

**ADOPTED REGULATION OF THE
MANUFACTURED HOUSING DIVISION OF
THE DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R113-13

Effective December 22, 2014

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

AUTHORITY: §1, NRS 461.170; §2, NRS 461A.090; §3, NRS 489.231, 489.241 and 489.261; §4, NRS 489.231 and 489.431; §5, NRS 489.285 and 489.323; §§6 and 7, NRS 489.321; §§8 and 9, NRS 489.481; §10, NRS 461.170, 489.231, 489.261 and 489.7152.

A REGULATION relating to manufactured housing; adopting by reference certain codes and standards; providing for the licensing of distributors of manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing; amending provisions concerning the documentation which must be submitted by applicants for certain licenses; repealing provisions concerning the labeling of plumbing fixtures in certain manufactured buildings, the maintenance of certain cash deposits by certain manufacturers and the form for purchase contracts and listing agreements; and providing other matters properly relating thereto.

Legislative Counsel's Digest

Existing law requires the Manufactured Housing Division of the Department of Business and Industry and the Administrator of the Division to adopt regulations for the construction of factory-built housing, manufactured buildings, modular components, mobile home parks and lots, manufactured homes, commercial coaches and accessory structures. (NRS 461.170, 461A.090, 489.231, 489.241, 489.261) **Sections 1-3** of this regulation amend previously adopted codes and standards by adopting the 2011 or 2012 versions of those codes and standards, as applicable.

Existing law prohibits a person from engaging in the business of a distributor of manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing unless the person has obtained a license from the Division. (NRS 489.311) To obtain a license, a person must submit an application that includes certain information, including, without limitation, such additional information as the Division prescribes by regulation. In addition, the application must include a fee which the Division prescribes by regulation. (NRS 489.321)

Sections 5-9 of this regulation provide for the licensing of distributors of manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing. **Section 6** allows the Division to require an applicant for a license to show a degree of experience, financial responsibility and general knowledge that the Division deems necessary for the protection of the public and prescribes the information that an applicant must submit to the Division. **Section 7** prescribes the information a distributor must submit to renew a license. **Sections 8 and 9** establish the fees for the issuance and renewal of a distributor's license in the same amount as the fees for the issuance and renewal of a dealer's license.

Section 10 of this regulation repeals various regulations concerning the labeling of plumbing fixtures in certain manufactured buildings, the maintenance of certain cash deposits by certain dealers and the form for purchase contracts and listing agreements.

Section 1. NAC 461.205 is hereby amended to read as follows:

461.205 The Division hereby adopts by reference:

1. The *International Residential Code for One- and Two-Family Dwellings*, ~~2006~~ 2012 edition, published by the International Code Council, with the following modifications:

(a) Any reference to the *International Plumbing Code* shall be deemed a reference to the *Uniform Plumbing Code*, ~~2006~~ 2012 edition, published by the International Association of Plumbing and Mechanical Officials;

(b) Any reference to the *International Electrical Code* shall be deemed a reference to the *NFPA 70: National Electrical Code*, ~~2005~~ 2011 edition ~~;~~, *published by the National Fire Protection Association*;

(c) Any reference to the *International Mechanical Code* shall be deemed a reference to the *Uniform Mechanical Code*, ~~2006~~ 2012 edition, published by the International Association of Plumbing and Mechanical Officials;

(d) The definition of "manufactured home" set forth in section R202 is deleted and replaced with "has the meaning ascribed to it in NRS 489.113"; and

(e) Appendix E is deleted.

↪ The *International Residential Code for One- and Two-Family Dwellings*, ~~2006~~ 2012 edition, may be obtained from the International Code Council by mail at ~~4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771,~~ 25442 Network Place, Chicago, Illinois 60673-1254, or at the Internet address <http://www.iccsafe.org>. The price is ~~61.00~~ \$86 for members and ~~81.50~~ \$114 for nonmembers. *This code is also available free of charge at the Internet address <http://publiccodes.cyberregs.com>.*

2. The *International Building Code*, ~~2006~~ 2012 edition, published by the International Code Council with the following modifications:

(a) Any reference to the *International Plumbing Code* shall be deemed a reference to the *Uniform Plumbing Code*, ~~2006~~ 2012 edition, published by the International Association of Plumbing and Mechanical Officials;

(b) Any reference to the *International Electrical Code* shall be deemed a reference to the *NFPA 70: National Electrical Code*, ~~2005~~ 2011 edition ~~;~~, *published by the National Fire Protection Association*;

(c) Any reference to the *International Mechanical Code* shall be deemed a reference to the *Uniform Mechanical Code*, ~~2006~~ 2012 edition, published by the International Association of Plumbing and Mechanical Officials;

(d) The definition of “manufactured home” set forth in section G201.2 of Appendix G is deleted and replaced with “has the meaning ascribed to it in NRS 489.113”; and

(e) Section G501 of Appendix G is deleted.

↪ The *International Building Code*, ~~2006~~ 2012 edition, may be obtained from the International Code Council by mail at ~~4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771,~~ 25442 Network Place, Chicago, Illinois 60673-1254, or at the Internet address

<http://www.iccsafe.org>. The price is ~~[\$78.75]~~ \$94 for members and ~~[\$105.00]~~ \$125 for nonmembers. *This code is also available free of charge at the Internet address*

<http://publiccodes.cyberregs.com>.

3. The *Uniform Plumbing Code*, ~~[2006]~~ 2012 edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials by mail at ~~[5001]~~ 4755 East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address ~~[http://www.iapme.org]~~ <http://www.iapm-membership.org>. The price is ~~[\$74]~~ \$88.80 for members and ~~[\$93]~~ \$111.00 for nonmembers.

4. The *Uniform Mechanical Code*, ~~[2006]~~ 2012 edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials by mail at ~~[5001]~~ 4755 East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address ~~[http://www.iapme.org]~~ <http://www.iapm-membership.org>. The price is ~~[\$74]~~ \$88.80 for members and ~~[\$93]~~ \$111.00 for nonmembers.

5. The *NFPA 70: National Electrical Code*, ~~[2005]~~ 2011 edition, published by the National Fire Protection Association. This code may be obtained from the National Fire Protection Association by mail at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, or at the Internet address <http://www.nfpa.org>. The price is ~~[\$67.50]~~ \$80.55 for members and ~~[\$75.00]~~ \$89.50 for nonmembers.

6. The *NFPA 101: Life Safety Code*, ~~[2006]~~ 2012 edition, published by the National Fire Protection Association. This code may be obtained from the National Fire Protection Association by mail at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, or at the Internet address

<http://www.nfpa.org>. The price is ~~[\$67.50]~~ **\$83.70** for members and ~~[\$75]~~ **\$93.00** for nonmembers.

7. The *International Energy Conservation Code*, ~~[2006]~~ **2012** edition, published by the International Code Council. This code may be obtained from the International Code Council by mail at ~~[4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771,]~~ **25442 Network Place, Chicago, Illinois 60673-1254**, or at the Internet address <http://www.iccsafe.org>. The price is ~~[\$25.00]~~ **\$31** for members and ~~[\$32.50]~~ **\$41** for nonmembers. *This code is also available free of charge at the Internet address <http://publiccodes.cyberregs.com>.*

Sec. 2. NAC 461A.350 is hereby amended to read as follows:

461A.350 The Administrator hereby adopts by reference:

1. The *International Building Code*, ~~[2003]~~ **2012** edition, published by the International Code Council, with the following modifications:

(a) Any reference to the *International Plumbing Code* shall be deemed a reference to the *Uniform Plumbing Code*, ~~[2003]~~ **2012** edition ~~[;]~~, ***published by the International Association of Plumbing and Mechanical Officials;***

(b) Any reference to the *International Electrical Code* shall be deemed a reference to the ***NFPA 70: National Electrical Code***, ~~[2002]~~ **2011** edition ~~[;]~~, ***published by the National Fire Protection Association;***

(c) Any reference to the *International Mechanical Code* shall be deemed a reference to the *Uniform Mechanical Code*, ~~[2003]~~ **2012** edition ~~[;]~~, ***published by the International Association of Plumbing and Mechanical Officials;***

(d) The definition of “manufactured home” set forth in section G201.2 of Appendix G is deleted and replaced with “has the meaning ascribed to it in NRS 489.113”; and

(e) Section G501 of Appendix G is deleted.

↪ The *International Building Code*, ~~{2003}~~ **2012** edition, may be obtained from the International Code Council, by mail at ~~{4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795,}~~ **25442 Network Place, Chicago, Illinois 60673-1254**, or at the Internet address

http://www.iccsafe.org. The price is ~~{\\$69}~~ **\$94** for members and ~~{\\$86}~~ **\$125** for nonmembers.

This code is also available free of charge at the Internet address

<http://publiccodes.cyberregs.com>.

2. The *International Residential Code for One- and Two-Family Dwellings*, ~~{2003}~~ **2012** edition, published by the International Code Council, with the following modifications:

(a) Any reference to the *International Plumbing Code* shall be deemed a reference to the *Uniform Plumbing Code*, ~~{2003}~~ **2012** edition ~~{}~~, **published by the International Association of Plumbing and Mechanical Officials;**

(b) Any reference to the *International Electrical Code* shall be deemed a reference to the *NFPA 70: National Electrical Code*, ~~{2002}~~ **2011** edition ~~{}~~, **published by the National Fire Protection Association;**

(c) Any reference to the *International Mechanical Code* shall be deemed a reference to the *Uniform Mechanical Code*, ~~{2003}~~ **2012** edition ~~{}~~, **published by the International Association of Plumbing and Mechanical Officials;**

(d) The definition of “manufactured home” set forth in section R202 is deleted and replaced with “has the meaning ascribed to it in NRS 489.113”; and

(e) Appendix E is deleted.

↪ The *International Residential Code for One- and Two-Family Dwellings*, ~~{2003}~~ **2012** edition, may be obtained from the International Code Council, by mail at ~~{4051 West Flossmoor Road,~~

~~Country Club Hills, Illinois 60478-5795,~~ **25442 Network Place, Chicago, Illinois 60673-1254,**
or at the Internet address <http://www.iccsafe.org>. The price is ~~[\$46.50]~~ **\$86** for members and
~~[\$62]~~ **\$114** for nonmembers. *This code is also available free of charge at the Internet address*
<http://publiccodes.cyberregs.com>.

3. The *Uniform Plumbing Code*, ~~[2003]~~ **2012** edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials, by mail at ~~[5001]~~ **4755** East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address ~~[http://www.iapme.org]~~ <http://www.iapmmembership.org>. The price is ~~[\$64]~~ **\$88.80** for members and ~~[\$89]~~ **\$111.00** for nonmembers.

4. The *Uniform Mechanical Code*, ~~[2003]~~ **2012** edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials, by mail at ~~[5001]~~ **4755** East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address ~~[http://www.iapme.org]~~ <http://www.iapmmembership.org>. The price is ~~[\$64]~~ **\$88.80** for members and ~~[\$89]~~ **\$111.00** for nonmembers.

5. The *NFPA 70: National Electrical Code*, ~~[2002]~~ **2011** edition, published by the National Fire Protection Association. This code may be obtained from the National Fire Protection Association, by mail at ~~[11 Tracy Drive, Avon, Massachusetts 02322,]~~ **1 Batterymarch Park, Quincy, Massachusetts 02169-7471,** or at the Internet address <http://www.nfpa.org>. The price is ~~[\$65.25]~~ **\$80.55** for members and ~~[\$72.50]~~ **\$89.50** for nonmembers.

6. The *NFPA 101: Life Safety Code*, ~~[2003]~~ **2012** edition, published by the National Fire Protection Association. The code may be obtained from the National Fire Protection Association,

by mail at ~~{11 Tracy Drive, Avon, Massachusetts 02322,}~~ *1 Batterymarch Park, Quincy, Massachusetts 02169-7471*, or at the Internet address <http://www.nfpa.org>. The price is ~~{\$62.55}~~ *\$83.70* for members and ~~{\$69.50}~~ *\$93.00* for nonmembers.

7. The *International Energy Conservation Code*, ~~{2003}~~ *2012* edition, published by the International Code Council. This code may be obtained from the International Code Council, by mail at ~~{4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795,}~~ *25442 Network Place, Chicago, Illinois 60673-1254*, or at the Internet address <http://www.iccsafe.org>. The price is ~~{\$23}~~ *\$31* for members and ~~{\$29}~~ *\$41* for nonmembers. *This code is also available free of charge at the Internet address <http://publiccodes.cyberregs.com>.*

Sec. 3. NAC 489.177 is hereby amended to read as follows:

489.177 The Administrator hereby adopts by reference the following codes and standards for commercial coaches and accessory structures:

1. The *International Building Code*, ~~{2006}~~ *2012* edition, published by the International Code Council, with the following modifications:

(a) Any reference to the *International Plumbing Code* shall be deemed a reference to the *Uniform Plumbing Code*, ~~{2006}~~ *2012* edition ~~{}~~, *published by the International Association of Plumbing and Mechanical Officials;*

(b) Any reference to the *International Electrical Code* shall be deemed a reference to the *NFPA 70: National Electrical Code*, ~~{2005}~~ *2011* edition ~~{}~~, *published by the National Fire Protection Association;*

(c) Any reference to the *International Mechanical Code* shall be deemed a reference to the *Uniform Mechanical Code*, ~~{2006}~~ *2012* edition ~~{}~~, *published by the International Association of Plumbing and Mechanical Officials;*

(d) The definition of “manufactured home” set forth in section G201.2 of Appendix G is deleted and replaced with “has the meaning ascribed to it in NRS 489.113”; and

(e) Section G501 of Appendix G is deleted.

↪ The *International Building Code*, ~~2006~~ 2012 edition, may be obtained from the International Code Council by mail at ~~4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771,~~ 25442 Network Place, Chicago, Illinois 60673-1254, or at the Internet address <http://www.iccsafe.org>. The price is ~~\$78.75~~ \$94 for members and ~~\$105.00~~ \$125 for nonmembers. *This code is also available free of charge at the Internet address <http://publiccodes.cyberregs.com>.*

2. *The International Residential Code for One- and Two-Family Dwellings, 2012 edition, published by the International Code Council, with the following modifications:*

(a) *Any reference to the International Plumbing Code shall be deemed a reference to the Uniform Plumbing Code, 2012 edition, published by the International Association of Plumbing and Mechanical Officials;*

(b) *Any reference to the International Electrical Code shall be deemed a reference to the NFPA 70: National Electrical Code, 2011 edition, published by the National Fire Protection Association;*

(c) *Any reference to the International Mechanical Code shall be deemed a reference to the Uniform Mechanical Code, 2012 edition, published by the International Association of Plumbing and Mechanical Officials;*

(d) *The definition of “manufactured home” set forth in section R202 is deleted and replaced with “has the meaning ascribed to it in NRS 489.113”; and*

(e) *Appendix E is deleted.*

↪ *The International Residential Code for One- and Two-Family Dwellings, 2012 edition, may be obtained from the International Code Council, by mail at 25442 Network Place, Chicago, Illinois 60673-1254, or at the Internet address <http://www.iccsafe.org>. The price is \$86 for members and \$114 for nonmembers. This code is also available free of charge at the Internet address <http://publiccodes.cyberregs.com>.*

3. The *Uniform Plumbing Code*, ~~{2006}~~ **2012** edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials by mail at ~~{5001}~~ **4755** East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address ~~{www.iapmo.org}~~ <http://www.iapm-membership.org>. The price is ~~{\$74}~~ **\$88.80** for members and ~~{\$93}~~ **\$111.00** for nonmembers.

~~{3}~~ 4. The *Uniform Mechanical Code*, ~~{2006}~~ **2012** edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials by mail at ~~{5001}~~ **4755** East Philadelphia Street, Ontario, California 91761-2816, or at the Internet address ~~{www.iapmo.org}~~ <http://www.iapm-membership.org>. The price is ~~{\$74}~~ **\$88.80** for members and ~~{\$93}~~ **\$111.00** for nonmembers.

~~{4}~~ 5. The *NFPA 70: National Electrical Code*, ~~{2005}~~ **2011** edition, published by the National Fire Protection Association. This code may be obtained from the National Fire Protection Association by mail at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, or at the Internet address **<http://www.nfpa.org>**. The price is ~~{\$67.50}~~ **\$80.55** for members and ~~{\$75.00}~~ **\$89.50** for nonmembers.

~~{5.}~~ 6. The *NFPA 101: Life Safety Code*, ~~{2006}~~ 2012 edition, published by the National Fire Protection Association. The code may be obtained from the National Fire Protection Association by mail at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, or at the Internet address <http://www.nfpa.org>. The price is ~~{\$67.50}~~ \$83.70 for members and ~~{\$75.00}~~ \$93.00 for nonmembers.

~~{6.}~~ 7. The *International Energy Conservation Code*, ~~{2006}~~ 2012 edition, published by the International Code Council. This code may be obtained from the International Code Council by mail at ~~{4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771,}~~ 25442 Network Place, Chicago, Illinois 60673-1254, or at the Internet address <http://www.iccsafe.org>. The price is ~~{\$25.00}~~ \$31 for members and ~~{\$32.50}~~ \$41 for nonmembers. *This code is also available free of charge at the Internet address <http://publiccodes.cyberregs.com>.*

Sec. 4. NAC 489.205 is hereby amended to read as follows:

489.205 1. The Division ~~{will}~~ *may* conduct routine office surveys, audits and inspections to determine whether licensees are complying with the provisions of this chapter and chapter 489 of NRS.

2. All business records and accounts of a licensee are subject to inspection and audit by the Division or its authorized representatives. Upon demand, a licensee shall provide the Division with all business records, accounts and permission necessary to complete an inspection and audit, including that necessary to inspect and audit funds in any bank or depository.

3. When a complaint is made to the Division the scope of the investigation is not limited to the matters set forth in the complaint but may extend to any act which appears to violate the provisions of this chapter, chapter 489 of NRS or federal laws or regulations.

4. If the Division determines that there is not sufficient evidence to make a prima facie case, it may dismiss the matter without prejudice at any stage of the investigation or proceeding.

5. If the Division is satisfied, after an investigation initiated by a complaint or on its own initiative, that there is sufficient evidence to make a prima facie case, the Division may commence a formal proceeding.

Sec. 5. NAC 489.303 is hereby amended to read as follows:

489.303 ~~1.—A person who wishes to renew or reinstate a general serviceperson's or specialty serviceperson's license issued by the Division pursuant to chapter 489 of NRS must provide the Division with proof that he or she has completed the required number of hours of continuing education as set forth in NRS 489.323.~~

~~—2.†~~ The holder of a *dealer's, distributor's*, general serviceperson's , ~~†or†~~ specialty serviceperson's , *responsible managing employee's or salesperson's* license issued by the Division pursuant to chapter 489 of NRS may submit a written petition to the Administrator for an extension of time in which to comply with the requirements for continuing education ~~††~~ *set forth in NRS 489.323*. The Administrator may grant an extension if he or she finds that the holder of the license has a severe hardship resulting from circumstances beyond the holder's control which have prevented him or her from complying with the requirements.

Sec. 6. NAC 489.310 is hereby amended to read as follows:

489.310 1. The Division may require an applicant for a license as a dealer, *distributor*, manufacturer, general serviceperson or specialty serviceperson to show such a degree of experience, financial responsibility and such general knowledge of this chapter, chapter 489 of NRS, federal construction and safety standards relating to manufactured homes, the safety, health, finance and lien laws of this State and the rudimentary principles of the business for

which the applicant wishes to obtain a license as the Division deems necessary for the safety and protection of the public.

2. An applicant may demonstrate his or her experience and knowledge by submitting to the Division:

(a) Evidence of his or her prior employment or other experience in the occupation for which the applicant wishes to obtain a license; or

(b) Proof that he or she has completed not less than 30 semester hours in courses of study which are approved by the Division.

3. An applicant must submit to the Division:

(a) A copy of the federal income tax return filed by the applicant for the preceding calendar year; and

(b) Such other proof as the Division deems necessary to show the applicant's financial responsibility.

4. If the applicant is a corporation, its financial responsibility must be established independently of the assets of its officers, directors or stockholders, but the Division may inquire into and consider the personal assets of the officers, directors or stockholders in determining the financial responsibility of the corporation.

5. An applicant shall be deemed to be financially responsible if the Division determines that the applicant has, at the time the Division makes the determination, sufficient assets or income to operate his or her business . ~~{for not less than 120 days.}~~

6. The Division ~~{will}~~ *may* determine financial responsibility according to the following criteria:

(a) Net worth;

- (b) Liquid assets;
- (c) Payment and credit records;
- (d) Business experience;
- (e) Prior and current liens;
- (f) Prior and pending lawsuits;
- (g) Adverse judgments;
- (h) Prior suspension or revocation of a license in this State or elsewhere for financial insolvency;
- (i) Any adjudication under bankruptcy law, including a composition, arrangement or reorganization;
- (j) Any appointment of a receiver for the property of the applicant or licensee or any officer, director, associate or partner thereof under the laws of this State or of the United States;
- (k) Any making of a prohibited assignment for the benefit of creditors;
- (l) Form of business organization;
- (m) Information obtained from confidential financial references and credit reports; and
- (n) Reputation for honesty and integrity of the applicant or licensee or any officer, director, associate or partner.

7. An applicant for a new manufactured home or commercial coach dealer's license must show proof that the applicant has not less than \$50,000 in cash on deposit in an operating account of the business in a Nevada financial institution before the Division will issue a license.

8. An applicant for a used manufactured home or commercial coach dealer's license must show proof that the applicant has not less than \$25,000 in cash on deposit in an operating account of the business in a Nevada financial institution before the Division will issue a license.

9. ~~{An applicant for a new manufactured home dealer's license, including a franchise dealership, must submit a letter of credit from a financial institution or a provider of inventory financing showing that the applicant will be granted a specified amount of credit of not less than \$200,000 from that institution for the flooring of manufactured homes, commercial coaches, manufactured buildings or factory-built housing. This requirement does not apply to a dealership owned by a licensed manufacturer.~~

~~—10.†~~ An applicant for an initial license must submit to the Division a copy of any similar license issued by another state.

~~{††~~ 10. A partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company or a corporation, whether or not for profit, that applies for a dealer's, *distributor's, manufacturer's*, general serviceperson's or specialty serviceperson's license must file a certified or verified copy of its partnership agreement, articles of organization or articles of incorporation with the Division.

~~{††~~ 11. If an applicant submits an incomplete application:

(a) The Division will notify the applicant of the deficiencies in the application.

(b) Except as otherwise provided in paragraph (c), the Division will deny the application unless the applicant corrects the deficiencies within 15 days after receiving the notice.

(c) The Division may grant an extension of time to correct the deficiencies in the application if the applicant requests such an extension in writing within the 15-day period.

Sec. 7. NAC 489.347 is hereby amended to read as follows:

489.347 An applicant for the renewal of the dealer's, *distributor's*, general serviceperson's or specialty serviceperson's license issued to the applicant by the Division pursuant to chapter 489 of NRS must submit to the Division with his or her application for renewal:

1. The fee required pursuant to NAC 489.360;
2. ~~{Complete}~~ *If the licensee is a dealer, complete* copies of ~~{bank}~~ :

(a) *Bank* statements for ~~{~~:

~~—(a) The operating account of the licensee for the immediately preceding 6 months; and~~

~~—(b) The~~ *the immediately preceding 6 months for the* trust account ~~{of}~~ *maintained by* the licensee ~~{for the immediately preceding 6 months if the licensee is a dealer;}~~ *pursuant to*

paragraph (b) of subsection 1 of NRS 489.724; and

(b) Documents accounting for all transactions during the immediately preceding 6 months in any escrow account maintained for the licensee pursuant to paragraph (a) of subsection 1 of NRS 489.724, if the dealer has such an account;

3. A copy of the current business license issued for the licensee’s business by the county, city or town in which the licensee’s business is located; and

4. Any other proof requested in writing by the Division pursuant to NRS 489.321 or 489.323.

Sec. 8. NAC 489.360 is hereby amended to read as follows:

489.360 1. The Division will charge the following fees for the issuance and renewal of a license:

(a) Biennially, for a license as a dealer of manufactured homes, mobile homes, commercial coaches, manufactured buildings or factory-built housing	\$600
For each additional officer or partner	150
Biennially, for each branch office	150
(b) <i>Biennially, for a license as a distributor</i>	<i>600</i>
<i>For each additional officer or partner</i>	<i>150</i>

<i>Biennially, for each branch office</i>	150
(c) Biennially, for a license as a limited dealer authorized to act as a repossessor or liquidator.....	200
(e) (d) Biennially, to do business as a manufacturer of manufactured homes, mobile homes, commercial coaches, travel trailers, manufactured buildings or factory-built housing	750
For each additional officer or partner	150
(d) (e) Biennially, for a general serviceperson's or specialty serviceperson's license	200
For each additional officer or partner	150
Biennially, for each branch office	150
(e) (f) Biennially, for a license as a salesperson of manufactured homes, mobile homes, commercial coaches, manufactured buildings or factory- built housing	100
(f) (g) Biennially, for a responsible managing employee's license.....	150
(g) (h) For each examination of an applicant for a license.....	50
(h) (i) For a change of address by a licensee	50
(i) (j) For a change of name by a licensee	50
(j) (k) To activate a license from inactive or suspended status	100

2. If a licensee fails to apply for the renewal of his or her license before the license expires, the licensee must pay a fee equal to one and one-half times the fee otherwise required for renewal. If a licensee does not apply for the renewal of his or her license within 30 days after the

license expires, the licensee must retake and pass the applicable oral or written examination and submit the application and all of the fees required for an original license.

3. The Division may collect a fee from any licensee who is involved in a complaint from a consumer to recover the costs of investigating and hearing the complaint. The fee will be based upon the rates established in this section.

Sec. 9. NAC 489.370 is hereby amended to read as follows:

489.370 In addition to the fees for a license required by the provisions of NAC 489.360, the Division will charge the following fees for processing an original application for a license:

1. As a dealer of manufactured homes, mobile homes, commercial coaches, manufactured buildings or factory-built housing.....\$400
 - For each additional officer or partner100
 - For each branch office100
2. *As a distributor.....\$400*
 - For each additional officer or partner.....100*
 - For each branch office.....100*
3. As a limited dealer authorized to act as reposessor or liquidator\$100
- ~~3.~~ 4. To do business as a manufacturer of manufactured homes, mobile homes, commercial coaches, travel trailers, manufactured buildings or factory-built housing.....\$500
- ~~4.~~ 5. As a general serviceperson or specialty serviceperson.....\$100
 - For each additional officer or partner100
 - For each branch office100

~~15.1~~ 6. As a salesperson of manufactured homes, mobile homes, commercial coaches, manufactured buildings or factory-built housing.....\$25

~~16.1~~ 7. As a responsible managing employee\$100

Sec. 10. NAC 461.125, 489.3105 and 489.590 are hereby repealed.

TEXT OF REPEALED SECTIONS

461.125 Labeling of plumbing fixtures in certain manufactured buildings. (NRS 461.170)

1. Each manufactured building on which construction began on or after March 1, 1992, which is:

(a) Located in this State; and

(b) Equipped with a toilet, shower apparatus or faucet installed in a lavatory or kitchen,

↪ must have a label affixed to that toilet, shower apparatus or faucet or an area immediately adjacent to it.

2. The label must be not less than 1 1/2 inches by 4 inches nor more than 4 inches by 5 inches and:

(a) If it is for a toilet, set forth the maximum amount of water the toilet uses for each flush;

(b) If it is for a shower apparatus, contain a statement indicating whether it is equipped with a device to reduce the shower apparatus's rate of consumption of water per minute pursuant to NRS 461.175; or

(c) If it is for a faucet, set forth the maximum rate at which water is allowed to flow per minute.

489.3105 Maintenance and proof of cash on deposit. (NRS 489.231) A person that holds a new manufactured home or commercial coach dealer's license or a used manufactured home or commercial coach dealer's license must:

1. Maintain the same amount of cash on deposit in a Nevada financial institution as required for issuance of an initial license pursuant to NAC 489.310; and
2. Provide proof of the deposit to the Division upon request.

489.590 Purchase contracts and listing agreements: Form. (NRS 489.231, 489.7152)
A purchase contract or listing agreement executed by a dealer must be on a form prescribed by the Administrator pursuant to NRS 489.7152.

**INFORMATIONAL STATEMENT
LCB No. R113-13**

October 7, 2014

NRS 233B.066 Informational statement required concerning adopted permanent or temporary regulation; contents of statement.

1. Except as otherwise provided in subsection 2, each adopted regulation which is submitted to the Legislative Counsel pursuant to NRS 233B.067 or filed with the Secretary of State pursuant to subsection 2 or 3 of NRS 233B.070 must be accompanied by a statement concerning the regulation which contains the following information:

(a) A clear and concise explanation of the need for the adopted regulation.

Sections 1, 2 and 3 are updating MHD regulations to align the Division with State Public Works, Fire Marshall and other local jurisdictions to current 2012 International Building Codes. .

Sections 4 through 7 are regulations intended to streamline and simplify the issuance, renewal and renewal of all licensing categories. These regulations will encourage more manufactured housing industry businesses to maintain their MHD licenses and encourage new businesses who are interested in being licensed with the Division.

Sections 7, 8 and 9 are adding the term “distributor” to coincide with the definition in NRS 489.081.

Section 10 is also intended to streamline and simplify the issuance and renewal for all licensing categories.

b) A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary.

The Division conducted workshops on January 10, 2014 and March 27, 2014, and mailed a total of 432 questionnaires on March 10, 2014 to 400 MHD licensed companies and 32 interested parties. A copy of the summary may be obtained by going to our website at <http://mhd.nv.gov>.

432 Questionnaires mailed 6 Responses received	YES	NO	Did Not Answer
1. Will this have an adverse economic effect on your business?	2	4	0
2. Will this have a beneficial economic effect on your business?	0	5	1
3. Do you anticipate any indirect adverse effects?	1	4	1
4. Do you anticipate any indirect beneficial effects?	0	5	1

(c) The number of persons who:

- (1) Attended each hearing:** 11
- (2) Testified at each hearing:** None
- (3) Submitted to the agency written statements:** None

(d) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing: None

(e) A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

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3. Do you anticipate any indirect adverse effects?	1	4	1
4. Do you anticipate any indirect beneficial effects?	0	5	1

(f) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted without any change since there was no public feedback during the hearing and the comments on the questionnaires received were not relevant to this proposed regulation.

(g) The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

(1) Both adverse and beneficial effects; and

- **Adverse effects** – *The Division does not anticipate any adverse effects on small businesses or the public.*
- **Beneficial effects** – *Sections 7, 8 and 9 will allow for a less burdensome approach to the licensing process for businesses. This will result in a beneficial effect on businesses.*

(2) Both immediate and long-term effects.

- **Immediate Effect** – *There will not be immediate economic effect on businesses.*
- **Long-term Effect** – *There will not be long-term economic effect on businesses.*

(h) The estimated cost to the agency for enforcement of the proposed regulation.

The agency estimates no cost to the agency for enforcement of any of the 10 sections for this proposed regulation.

(i) A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, list the name of the regulating federal agency.

This proposed regulation does not overlap with any other state or federal regulations.

(j) If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

This proposed regulation does not include any provisions that are more stringent than a federal regulation.

(k) If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

Sections 8 and 9 are adding fees for the new license category of a "distributor" which are the same fees established for a Dealer. The Division has had one inquiry in the last 3 years regarding this license and has not had any applications submitted to date. If and when the \$600 fee is collected for this license the fee will be used in the general fund.

2. The requirements of paragraphs (b) to (f), inclusive, of subsection 1 do not apply to emergency regulations.

This is not an emergency regulation.