than \$1,000.

(Added to NRS by [1997, 95](#); A [2005, 1637](#); [2009, 1916](#))

**NRS 489.425 Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]**

1. If the Division receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a manufacturer's, dealer's, distributor's, general serviceperson's, specialty serviceperson's, salesperson's or responsible managing employee's license, the Division shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Division receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).
2. The Division shall reinstate a manufacturer's, dealer's, distributor's, general serviceperson's, specialty serviceperson's, salesperson's or responsible managing employee's license that has been suspended by a district court pursuant to [NRS 425.540](#) if the Division receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2082](#); A [2005, 1637](#); [2009, 1916](#))

**NRS 489.426 Advance fees: Persons authorized to accept; accounting of use; regulations; disciplinary action.**

1. A person who charges or collects an advance fee shall, within 3 months after charging or collecting such a fee, furnish to his or her principal an accounting of the use of the money. The Administrator also may require an accounting by the person of the use of the money.
2. A person shall not accept an advance fee listing unless the person is a dealer, responsible managing employee or salesperson who is licensed pursuant to this chapter.

3. The Administrator may adopt regulations concerning advance fee listings and the charging and collecting of an advance fee, including, but not limited to:

- (a) Forms to be used for advance fee agreements; and
- (b) Reports and forms of accounting required to be kept, made or submitted to the Division.

4. A violation of this section or the regulations adopted pursuant to this section constitutes grounds for disciplinary action against a licensee.

5. As used in this section:

(a) "Advance fee" means the money contracted for, charged, claimed, collected, demanded or received for an advance fee listing of, an advertisement for or an offer to sell a manufactured home, mobile home or commercial coach, if the advance fee listing, advertisement or offer is issued to promote the sale of a manufactured home, mobile home or commercial coach or for referral to a business, to dealers or to salespersons, before the last printing or other last issuance thereof, other than by a newspaper of general circulation.

(b) "Advance fee listing" includes, but is not limited to:

(1) The name or a list of the names of owners, prospective buyers or exchangers, or the location of a manufactured home, mobile home or commercial coach that is offered for sale or exchange.

(2) The location at which prospective or potential buyers or exchangers of manufactured homes, mobile homes or commercial coaches may be communicated with or found.

(3) An agreement by which a person who is engaged in the business of promoting the sale of manufactured homes, mobile homes or commercial coaches agrees to render to an owner or buyer any service to promote the sale of the manufactured home, mobile home or commercial coach for an advance fee.

(4) An agreement by which a person agrees to locate or to promote the sale of a manufactured home, mobile home or commercial coach for an advance fee.

↳ The term does not include any publication issued for general circulation.

(Added to NRS by 1991, 1325)

#### **NRS 489.431 Investigation by Administrator; disciplinary action.**

1. The Administrator may on his or her own motion, and shall upon receiving a complaint, investigate the actions of any licensee or any other person who assumes to act in the capacity of a licensee in this State. A complaint must be verified and filed with the Division within 2 years after the act complained of.

2. If the Administrator finds that the licensee or other person has acted in violation of this chapter, and that the violation is not repeated or continuing, the Administrator may attempt to secure a correction of the violation or satisfaction for the complainant from the licensee or other person. If the Administrator's attempt fails or if the Administrator determines that disciplinary action is necessary, the Administrator may take disciplinary action.

3. If the Administrator finds that the violation is being repeatedly or continuously committed, or if in the Administrator's discretion the violation warrants disciplinary action, the Administrator may take disciplinary action without seeking correction or satisfaction.

(Added to NRS by 1979, 1207)

#### **NRS 489.436 Bidding, contracting or otherwise acting in capacity of licensee without having license: Cease and desist order; injunction; fine.**

1. The Administrator or a designee of the Administrator shall issue an order to cease and desist to any person or combination of persons who:

(a) Engages in the business or acts in the capacity of a licensee within this State, including, without limitation, commencing any work for which a license is required pursuant to this chapter; or

(b) Submits a bid or enters into a contract for a job located within this State for which a license is required pursuant to this chapter,

↳ without having a license issued pursuant to this chapter, unless that person or combination of persons is exempt from licensure pursuant to this chapter. The order must be served personally or by certified mail and is effective upon receipt.

2. If it appears that any person or combination of persons has engaged in acts or practices which constitute a violation of this chapter or the violation of an order issued pursuant to subsection 1, the Administrator may request the Attorney General, the district attorney of the county in which the alleged violation occurred or the district attorney of any other county in which that person or combination of persons maintains a place of business or resides, to apply on behalf of the Administrator to the district court for an injunction restraining the person or combination of persons from acting in violation of this chapter. Upon a proper showing, a temporary restraining order, a preliminary

injunction or a permanent injunction may be granted. The Administrator, as plaintiff in the action, is not required to prove any irreparable injury.

3. In seeking injunctive relief against any person or combination of persons for an alleged violation of this chapter, it is sufficient to allege that the person or combination of persons, upon a certain day and in a certain county of this State:

(a) Engaged in the business or acted in the capacity of a licensee within this State; or

(b) Submitted a bid or entered into a contract for a job located within this State for which a license is required pursuant to this chapter,

and the person or combination of persons did not have a license issued pursuant to this chapter and was not exempt from licensure pursuant to this chapter, without alleging any further or more particular facts concerning the matter.

4. The issuance of a restraining order or an injunction does not relieve the person or combination of persons against whom the restraining order or injunction is issued from criminal prosecution for practicing without a license.

5. If the court finds that any person or combination of persons has willfully violated an order issued pursuant to subsection 1, it shall impose a fine of not less than \$250 nor more than \$1,000 for each violation of the order.

(Added to NRS by [2005, 1626](#))

**NRS 489.441 Hearings before Administrator.**

1. The applicant or licensee may, within 30 days after receipt of the notice of denial or complaint, petition the Administrator in writing for a hearing.

2. Upon filing the petition, a date for hearing must be fixed, which must be within 30 days after the date on which the petition was filed.

3. Within 20 days after the hearing, the Administrator shall make written findings of fact and conclusions.

(Added to NRS by 1979, 1207)

**NRS 489.451 Commercial coach to bear certificate and label of compliance; limitation.** Every commercial coach which is rented, leased or sold or offered for rent, lease or sale in this State must bear a certificate and label of compliance issued by this State if the commercial coach was manufactured on or after July 1, 1977.

(Added to NRS by 1979, 1207; A 1981, 1192; 1983, 789; 1993, 2053)

**NRS 489.461 Compliance with local building codes and ordinances not required if certificate and label issued; exception.** Except as otherwise provided in [NRS 278.02095](#), a manufactured home, mobile home, travel trailer or commercial coach for which a certificate and label of compliance has been issued pursuant to the provisions of this chapter is not required to comply with any local building codes or ordinances prescribing standards for plumbing, heating, electrical systems, body and frame design and construction requirements.

(Added to NRS by 1979, 1208; A 1983, 789; [1999, 3467](#))

**NRS 489.481 Regulations providing fees for certificates, labels, licenses and other services provided by Division.** The Division shall adopt regulations providing fees for:

1. Certificates of installation;

2. Labels of installation;

3. Certificates of compliance;

4. Labels of compliance;

5. Certificates of ownership;

6. Licenses of manufacturers, dealers, distributors, salespersons, responsible managing employees, general servicepersons and specialty servicepersons;

7. Licenses for branch offices; and

8. Any other services provided by the Division.

(Added to NRS by 1979, 1209; A 1983, 789; [2005, 1638](#); [2009, 1916](#))

**NRS 489.491 Fund for Manufactured Housing.**

1. Except as otherwise provided in [NRS 489.265](#), all fees collected pursuant to the provisions of this chapter must be deposited in the State Treasury for credit to the Fund for Manufactured Housing which is hereby created as a special revenue fund. All interest and income earned on any money in the Fund or in any account in the Fund must be credited to the Fund. All expenses of the enforcement of this chapter must be paid from the Fund.

2. The Fund may not be used for any purpose, except the regulation of manufactured homes, mobile homes, travel trailers and commercial coaches and the administration of [chapters 461](#) and [461A](#) of NRS.

3. Claims against the Fund must be paid as other claims against the State are paid.  
(Added to NRS by 1979, 1203; A 1981, 1192; 1983, 790; 1985, 303; 1995, 956; [2011, 1909](#))

#### **ACCOUNT FOR EDUCATION AND RECOVERY RELATING TO MANUFACTURED HOUSING**

**NRS 489.497 “Account” defined.** As used in [NRS 489.497](#) to [489.4989](#), inclusive, “Account” means the Account for Education and Recovery Relating to Manufactured Housing created by [NRS 489.4971](#).  
(Added to NRS by [2009, 1901](#))

#### **NRS 489.4971 Creation; use; fees; payments; service of copy of complaint upon commencement of action.**

1. The Account for Education and Recovery Relating to Manufactured Housing is hereby created within the Fund for Manufactured Housing to satisfy the claims of purchasers of manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing against persons licensed pursuant to the provisions of this chapter. Any balance in the Account over \$500,000 at the end of any fiscal year must be set aside and used by the Administrator for education relating to manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches or factory-built housing.

2. Upon the issuance or renewal of the following licenses by the Division, the licensee must pay, in addition to the original or renewal license fee, a fee:

(a) For a dealer’s, distributor’s or manufacturer’s original license, or for any original limited dealer’s license which authorizes a limited dealer to act as a reposessor or liquidator, of \$1,000.

(b) For a dealer’s, distributor’s or manufacturer’s renewal license, or a renewal of any limited dealer’s license which authorizes a limited dealer to act as a reposessor or liquidator, of \$600.

(c) For an original or renewal license for:

(1) A general serviceperson or specialty serviceperson, of \$150.

(2) A salesperson, of \$75.

(3) A responsible managing employee, of \$100.

↳ Except as otherwise provided in [NRS 489.265](#), fees collected pursuant to this section must be deposited in the State Treasury for credit to the Account.

3. A payment from the Account to satisfy the claim of a purchaser specified in subsection 1 against a person who is licensed pursuant to this chapter must be made only upon an appropriate court order that is issued in an action for fraud, misrepresentation or deceit relating to an act for which a license is required pursuant to this chapter.

4. If a purchaser specified in subsection 1 commences an action specified in subsection 3 against a person who is licensed pursuant to this chapter, the purchaser must serve a copy of the complaint upon the Administrator within 30 days after the action is commenced.

(Added to NRS by 1981, 1849; A 1983, 790; 1987, 1864, 2088; 1989, 1472; 1993, 1187; 1995, 956; [2001, 487](#); [2003, 1410](#); [2005, 1638](#); [2009, 1917](#))

#### **NRS 489.4975 Recovery from Account: Procedure; hearing; limitation.**

1. If a purchaser of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing obtains a final judgment in any court of competent jurisdiction against any licensee under this chapter in an action specified in subsection 3 of [NRS 489.4971](#), the judgment creditor may, upon the termination of all proceedings, including appeals in connection with any judgment, file a verified petition in the court in which the judgment was entered for an order directing payment from the Account in the amount of actual damages included in the judgment and unpaid, but not more than \$25,000 per judgment and the liability of the Account may not exceed \$100,000 for any licensee.

2. A copy of the petition must be served upon the Administrator and an affidavit of service filed with the court. The petition and each copy of the petition served pursuant to this subsection must set forth the grounds which entitle the judgment creditor to recover from the Account and must include a copy of:

(a) The final judgment specified in subsection 1;

(b) The complaint upon which the final judgment was entered; and

(c) If assets are known to exist, the writ of execution that was returned unsatisfied.

3. The court shall act upon the petition within 30 days after service and, upon the hearing of the petition, the judgment creditor must show that:

(a) The judgment creditor is not the spouse of the judgment debtor, or the personal representative of that spouse.

(b) The judgment creditor has complied with all the requirements of [NRS 489.497](#) to [489.4989](#), inclusive.

(c) The judgment creditor has obtained a judgment of the kind described in subsection 1, stating the amount of the judgment and the amount owing on it at the date of the petition.

(d) A writ of execution has been issued upon the judgment and that no assets of the judgment debtor liable to be levied upon in satisfaction of the judgment could be found, or that the amount realized on the sale of any of them that were found under the execution was insufficient to satisfy the judgment, stating the amount so realized and the balance remaining due.

(e) The judgment creditor and the Division have made reasonable searches and inquiries to ascertain whether the judgment debtor possesses real or personal property or other assets, liable to be sold or applied in satisfaction of the judgment.

(f) The petition has been filed not more than 1 year after the termination of all proceedings, including reviews and appeals, in connection with the judgment.

4. A person licensed pursuant to this chapter shall not recover from the Account for damages related to a transaction in which the person acted in his or her capacity as a licensee.

(Added to NRS by 1981, 1849; A [1999, 862](#); [2001, 488](#); [2003, 1410](#); [2009, 1917](#))

**NRS 489.4977 Administrator may answer petition; compromise of claims.**

1. The Administrator may answer and defend any action against the Account in the name of the defendant and may use any appropriate method of review on behalf of the Account.

2. The judgment set forth in the petition must be considered as prima facie evidence only and the findings of fact in it are not conclusive for the purposes of this chapter.

3. The Administrator may, subject to court approval, compromise a claim based upon the application of the judgment creditor. The Administrator shall not be bound by any prior compromise of the judgment debtor.

(Added to NRS by 1981, 1850)

**NRS 489.4979 Court order requiring payment from Account.** After the hearing, if the court finds that a claim may be made against the Account, the court shall enter an order directing the Administrator to pay from the Account an amount within the limitations set by [NRS 489.4975](#) and [489.4983](#).

(Added to NRS by 1981, 1851)

**NRS 489.4981 Automatic suspension of license upon court order requiring payment; conditions for reinstatement of license.** If the Administrator pays any amount in settlement of a claim or towards satisfaction of a judgment against a licensee from the Account, the license is automatically suspended upon the effective date of an order by the court authorizing payment from the Account. A licensee may not be granted reinstatement until the licensee has repaid in full, plus interest at the rate of 12 percent per annum, the amount paid from the Account on his or her behalf. Interest is to be computed from the date payment from the Account is made.

(Added to NRS by 1981, 1851; A 1983, 790)

**NRS 489.4983 Distribution of payment if claims exceed Account's maximum liability; satisfaction of unpaid claims when balance becomes sufficient.**

1. Whenever multiple claims against a licensee are filed against the Account and they exceed in the aggregate \$100,000, the maximum liability of the Account for the licensee must be distributed among the claimants in the ratio that their respective claims bear to the total of all claims, or in any other manner that the court may find equitable.

2. The distribution must be made without regard to the order of priority in which the claims were filed or judgments entered.

3. Upon the petition of the Administrator, the court may require all claimants and prospective claimants to be joined in one action so that the respective rights of all claimants may be equitably determined.

4. If, at any time, the money deposited in the Account is insufficient to satisfy any authorized claim or portion of a claim, the Administrator shall, when sufficient money has been deposited in the Account, satisfy the unpaid claims or portions thereof, in the order that the claims or portions thereof were originally filed, plus accumulated interest at the rate of 6 percent per annum.

(Added to NRS by 1981, 1850)

**NRS 489.4985 Administrator's right to subrogation.** When the Administrator has paid from the Account any sum to the judgment creditor, the Administrator is subrogated to all other rights of the judgment creditor and the judgment creditor shall assign all his or her right, title and interest in the judgment to the Administrator and any amount and interest so recovered by the Administrator on the judgment must be deposited in the Account.

(Added to NRS by 1981, 1851)

**NRS 489.4987 Waiver of rights.** The failure of a person to comply with any of the provisions of [NRS 489.497](#) to [489.4989](#), inclusive, constitutes a waiver of any rights under those sections.  
(Added to NRS by 1981, 1851)

**NRS 489.4989 Disciplinary action against licensee not restricted for violation of law or regulation.** Nothing contained in [NRS 489.497](#) to [489.4989](#), inclusive, limits the authority of the Administrator to take disciplinary action against a licensee for a violation of any of the provisions of this chapter or of the regulations of the Division, nor does the repayment in full of obligations to the Account by any licensee nullify or modify the effect of any other disciplinary proceeding brought pursuant to the provisions of this chapter or the regulations adopted under it.  
(Added to NRS by 1981, 1851)

## CERTIFICATES OF OWNERSHIP

**NRS 489.501 Dealer to complete report of sale when new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing is sold; buyer to sign acknowledgment of taxes; distribution of report of sale.**

1. When a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing is sold in this State by a dealer, the dealer shall complete a report of sale. The report of sale must be in a form prescribed by the Division and include a description of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, the name and address of the seller and the name and address of the buyer. If in connection with the sale a security interest is taken or retained by the seller or dealer to secure all or part of the purchase price, or a security interest is taken by a person who gives value to enable the buyer to acquire rights in the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, the name and address of the secured party or an assignee thereof must be entered on the report of sale.

2. The dealer shall require the buyer to sign an acknowledgment of taxes, on a form prescribed by the Division, which includes a statement that a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing is taxable in the county in which it is located. A dealer who sells a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing shall deliver the buyer's copy of the acknowledgment of taxes to the buyer at the time of sale and submit another copy within 30 days after the date of the sale to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing will be located.

3. The dealer shall submit the original of the report of sale and the manufacturer's certificate or statement of origin to the Division within 30 days after the execution of all instruments which the contract of sale required to be executed at the time of sale or within 30 days after the date of sale, whichever is later, unless an extension of time is granted by the Division.

4. A dealer who sells a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing shall deliver the buyer's copy of the report of sale to the buyer at the time of sale and submit another copy within 30 days after the date of the sale to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing will be located.

(Added to NRS by 1979, 1210; A 1981, 1192; 1983, 791; [1997, 190](#), [1588](#); [2009, 1918](#))

**NRS 489.511 Dealer to complete dealer's report of sale when used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold; distribution of dealer's report of sale; buyer to sign acknowledgment of taxes; submission of information to Division when ownership does not pass immediately to buyer.**

1. If a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold in this State by a dealer, the dealer shall complete a dealer's report of sale. The report must be in a form prescribed by the Division and include a description of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, the name and address of the seller and the name and address of the buyer. If a security interest exists at the time of the sale, or if in connection with the sale a security interest is taken or retained by the seller or dealer to secure all or part of the purchase price, or a security interest is taken by a person who gives value to enable the buyer to acquire rights in the manufactured home, mobile

home, manufactured building, commercial coach or factory-built housing, the name and address of the secured party must be entered on the dealer's report of sale.

2. The dealer shall submit the original of the dealer's report of sale to the Division within 45 days after the execution of all instruments which the contract of sale requires to be executed at the time of the sale, unless an extension of time is granted by the Division, together with the endorsed certificate of title or certificate of ownership previously issued. The dealer shall furnish one copy of the report of sale to the buyer at the time of the sale. Within 45 days after the sale, the dealer shall furnish one copy of the report of sale to the assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing will be located.

3. The dealer shall require the buyer to sign an acknowledgment of taxes, on a form prescribed by the Division, which includes a statement that the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is taxable in the county in which it is located. The dealer shall deliver the buyer's copy of the acknowledgment to the buyer at the time of sale and submit another copy to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is to be located.

4. If a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold by a dealer pursuant to an installment contract or other agreement by which the certificate of title or certificate of ownership does not pass immediately from the seller to the buyer upon the sale, the dealer shall submit to the Division any information required by the regulations adopted by the Administrator pursuant to [NRS 489.272](#).

(Added to NRS by 1979, 1211; A 1983, 791; 1993, 233; [1997, 190](#); [1999, 2778](#); [2005, 1639](#); [2009, 1919](#))

**NRS 489.521 Sale of used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing by person who is not dealer: Documents and statement to be submitted to Division and county assessor.**

1. If a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold in this State by a person who is not a dealer, the seller or buyer, or both, shall submit to the Division, and a copy to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is located, within 45 days after the sale:

(a) If a certificate of ownership has been issued in this State, that certificate properly endorsed.

(b) If a certificate of title or other document of title has been issued by a public authority of another state, territory or country:

(1) The certificate or document properly endorsed; and

(2) A statement showing, if not included on the endorsed certificate or document, the description of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, the names and addresses of the buyer and seller, and the name and address of any person who takes or retains a purchase money security interest. The statement must be signed and acknowledged by the seller and buyer.

(c) If a document of title has not been issued by any public authority, a statement showing all the information and signed and acknowledged in the manner required by subparagraph (2) of paragraph (b).

2. If a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold by a person who is not a dealer pursuant to an installment contract or other agreement by which the certificate of title or certificate of ownership does not pass immediately from the seller to the buyer upon the sale, the seller or buyer, or both, shall submit to the Division any information required by the regulations adopted by the Administrator pursuant to [NRS 489.272](#).

(Added to NRS by 1979, 1211; A 1983, 792; 1993, 234; [1997, 1589](#); [2005, 1639](#); [2009, 1920](#))

**NRS 489.531 Payment of property taxes on used manufactured home or used mobile home prerequisite to issuance of certificate.**

1. The Division shall not issue a certificate of ownership of a used manufactured home or used mobile home unless the county assessor of the county in which the manufactured home or mobile home was situated at the time of sale has endorsed on the certificate that all personal property taxes on that manufactured home or mobile home for the fiscal year have been paid.

2. Every certificate of ownership issued for a used manufactured home or mobile home must contain a warning, printed or stamped on its face, to the effect that title to a used manufactured home or used mobile home does not pass until the county assessor of the county in which the manufactured home or mobile home was situated at the

time of the sale has endorsed on the certificate that all personal property taxes on that manufactured home or mobile home for the fiscal year have been paid.

(Added to NRS by 1979, 1209; A 1981, 1193; 1983, 792; 1991, 2107; 1993, 98)

**NRS 489.541 Issuance of certificate of title or certificate of ownership.**

1. Except as otherwise provided in subsections 4 and 5, upon receipt of the documents required by the Division, the Division shall issue a certificate of ownership.

2. If no security interest is created or exists in connection with the sale, the certificate of ownership must be issued to the buyer.

3. If a security interest is created by the sale, the certificate of ownership must be issued to the secured party or an assignee thereof, and must show the name of the registered owner.

4. The Division shall not issue a certificate of ownership for a mobile home that has been determined to be substandard until the conditions that rendered the mobile home substandard are abated.

5. The Division shall not issue a certificate of title or certificate of ownership for factory-built housing that constitutes real property pursuant to subsection 4 of [NRS 361.244](#).

(Added to NRS by 1979, 1210; A 1993, 2053; [2009, 1920](#))

**NRS 489.551 Endorsement of certificate upon transfer.** Upon a transfer of the title to or the interest of an owner in a manufactured home, mobile home or commercial coach for which a certificate of ownership is issued pursuant to the provisions of this chapter, the person whose title or interest is to be transferred and the transferee shall write their signatures with ink upon the certificate of ownership issued for the manufactured home, mobile home or commercial coach, together with the residence address of the transferee, in the appropriate spaces provided upon the reverse side of the certificate. Each signature written upon a certificate of ownership pursuant to the provisions of this section must be notarized.

(Added to NRS by 1979, 1210; A 1983, 792; [2001, 489](#))

**NRS 489.561 Issuance of certificate when transferee unable to present previously issued certificate.**

Whenever an application is made to the Division for title of a manufactured home, mobile home or commercial coach previously titled and the applicant is unable to present the certificate of ownership previously issued because it is lost or being unlawfully detained by one in possession or is not otherwise available, the Division may receive the application and examine the circumstances of the case and require the filing of affidavits or other information. When the Division is satisfied that the applicant is entitled to a certificate of ownership, it may issue the certificate on the manufactured home, mobile home or commercial coach.

(Added to NRS by 1979, 1210; A 1983, 793)

**NRS 489.571 Issuance of certificate to secured parties; delivery of certificate following performance of contract or security agreement.**

1. Whenever a security interest is created in a manufactured home, mobile home or commercial coach, the certificate of ownership must be delivered to the Division with a statement signed by the debtor showing the date of the security agreement, the names and addresses of the debtor and the secured party.

2. The Division shall issue to the secured party a certificate of ownership with the name and address of the secured party and the name and address of the registered owner noted on it. If the security interest is subsequently acquired by another person, or if there is a change in the name or address of the secured party, the secured party shall apply to the Division for a corrected certificate of ownership.

3. When the contract or terms of the security agreement have been fully performed, the seller or other secured party who holds the certificate of ownership shall deliver the certificate to the person legally entitled to it with proper evidence of the termination or release of the security interest.

(Added to NRS by 1979, 1211; A 1983, 793; 1991, 1723)

**NRS 489.581 Rights and duties of debtor and secured party; perfection and release of security interest.**

Compliance with the provisions of this chapter relating to a security interest in a manufactured home, mobile home or commercial coach is sufficient for the perfection and release of that security interest. In all other respects the rights and duties of the debtor and secured party are governed by the Uniform Commercial Code—Secured Transactions and [chapter 97](#) of NRS to the extent applicable.

(Added to NRS by 1979, 1211; A 1983, 793; 1985, 303)

## LABELS AND CERTIFICATES OF INSTALLATION

**NRS 489.591 Division required to adopt regulations concerning issuance.** The Division shall adopt regulations concerning the issuance of:

1. Certificates of installation issued by the Division which certify that the manufactured home, mobile home or commercial coach was installed in compliance with regulations adopted by the Division.
  2. Labels of installation issued by the Division which must be attached to a manufactured home, mobile home or commercial coach after the certificate of installation has been issued and removed when the manufactured home, mobile home or commercial coach is moved from the location it occupied when the certificate was issued.
- (Added to NRS by 1979, 1209; A 1983, 782)

**NRS 489.593 Certificates of installation: Contents.** Each certificate of installation issued by the Division for a manufactured home or mobile home must include the following information:

1. The name of the Administrator;
  2. The address and telephone number of each office of the Division;
  3. The legal rights of owners of manufactured homes and mobile homes;
  4. The procedure for filing a complaint with the Administrator;
  5. The procedure for resolution of disputes between owners of manufactured homes or mobile homes and persons licensed by the Division; and
  6. Any other information prescribed by the Administrator.
- (Added to NRS by 1991, 2047)

**NRS 489.595 Certificates of installation: Dealer required to provide copy to purchaser of new manufactured home; sample copies.** A dealer shall provide a copy of the certificate of installation described in [NRS 489.593](#) to each purchaser of a new manufactured home. The Division shall make available sample copies of certificates of installation to all licensed dealers for distribution to prospective purchasers.

(Added to NRS by 1991, 2047)

**NRS 489.596 Training regarding inspections necessary for issuance of certificates of installation and labels of installation.**

1. The Division, in cooperation with manufacturers and organizations concerned with manufactured homes and mobile homes, shall conduct one or more training programs each year regarding appropriate methods and techniques for conducting any inspections necessary for the issuance of certificates of installation and labels of installation for manufactured homes and mobile homes.
  2. The Division shall pay for the expenses of conducting the programs from money in the Account for Education and Recovery Relating to Manufactured Housing.
- (Added to NRS by 1993, 1185)

**NRS 489.5965 Issuance of certificate of installation or label of installation without completing training program prohibited.** No person may issue a certificate of installation or label of installation for a manufactured home or mobile home unless the person has successfully completed, within the preceding 12 months, a training program conducted pursuant to [NRS 489.596](#).

(Added to NRS by 1993, 1186)

**NRS 489.597 Administrator required to adopt regulations.** The Administrator shall adopt regulations to carry out the provisions of [NRS 489.593](#) to [489.5965](#), inclusive.

(Added to NRS by 1991, 2047; A 1993, 1187)

## TRIP PERMITS

**NRS 489.611 Permit required for movement upon highways or roads; exceptions.**

1. Except as provided in subsection 2, no manufactured home, mobile home or commercial coach may be moved upon the highways or roads of this state through use of any valid license plate unless a proper trip permit is obtained and displayed.
2. [NRS 489.621](#) to [489.661](#), inclusive, do not apply to manufactured homes, mobile homes or commercial coaches moved:
  - (a) Through this state from and to points outside Nevada.

(b) Into this state with a valid license plate or permit from another state.

(c) With any valid license plate when movement is from:

(1) The place of manufacture of the manufactured home, mobile home or commercial coach to the place of business of a dealer licensed under this chapter;

(2) One dealer lot to another; or

(3) A dealer lot to the place of delivery to that dealer's buyer.

(Added to NRS by 1979, 1212; A 1983, 794)

**NRS 489.621 Application; fee and required proof; expiration; use.**

1. Except as otherwise provided in [NRS 489.611](#), any person who moves a manufactured home, mobile home or commercial coach upon any highway or road in this state shall, before that movement, apply to the county assessor for a trip permit. The assessor of the county from which the manufactured home, mobile home or commercial coach is to be moved shall issue a trip permit for each section of the manufactured home, mobile home or commercial coach upon application presented in the form prescribed by the Division, payment of a fee of \$5 for each permit, and proof satisfactory to the assessor of ownership and that all property taxes, for the full year in which the permit is to be used, and use taxes if applicable, levied against the manufactured home, mobile home or commercial coach and its contents have been paid.

2. The trip permit authorizes movement over the highways and roads for not more than 5 consecutive working days following the date of issuance and the application and permit respectively must be used in lieu only of any certificate of registration and vehicle license number plate required by law.

(Added to NRS by 1979, 1213; A 1981, 1193; 1983, 794; 1989, 1832)

**NRS 489.631 Contents of application; duties of county assessor.**

1. The application for a trip permit must contain any information required by the Division, and the name of the owner of the manufactured home, mobile home or commercial coach, the make, model and serial number of the manufactured home, mobile home or commercial coach, the location of the place from which it was moved, the address of the place to which it is to be moved, the amount of all property taxes paid for the manufactured home, mobile home or commercial coach for the year in which the permit will be used, the expiration date of the permit and the signature of the county assessor or designee of the county assessor.

2. The county assessor shall, within 10 days after issuing the trip permit, forward a copy of the application:

(a) To the Division; and

(b) To the assessor of the county where the manufactured home, mobile home or commercial coach will be located, unless the manufactured home, mobile home or commercial coach is to leave this state.

3. The county assessor shall also provide a copy of the application:

(a) For use by the operator of the vehicle moving the manufactured home, mobile home or commercial coach and the operator shall keep a copy of the application in his or her possession at all times during the movement.

(b) To the owner of the manufactured home, mobile home or commercial coach.

(Added to NRS by 1979, 1213; A 1983, 794; 1989, 1832)

**NRS 489.641 Size, shape, form and display of permit.**

1. The Division shall determine the size, shape and form of the trip permit which may be part of a single form also containing the application for the permit. Each permit must bear the month and day of expiration in numerals of sufficient size to be plainly readable from a reasonable distance during daylight.

2. The trip permit must be prominently displayed on the rear of each section of the manufactured home, mobile home or commercial coach in the manner prescribed by the Division at all times during which the manufactured home, mobile home or commercial coach is moved upon any highway or road. The permit must be made and displayed in a manner that renders the permit unusable when removed from the manufactured home, mobile home or commercial coach.

(Added to NRS by 1979, 1213; A 1981, 1194; 1983, 795)

**NRS 489.651 Supplies of forms; disposition of fees.**

1. The Division shall provide each county assessor with a sufficient quantity of application and permit forms.

2. The assessor or an appropriate officer shall remit one-half of the fee collected for the trip permit monthly to the Division for deposit in the Fund for Manufactured Housing.

(Added to NRS by 1979, 1214; A 1985, 303)

**NRS 489.661 Violations; penalty; seizure of manufactured home, mobile home or commercial coach.**

1. Any person who moves a manufactured home, mobile home or commercial coach in violation of the provisions of [NRS 489.611](#) to [489.651](#), inclusive, is guilty of a misdemeanor.

2. If a manufactured home, mobile home or commercial coach is moved upon any highway or road in the State in violation of any of the provisions of [NRS 489.611](#) to [489.651](#), inclusive, the Division, any member of the Nevada Highway Patrol or any peace officer in the State shall seize and hold the manufactured home, mobile home or commercial coach until presented with a copy of the application and trip permit required by [NRS 489.621](#) to [489.661](#), inclusive.

(Added to NRS by 1979, 1214; A 1983, 795)

## **EQUIPMENT; FIXTURES**

### **NRS 489.701 Smoke detectors required for mobile homes, commercial coaches, travel trailers and manufactured homes sold or used for residential purposes in State; interconnectivity devices.**

1. Any mobile home, commercial coach or travel trailer sold or used for residential purposes in this State must be equipped with a smoke detector which meets standards approved by the State Fire Marshal.

2. Any manufactured home sold or used for residential purposes in this State must be equipped with a smoke detector which meets federal construction and safety standards for manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.).

3. An interconnectivity device for smoke detectors is not required to be installed in a mobile home or manufactured home that was not designed and produced by the manufacturer to accommodate such a device.

(Added to NRS by 1979, 986; A 1983, 795; [2005, 2333](#))

### **NRS 489.706 Newly constructed mobile and manufactured homes: Minimal standards for plumbing fixtures.**

1. Except as otherwise provided in subsection 2, each manufactured home or mobile home on which construction begins on or after March 1, 1992, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 3.5 gallons of water per flush.

(b) A shower apparatus which uses more than 3 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 3 gallons of water or less per minute.

(c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 3 gallons per minute.

2. Each manufactured home or mobile home on which construction begins on or after March 1, 1993, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 1.6 gallons of water per flush.

(b) A shower apparatus which uses more than 2.5 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 2.5 gallons of water or less per minute.

(c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 2.5 gallons per minute.

(Added to NRS by 1991, 1169)

## **TAXATION**

**NRS 489.711 Dealer exempt from property tax on inventory.** Notwithstanding the provisions of [chapters 361](#) and [482](#) of NRS or any other law, no dealer may be required to pay any property tax, either as tax on inventory or on individual manufactured homes, mobile homes or commercial coaches, on any manufactured home, mobile home or commercial coach of which the dealer takes possession and holds for sale in the ordinary course of business.

(Added to NRS by 1979, 1212; A 1983, 795)

## **CONTRACTS AND OTHER LEGAL AGREEMENTS**

### **NRS 489.715 Disclosure of terms and conditions of offer to be contained in signed document; submission of signed offer.**

1. Full disclosure of all terms and conditions of an offer to sell, buy or lease a used manufactured home, used mobile home or used commercial coach must be set forth in writing and signed by the seller, buyer and dealer.

2. Any offer to purchase or lease a used manufactured home, used mobile home or used commercial coach must be submitted within 5 days after the offer is made to the owner or the authorized agent of the owner for approval or disapproval. The offer must be in writing and signed and dated by the person making the offer and by the dealer.

3. As used in this section, "authorized agent" does not include a dealer or an employee or agent of the dealer.

(Added to NRS by 1981, 1190; A 1983, 796; [1999, 862](#))

**NRS 489.7152 Form of contracts to be used by dealer for sale and listing of manufactured home, mobile home or commercial coach; disciplinary action for failure to use forms.** The Administrator shall prescribe the form of the contracts that must be used by a dealer for the sale and listing for sale of a manufactured home, mobile home or commercial coach. A dealer who fails to use the forms prescribed by the Administrator pursuant to this section is subject to disciplinary action pursuant to [NRS 489.381](#).

(Added to NRS by [1999, 860](#); A [2005, 664, 1640](#))

**NRS 489.7154 Contract for sale or exchange of interest in mobile home, manufactured home, manufactured building or commercial coach or factory-built housing: Essential provisions required before buyer may sign; dealer authorized to insert certain information after contract signed by buyer; regulations.**

1. Except as otherwise provided in subsection 2, a dealer shall not obtain or attempt to obtain the signature of a buyer on a contract for the sale or exchange of an interest in a mobile home, manufactured home, manufactured building or commercial coach or factory-built housing if any of the essential provisions of the contract are not set forth in the contract.

2. The dealer may insert:

(a) The identification number or identifying marks of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing; and

(b) The date the first installment payment for the sale or exchange is due from the buyer,

↳ into the blank spaces of a contract after the contract has been signed by a buyer if the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing was not delivered to the buyer on the date the contract was executed.

3. The Administrator shall prescribe, by regulation, the essential provisions of a contract.

(Added to NRS by [1999, 860](#); A [2009, 1921](#))

**NRS 489.7156 Requirements for enforceability of brokerage agreement granting dealer exclusive right to assist, solicit or negotiate sale or exchange of interest in manufactured home, mobile home, manufactured building or commercial coach or factory-built housing.** A brokerage agreement that includes a provision that grants a dealer the exclusive right to assist, solicit or negotiate the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing on behalf of a client is enforceable if the agreement:

1. Is in writing;

2. Sets forth the date the brokerage agreement expires;

3. Does not require the client to perform any act concerning the brokerage agreement after the agreement expires; and

4. Is signed by the client or the client's representative and the dealer or the dealer's representative.

(Added to NRS by [1999, 859](#); A [2009, 1921](#))

**NRS 489.7158 Brokerage agreements: Duties of dealer; dealer prohibited from entering unless dealer determines client able to deliver good title.**

1. A dealer who has entered into a brokerage agreement with a client for the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing shall:

(a) Seek the price and terms for the sale or exchange that are set forth in the brokerage agreement or are approved by the client;

(b) Present all offers made to or by the client as soon as practicable;

(c) Disclose to the client all the material facts known by the dealer concerning the sale or exchange;

(d) Advise the client to obtain advice from an expert concerning any matters that are beyond the knowledge or expertise of the dealer;

(e) As soon as practicable, account for all money and property the dealer receives in which the client may have a financial interest; and

(f) As soon as practicable, deliver to each party a copy of the executed contract for the sale or exchange.

2. A dealer shall not enter into a brokerage agreement with a client for the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing unless the dealer has determined that the client will be able to deliver good title upon the execution of the sale or exchange of the interest in the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing.

(Added to NRS by [1999, 859](#); A [2009, 1921](#))

**NRS 489.716 Work pertinent to sale, installation and occupancy of manufactured home: Authority of certain dealers to enter into written agreements with providers of service; buyer not to be required to obtain services from specific provider; written disclosure; provider of services required under certain circumstances to enter into written agreement with person for whom services will be performed.**

1. A dealer of new manufactured homes who is licensed pursuant to [chapter 624](#) of NRS may enter into written agreements pursuant to which appropriately licensed providers of service agree to perform work pertinent to the sale, installation and occupancy of a manufactured home. If such a dealer enters into such a written agreement, the dealer is responsible for the workmanship and completion of all parts of the project involving the sale, installation and occupancy of the manufactured home, including, without limitation, any work performed by a provider of service pursuant to the written agreement.

2. A dealer of manufactured homes, regardless of whether the dealer is licensed pursuant to [chapter 624](#) of NRS, shall not require a buyer of a manufactured home to obtain services to be performed pertinent to the sale, installation or occupancy of the manufactured home from a specific provider. The dealer shall disclose to the buyer in writing the fact that the dealer is prohibited from requiring the buyer to obtain such services from a specific provider of services.

3. Before performing any work, a provider of services shall enter into a written agreement with each person for whom the provider of services will perform work which is pertinent to the sale, installation or occupancy of a manufactured home, including, without limitation, a dealer of manufactured homes, a person who owns a manufactured home and any person who is purchasing a manufactured home. The written agreement must include provisions specifying:

- (a) The scope of work;
- (b) The cost for completion of the work;
- (c) The date on which work will begin;
- (d) The anticipated date for completion of the work; and
- (e) That no additional work may be performed and no additional costs may be charged unless agreed to in writing before the additional work is performed or costs are incurred.

4. As used in this section, "provider of services" means any person who performs work pertinent to the sale, installation and occupancy of a new manufactured home.

(Added to NRS by [2003, 586](#); A [2007, 384](#))

#### **FINANCIAL AND FIDUCIARY DUTIES OF DEALER**

**NRS 489.717 Dealer prohibited from requiring purchaser to obtain loan or financing from specific person; disclosure of prohibition to purchaser; regulations.**

1. A dealer shall not require a person to obtain a loan or financing from the dealer or any other person as a condition to the purchase, sale or exchange of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing.

2. A dealer shall disclose the substance of subsection 1 to each person with whom the dealer agrees to purchase, sell or exchange a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. The Division may adopt regulations concerning the form and manner of the disclosure.

(Added to NRS by 1987, 2087; A [2009, 1922](#))

**NRS 489.721 Deposit of receipts from sale of commercial coach in fiduciary account.** Any dealer who does not have title to a commercial coach must deposit any money received from the sale of that commercial coach in a fiduciary account until the sale is completed or terminated.

(Added to NRS by 1979, 1212; A 1981, 1299)

**NRS 489.723 Money received by dealer concerning sale or exchange of interest in manufactured home, mobile home, manufactured building or commercial coach or factory-built housing: Duties of dealer; distribution of money; exceptions.**

1. Any money that a dealer receives from a client or other person concerning the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing must be accounted for by the dealer when:

(a) The sale or exchange of the interest in the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is executed; or

(b) The contract for the sale or exchange of the interest in the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is rescinded by the dealer, client or any other person,

↳ whichever occurs earlier.

2. The dealer shall:

(a) Prepare or cause to be prepared a written itemized statement concerning each expenditure or deduction of money made by the dealer;

(b) Deliver or cause to be delivered to each person from whom the dealer received money a copy of the written itemized statement; and

(c) Maintain a copy of the written itemized statement at the dealer's place of business.

3. Except as otherwise provided in a brokerage agreement or an escrow agreement signed by the parties to a sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing and the escrow agent or escrow officer licensed pursuant to the provisions of [chapter 645A](#) or [692A](#) of NRS, no money concerning that sale or exchange held by a dealer may be distributed until:

(a) An application for:

(1) A certificate of ownership for the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing; or

(2) A certificate of title or certificate of ownership that does not pass immediately upon the sale or transfer of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing,

↳ has been submitted to the Division;

(b) Each person who has a financial interest in the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing has executed a document that releases or waives the person's interest; and

(c) Each party to the sale or exchange has complied with the requirements for the sale or exchange that are set forth in the regulations adopted pursuant to the provisions of this chapter.

(Added to NRS by [1999, 858](#); A [2009, 1922](#))

**NRS 489.7235 Authority of Division to investigate and audit financial account related to business of dealer or distributor; regulations governing scope of audit.**

1. The Division may investigate and audit any financial account, including, without limitation, any trust account, related to the business of a dealer or distributor if:

(a) The Division has reasonable cause to believe that the dealer or distributor is using or has used the account to carry on the business of the dealer or distributor; and

(b) The Division:

(1) Has reasonable cause to believe or has received a credible complaint that the dealer or distributor is insolvent or is in a financial condition, or has engaged in a financial practice, which creates a substantial risk of insolvency; or

(2) Determines that the investigation and audit are reasonably necessary to assist the Division in administering or enforcing any provision of law.

2. The Administrator shall adopt regulations prescribing the scope of an audit conducted pursuant to this section.

3. As used in this section, "insolvency" or "insolvent" means a condition under which a dealer or distributor is unable to meet the liabilities of his or her business as they become due in the regular course of business and which creates a substantial risk of harm to the public or a consumer.

(Added to NRS by [2009, 1900](#))

**NRS 489.724 Money received by dealer on behalf of principal or another: Deposit in escrow account or separate trust account; maintenance of records and other requirements of dealer concerning separate trust account; responsibility and liability of dealer for money; certain information to be provided to Division concerning separate trust account.**

1. All down payments, deposits of earnest money, proceeds of loans or other money which a dealer receives on behalf of his or her principal or any other person must be deposited in:

(a) An escrow account maintained by an escrow agent or escrow officer licensed pursuant to [chapter 645A](#) or [692A](#) of NRS; or

(b) A separate checking account, which must be designated a trust account, in a financial institution in this State whose deposits are insured by an agency of the Federal Government or by a private insurer approved pursuant to [NRS 678.755](#).

2. Every dealer required to maintain a separate or trust account shall keep records of all money deposited therein. The records must clearly indicate the date and from whom the dealer received money, the date deposited, the dates of withdrawals and other pertinent information concerning the transaction, and must show clearly for whose account the money is deposited and to whom the money belongs. All such records and money are subject to inspection and audit by the Division and its authorized representatives pursuant to [NRS 489.7235](#). All such separate trust accounts must designate the dealer as trustee and provide for the withdrawal of money without previous notice. The dealer shall balance each separate trust account at least monthly. The dealer shall provide to the Division, on a form provided by the Division, an annual accounting which shows an annual reconciliation of each separate trust account.

3. All money deposited in a separate trust account from down payments, deposits of earnest money, proceeds of loans or other money received by a dealer from a person pursuant to a written contract signed by the dealer and that person must not be withdrawn from the account except to pay specific expenses as authorized by the written contract. The dealer is personally responsible and liable for such money at all times. A dealer shall not permit any advance payment of money belonging to another person to be deposited in the dealer's business or personal account or to be commingled with any money the dealer has on deposit.

4. Each dealer shall notify the Division of the names of the financial institutions in which the dealer maintains trust accounts and specify the names of the accounts on forms provided by the Division.

(Added to NRS by 1983, 379; A 1985, 810; [1997, 212](#); [1999, 1506](#); [2009, 1923](#))

**NRS 489.727 Dealer prohibited from commingling money or other property.** A dealer shall not commingle the money or other property of a seller or purchaser of a manufactured home or a mobile home with his or her own.

(Added to NRS by 1983, 380; A 1983, 799)

**NRS 489.729 Dealer required to satisfy outstanding security interest in mobile home, manufactured home, manufactured building or commercial coach or factory-built housing taken in trade.** If a licensed dealer takes a mobile home, manufactured home, manufactured building or commercial coach or factory-built housing in trade on the purchase of another such home, building or coach and there is an outstanding security interest, the licensed dealer shall satisfy the outstanding security interest within 30 days after the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is taken in trade on the purchase of the other home, building or coach.

(Added to NRS by 1987, 147; A [2009, 1923](#))

## MISCELLANEOUS PROVISIONS

**NRS 489.731 Restrictions on leasing of vacant lots.** Unless further restricted by a local ordinance, if more than 80 percent of the lots in the park where it is situated are occupied, it is unlawful for a dealer, general serviceperson, specialty serviceperson or salesperson to rent or lease a vacant mobile home lot unless:

1. Within 60 days he or she takes up residence in a manufactured home or mobile home placed upon the lot; or

2. He or she releases the lot to a qualified tenant.

➤ After the expiration of 60 days after the date of rental of the lot to the dealer, general serviceperson, specialty serviceperson or salesperson, any qualified tenant is entitled, upon written request to the landlord, to obtain release of the lot.

(Added to NRS by 1979, 1880; A 1983, 796; [2005, 1640](#))

**NRS 489.741 Limitation of actions against Division and its employees.** No right of action exists in favor of any person by reason of any action or failure to act on the part of the Division or any of its officers or employees in carrying out the provisions of this chapter, or in giving or failing to give any information concerning the legal ownership of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing or the existence of a security interest in it.

(Added to NRS by 1979, 1212; A 1983, 796; [2009, 1924](#))

**NRS 489.751 Implied warranty by dealer of working order of essential systems.**

1. Unless otherwise specifically waived in writing by the buyer, for each sale in which the dealer is the seller or an agent of the seller, there is an implied warranty by the dealer that all the essential systems are in working order upon the execution of the sale. For the purposes of this subsection, the words “as is” or any similar words do not constitute a waiver of the implied warranty unless the words specifically refer to a specific component of an essential system.

2. As used in this section, “essential system” means the heating, air-conditioning, electrical, plumbing and drainage systems of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing.

(Added to NRS by [1999, 860](#); A [2009, 1924](#))

**NRS 489.756 Established place of business to display sign; contents; conformance to regulations.** Each established place of business, including each branch office of that business, must display a sign that:

1. Includes the name under which business is conducted pursuant to a license issued pursuant to this chapter; and
2. Conforms to any regulations adopted by the Division relating to the size and placement of the sign.

(Added to NRS by [2005, 1626](#))

### **DISCLOSURE THAT HOME, BUILDING OR COACH HAS BEEN USED IN MANUFACTURE OF METHAMPHETAMINE**

**NRS 489.770 Definitions.** As used in [NRS 489.770](#) to [489.780](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 489.772](#) and [489.774](#) have the meanings ascribed to them in those sections.

(Added to NRS by [2003, 1340](#))

**NRS 489.772 “Transferee” defined.** “Transferee” means any person who purchases, leases or otherwise takes possession or attempts to purchase, lease or otherwise take possession of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing or any interest therein from a transferor.

(Added to NRS by [2003, 1340](#); A [2009, 1924](#))

**NRS 489.774 “Transferor” defined.** “Transferor” means any person who:

1. Sells or leases or attempts to sell or lease a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing or any interest therein to a transferee; or
2. Transfers or attempts to transfer a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing or any interest therein to a transferee in any other manner.

(Added to NRS by [2003, 1340](#); A [2009, 1924](#))

**NRS 489.776 Duties of transferor or agent; when disclosure not required; regulations.**

1. Except as otherwise provided in this section and unless required to make a disclosure pursuant to [NRS 40.770](#), if a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing is or has been the site of a crime that involves the manufacturing of any material, compound, mixture or preparation which contains any quantity of methamphetamine, a transferor or his or her agent who has actual knowledge of such information shall disclose the information to a transferee or his or her agent.

2. The disclosure described in subsection 1 is not required if:

(a) All materials and substances involving methamphetamine have been removed from or remediated on the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing by an entity certified or licensed to do so; or

(b) The manufactured home, mobile home, manufactured building, commercial coach or factory-built housing has been deemed safe for habitation by the board of health.

3. The disclosure described in subsection 1 is not required for any sale or other transfer or intended sale or other transfer of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing by a transferor:

(a) To any co-owner of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, the spouse of the transferor or a person related within the third degree of consanguinity or affinity to the transferor; or

(b) If the transferor is a dealer and this is the first sale or transfer of a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing.

4. The Division may adopt regulations to carry out the provisions of this section.

5. As used in this section, “board of health” has the meaning ascribed to it in [NRS 439.4797](#).

(Added to NRS by [2003, 1340](#); A [2009, 828, 1924](#))

**NRS 489.778 Potential liability of transferor and agent to transferee; options of transferee upon disclosure; rights and remedies additional.**

1. A transferor or his or her agent, or both, who violates any provision of [NRS 489.776](#) may be held liable to the transferee in any action at law or in equity.

2. An agent of a transferee who has actual knowledge of any information required to be disclosed pursuant to [NRS 489.776](#) may be held liable to the transferee in any action at law or in equity if the agent fails to disclose that information to the transferee.

3. If a transferor makes a disclosure pursuant to [NRS 489.776](#), the transferee may:

(a) Rescind the agreement to purchase, lease or take possession of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing;

(b) Make the agreement to purchase, lease or take possession of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing contingent upon the repair of any damage to the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing that has been caused by the manufacturing of any material, compound, mixture or preparation which contains any quantity of methamphetamine; or

(c) Accept the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing with the damage as disclosed by the transferor without further recourse.

4. The rights and remedies provided by this section are in addition to any other rights or remedies that may exist at law or in equity.

(Added to NRS by [2003, 1340](#); A [2009, 1925](#))

**NRS 489.780 Grounds for disciplinary action against licensed dealer or salesperson.** The failure of a licensed dealer or salesperson to make the disclosure required pursuant to [NRS 489.776](#) constitutes grounds for disciplinary action pursuant to [NRS 489.381](#).

(Added to NRS by [2003, 1341](#); A [2005, 1641](#))

## UNLAWFUL ACTS; PENALTIES

**NRS 489.801 Manufacture or sale of noncomplying unit; sale without certificate or label of compliance; false certification; notification of defects; failure to permit access; disclosure of contents of examination; use of unsafe unit.**

1. It is unlawful for any person to manufacture any manufactured home, mobile home, travel trailer or commercial coach unless the manufactured home, mobile home, travel trailer or commercial coach and its components and systems are constructed and assembled according to the standards prescribed pursuant to the provisions of this chapter.

2. It is unlawful for any person knowingly to sell or offer for sale any manufactured home which has been constructed on or after June 15, 1976, unless the manufactured home and its components and systems have been constructed and assembled according to the standards prescribed pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.).

3. Any person who knowingly sells or offers to sell in this state any manufactured home, mobile home or commercial coach for which a certificate or label of compliance is required under this chapter, which does not bear a certificate or label of compliance, is liable for the penalties provided in [NRS 489.811](#) and [489.821](#).

4. It is unlawful for any person to issue a certification which states that a manufactured home conforms to all applicable federal standards for safety and construction if that person, in the exercise of due care, has reason to know that the certification is false or misleading in any material respect.

5. It is unlawful for a manufacturer to fail to furnish notification of defects relating to construction or safety, as required by the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C. § 5414).

6. It is unlawful for any person to fail or refuse to permit access by the Administrator to the documentary materials set forth in [NRS 489.231](#).

7. It is unlawful for any person, without authorization from the Division, to disclose or obtain the contents of an examination given by the Division.

8. It is unlawful for any person to use a manufactured home or mobile home as living quarters or for human occupancy, respectively, if the manufactured home or mobile home violates a standard of safety set forth in

regulations adopted pursuant to subsection 1 of [NRS 489.251](#), concerning installation, tie down, and support of manufactured homes and mobile homes.

(Added to NRS by 1979, 1207; A 1981, 1194; 1983, 796, 797)

**NRS 489.806 Bidding, contracting or otherwise acting in capacity of licensee without having license: Prohibition; prosecution; payment of costs and damages; violative bids and contracts deemed void.**

1. It is unlawful for any person or combination of persons to:

(a) Engage in the business or act in the capacity of a licensee within this State, including, without limitation, commencing any work for which a license is required pursuant to this chapter; or

(b) Submit a bid or enter into a contract for a job located within this State for which a license is required pursuant to this chapter,

↳ without having a license issued pursuant to this chapter, unless that person or combination of persons is exempt from licensure pursuant to this chapter.

2. The district attorneys in this State shall prosecute all violations of this section which occur in their respective counties, unless the violations are prosecuted by the Attorney General. Upon the request of the Administrator, the Attorney General shall prosecute any violation of this section in lieu of prosecution by the district attorney.

3. In addition to any other remedy or penalty authorized pursuant to this chapter, any person or combination of persons convicted of violating any provision of subsection 1 may be required to pay:

(a) Court costs and the costs of prosecution;

(b) Reasonable costs of the investigation of the violation to the Division;

(c) Damages the person or combination of persons caused as a result of the violation up to the amount of any pecuniary gain from the violation; or

(d) Any combination of paragraphs (a), (b) and (c).

4. If any person or combination of persons submits a bid or enters into a contract in violation of subsection 1, the bid or contract shall be deemed void.

(Added to NRS by [2005, 1627](#))

**NRS 489.811 Civil penalties.**

1. Except as otherwise provided in subsection 5, any person who violates any of the provisions of this chapter is liable to the State for a civil penalty of not more than \$1,000 for each violation. Each violation of this chapter or any regulation or order issued under it constitutes a separate violation with respect to each manufactured home, mobile home, manufactured building, commercial coach or factory-built housing and with respect to each failure or refusal to allow or perform an act required by this chapter or regulation or order, except that the maximum civil penalty is \$1,000,000 for any related series of violations occurring within 1 year after the first violation.

2. Before the adoption of any regulation for whose violation a civil penalty may be imposed, the Administrator shall give at least 30 days' written notice to every licensed manufacturer, dealer, distributor, general serviceperson and specialty serviceperson, and every other interested party who has requested the notice.

3. An action to enforce a civil penalty must be brought in a court of competent jurisdiction in the county in which the defendant has his or her principal place of business.

4. All money collected as civil penalties pursuant to the provisions of this chapter must be deposited in the State General Fund.

5. This section does not apply to a manufacturer, distributor or dealer of travel trailers.

(Added to NRS by 1979, 1214; A 1983, 798; [2005, 1641](#); [2009, 1925](#))

**NRS 489.814 Administrative fines for certain violations related to licensing.**

1. If any person or combination of persons violates the provisions of [NRS 489.311](#) or subsection 1 of [NRS 489.806](#), the Administrator may impose an administrative fine of not less than \$1,000 nor more than \$10,000 for each violation.

2. An administrative fine imposed pursuant to this section is in addition to any other remedy or penalty authorized pursuant to this chapter.

3. If the administrative fine is not paid when due, the fine must be recovered in a civil action brought by the Attorney General on behalf of the Administrator.

(Added to NRS by [2005, 1628](#))

**NRS 489.821 Criminal penalties for certain actions and violations.**

1. A person is guilty of a gross misdemeanor who knowingly:

- (a) Makes any false entry on any certificate of origin or certificate of ownership.
  - (b) Furnishes false information to the Division concerning any security interest.
  - (c) Files with the Administrator any notice, statement or other document required under the provisions of this chapter which is false or contains any material misstatement of fact.
  - (d) Whether acting individually or as a director, officer or agent of a corporation, violates a provision of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., this chapter and [chapter 461](#) of NRS, and any regulations adopted pursuant thereto, causing a condition which endangers the health or safety of a purchaser of a manufactured home.
2. A dealer is guilty of a gross misdemeanor who knowingly:
- (a) Fails to maintain a trust account as required by [NRS 489.724](#).
  - (b) Commingles the money or other property of a seller or purchaser of a manufactured home, manufactured building or mobile home or factory-built housing with his or her own.
  - (c) Fails to cooperate or comply with or knowingly impedes or interferes with any investigation or audit conducted by the Division pursuant to [NRS 489.7235](#).
  - (d) Acts as a dealer while insolvent or engages in any financial practice which creates a substantial risk of insolvency.
3. Except as otherwise provided in this section, any person who knowingly or willfully violates any provision of this chapter is guilty of a misdemeanor.
4. Subsection 3 does not apply to a manufacturer of travel trailers.  
(Added to NRS by 1979, 1214; A 1981, 1195; 1983, 380, 798; [2009, 1926](#))