



# NHC Comprehensive Policy Approach

**A successful affordable housing strategy is comprised of many facets that require sound policy and strong collaboration.**

## **Affordable Housing doesn't just happen.**

For the 2021 Legislative Session, NHC is leading efforts on five significant affordable housing efforts that all tie together as part of a comprehensive approach.

NHC is committed to supporting each of these efforts through continued education initiatives and convenings to promote collaborative solutions at the local level.

**All Nevadans deserve an opportunity for housing that is Affordable.**

**AB 331**

**Planning & Accountability:** Setting 5-year targets for affordable housing production and preservation

**Assemblywoman Elaine Marzola**

**SB 12**

**Preserving What We Have:** Mitigating loss of existing affordable housing through an early notification process

**Senator Julia Ratti**

**SB 284**

**Improving Our Newest Tool:** Removing the deadline to utilize state tax credits and other technical fixes

**Senator Julia Ratti**

**AB 334**

**Enabling Two New Tools:** Expanding the existing toolbox with two new tools to build local financial capacity

**Assemblywoman Shondra Summers-Armstrong**

**AB 317**

**Improving Access:** Prohibiting landlords from refusing tenancy based upon source of income (now in SB254)

**Assemblywoman Ceceilia Gonzalez**

# 2021 NHC PRIORITY BILLS – Still Active 5-13-2021

| BILL                  | REQUESTOR                     | DESCRIPTION  | TITLE/COMMENTS  | NOTES  | STATUS   |
|-----------------------|-------------------------------|--|---|--|--|
| <a href="#">SB12</a>  | Advisory Committee on Housing | Revises provisions relating to affordable housing                              | AN ACT relating to housing; requiring an owner of certain housing that is financed by tax credits or other money provided by a government agency to provide certain notices before terminating a restriction relating to the affordability of the housing; setting forth requirements for such notice; authorizing the Housing Division of the Department of Business and Industry to impose an administrative fine upon an owner who fails to provide such notice; authorizing the Division to prohibit an owner who terminates an affordability restriction from applying for certain tax credits | <b>PRIORITY SUPPORT:</b> Senate Bill 12 was sponsored by the Advisory Committee on Housing and was referred to the Senate Government Affairs. The bill was heard on March 8th and introduced by Senator Ratti. The bill would require notification by a developer/owner of a multifamily project that had received an affordable housing tax credit allocation to provide notification to the State of Nevada, Housing Division, and to the tenants only if the developer intended to convert the project to a market rate complex. Senator Ratti presented an amendment that provided additional clarification when notification would be required by the property owner. Formal support and testimony was by the Nevada Housing Coalition with multiple business and housing entities in support. The bill passed the Senate unanimously. SB12 was heard in Assembly Government Affairs on 4/29. The bill was received with considerable support with both in-person/call-in testimony and letters submitted to the Committee. There was no opposition. The bill had a work session and passed unanimously out of Assembly Gov Affairs. It is heading to the floor for a vote! | Heading to the Assembly floor!   |
| <a href="#">SB284</a> | Sen. Ratti                    | Revises provisions relating to transferable tax credits for affordable housing | AN ACT revising the procedure for applying for and issuing transferable tax credits for affordable housing; ; eliminating the prospective expiration of the program of transferable tax credits for affordable housing  | <b>PRIORITY SUPPORT</b> - SB 284 was sponsored by Senator Ratti and referred to the Committee on Revenue and Economic Development. The bill was heard on March 30th where Senator Ratti provided an explanation of the bill. The bill would change the reporting requirements to 45 days prior to an affordable housing project closing and would also establish additional requirements for reporting to the Nevada Housing Division. The Nevada Housing Coalition provided a formal letter of support and support testimony during the hearing. The bill was supported by multiple business organizations and non-profit entities with opposition from Americans for Prosperity. The Nevada Housing Coalition submitted an amendment (friendly) for consideration which added language that expanded the transfer capability of tax credits. The bill passed out of the Senate unanimously and will be heard in Assembly Revenue on 5/6.   | <a href="#">Work Session Scheduled 5/13, 4 pm Assembly Gov Affairs</a> |

# SB 12

Sponsored by:  
Nevada Housing  
Advisory  
Committee

PRESERVATION

## SPUR COLLABORATION TO AID IN PRESERVATION OF AFFORDABLE HOUSING

*With our extreme shortage of affordable units, we cannot "afford" to lose any units*

SB 12 uses a series of notifications to key stakeholders when the affordability of units is either proposed for early termination (Section 3) or affordability will be expiring (Sections 4 and 5). Notifications must occur 12 months before affordability ends in order for collaboration among partners and resources to occur to see whether preservation of the units as affordable is possible.



### 12-MONTH NOTIFICATION



### HOW IT WILL WORK

Twelve months out from the end of affordability restrictions, the project owner must notify the stakeholders below of the termination or expiration of the affordability restrictions:

- The City and County
- The Nevada Housing Division

Who will notify the Affordable Housing Ownership community active in Nevada, those most likely to seek to acquire and preserve the housing as affordable

- The Tenants

Owners will hold a tenant meeting, sharing information about timing and local housing assistance resources

### COMPLIANCE AND PENALTIES

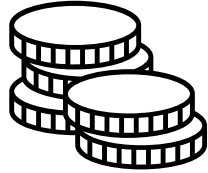
Owners who do not comply with notice requirements and time frames can be barred from participating in the State's financing programs for five years and/or subject to administrative fees.

# SB 284

Sponsored by:  
Senator Julia Ratti

PRESERVATION  
AND PRODUCTION

## ADJUST THE STATE TAX CREDIT FOR AFFORDABLE HOUSING TO EXTEND TIME OF USE



The 2019 Legislature passed SB228 which created a transferrable state tax credit of \$10M for four years to assist in the construction or rehabilitation of affordable housing units. COVID happened (!) and slowed the expected development of affordable housing projects.



### WHAT IT DOES:

- Removes the sunset on use of the tax credits from June 20, 2023 and instead limit the amount of tax credits awarded to 40M
- Changes the time of award of the tax credits to at completion of the financing package rather than at when construction is completed – this makes the tax credits much more valuable to investors, thus allowing the tax credits to produce more units



### HOW WILL NEVADANS BENEFIT?

- Due to the way that equity, such as tax credits, gets layered with low cost debt, such as Private Activity Bonds, by having \$3M in tax credits to fill a gap in a \$40M project, low income Nevadans can have access to 200 more units.
- Over its 40M lifetime, these tax credits may be the key to producing 2500 or more affordable housing units.

## 2021 BILLS ON NHC RADAR – Still Active 5-11-2021

|                               | Sponsor                   | Description   | Title   | Notes   | Status   | NHC Position   |
|-------------------------------|---------------------------|---|---|---|--|----------------|
| <a href="#">AB003</a>         | Committee on Gov Affairs  | Revises provisions relating to the finalization and recordation of development maps | AN ACT relating to land use planning; revising provisions concerning the electronic transmission of certain maps and other documents relating to the approval of divisions of land  | <b>SUPPORT</b> - AB 3 was heard in Assembly Government Affairs on February 12th. The Nevada Housing Coalition provided a formal letter of support. The work session was held on April 6th with a slight amendment to the original bill that was provided by Chairman Flores. The bill passed out of the committee and through the Assembly unanimously after being amended. The bill was heard in Senate Government Affairs on 4/26.  | <a href="#">Work Session 5/12, 3:30pm</a><br><a href="#">Sen Gov Affairs</a>       | <b>SUPPORT</b> |
| <a href="#">AB69</a>          | Committee on Revenue      | Revises provisions governing economic development                                   | AN ACT, in pertinent part, adds the Director of the Department of Business and Industry (oversees the Nevada Housing Division) as a nonvoting member of the Commission on Economic Development  | <b>SUPPORT</b> - AB 69 was originally heard on February 23rd in Assembly Revenue. The bill was introduced on behalf of the Governor's Office of Economic Development and was presented by Director Brown. The bill would expand the membership of the Board of Economic Development with the addition of the Director of Business and Industry. It was felt that additional coordination between the two entities would be beneficial as the Housing Division reports to the Director of Business and Industry and could assist with the discussion of housing requirements as companies locate or expand into Nevada. The bill was agendized for the work session hearing on March 9th where an amendment was presented which clarified the quorum requirements. The bill passed out of the committee and will introduce in the Assembly for consideration. <a href="#">Amendment No. 111 (Proposed)</a> . The bill passed the Assembly as amended with a final passage or 38 Yeas to 4 Nays. The bill has been transmitted to the Senate. The bill was heard on 4/29, Senate Committee on Revenue and Economic Development. | <a href="#">Work Session 5/11, 1 pm</a><br><a href="#">Senate Rev and Eco Devo</a> | <b>SUPPORT</b> |
| <a href="#">AB141</a>         | Watts                     | Revises provisions relating to evictions.   | AN ACT relating to evictions; increasing the length of notice required before certain tenants may be evicted without cause; requiring the automatic sealing of records for evictions relating to defaults in the payment of rent which occurred during the COVID-19 emergency | <b>SUPPORT</b> - AB 141 was heard in Assembly Judiciary on March 4th. The bill sponsor, Assemblyman Watts introduced the bill and explained the changes to the current NRS as it relates to notification requirements and lease terminations, especially during the COVID pandemic. There were letters and testimony in support from multiple organizations, including the Nevada Housing Coalition. There was opposition from the business community and landlords. The bill was agendized for a work session on, Assemblyman Watts presented an amendment which provided clarification that the automatic sealing of court records would end when the Governor terminates the state of emergency. The bill passed out of Assembly Judiciary and will be sent to the full Assembly for consideration. The bill, as amended, passed out of the Assembly on a party line vote, Assembly Final Passage on Apr 19, 2020 with Yeas: 26, Nays: 16. The bill was heard on 4/30, Senate Judiciary  | <a href="#">Heard 4/30</a><br><a href="#">Senate Judiciary Committee</a>           | <b>SUPPORT</b> |
| <a href="#">AB161 amended</a> | Torres, Summers-Armstrong | Makes various changes relating to actions for summary eviction                      | AN ACT relating to property; eliminating actions for summary eviction under certain circumstances; making various changes relating to actions for summary eviction; and providing other matters properly relating thereto.  | <b>MONITOR</b> - AB 161 was heard in Assembly Judiciary on April 6th. Assemblywoman Torres submitted an amendment that created an interim study on summary eviction of tenants. Letters in support from various organizations. The work session was held on April 7th, the bill passed out of committee. The bill will now head to the Assembly Floor for consideration, the floor statement was assigned to Assemblywoman Torres. The bill has been declared EXEMPT and is currently in the Assembly Ways and Means pending a fiscal hearing.  | To Assembly Ways and Means   | <b>Monitor</b> |



## 2021 BILLS ON NHC RADAR – Still Active 5-11-2021

|                       | Sponsor                               | Description   | Title  | Notes  | Status  | NHC Position |
|-----------------------|---------------------------------------|---|--|--|---|--------------|
| <a href="#">AB308</a> | Frierson                              | Revises provisions relating to landlord and tenants. (BDR 10-880) | AN ACT relating to property; revising provisions relating to late fees; revising certain definitions used in the Residential Landlord and Tenant Act; revising provisions relating to notices of increases in rent; and providing other matters properly relating thereto.   | <b>MONITOR</b> - AB 308 is being sponsored by Speaker Frierson and was heard in Assembly Commerce and Labor on April 5th. The bill was supported by several entities, a letter of support from Battle Born Progress. The work session was held on April 7th with no amendments to the original bill. The bill will now be introduced to the full Assembly for action. The bill, as introduced, passed the Assembly on April 13, 2020 with an Assembly Final Passage or Yeas: 34, Nays: 8. The bill was heard on 4/23, Senate Commerce and Labor.   | <a href="#">Work Session 5/12, 9 am Senate Commerce and Labor</a> | Monitor      |
| <a href="#">AB363</a> | Nguyen                                | Revises provisions governing transient lodging. (BDR 20-636)      | AN ACT relating to transient lodging; requiring the governing body of a county or city to establish certain requirements relating to the rental of residential units as transient lodging; requiring certain persons to obtain a permit for the rental of a residential unit as transient lodging; setting forth various requirements to obtain such a permit; requiring certain accommodations facilitators to collect and remit taxes on the rental of residential units as transient lodging; revising provisions relating to the authority of a county or city to require a hosting platform to provide certain reports and information to the county or city; providing a penalty; and providing other matters properly relating thereto. | <b>NEUTRAL</b> – AB363 is being sponsored by Assemblywoman Nguyen and was referred to Assembly Ways and Means. The bill was heard on April 29 <sup>th</sup> . The bill is currently in Ways and Means pending an amendment. The hearing was held on Thursday, April 29th in Assembly Ways and Means. The Nevada Housing Coalition testified in neutral (pending an amendment). The Nevada Housing Coalition testified about the opportunity to carve out room tax to support the affordable housing efforts. This funding source is utilized in several jurisdictions and across the country.  | <a href="#">Heard 4/29 Assembly Government Affairs</a>            | NEUTRAL      |
| <a href="#">SB150</a> | Harris, Donate, Buck, Denis and Lange | Revises zoning provisions to allow tiny homes                     | AN ACT relating to housing; setting forth certain requirements for a tiny house and a tiny house park; requiring the governing body of a city or county to authorize tiny houses in certain zoning districts; revising certain requirements for the issuance of receipts to tenants of manufactured home parks; and providing other matters properly relating thereto.   | <b>MONITOR</b> - SB150 is primarily sponsored by Senator Harris and was referred to the Committee on Government Affairs. SB 150 was heard in committee on March 31st and was introduced by Senator Harris. The primary purpose of the bill would be the ability for a local jurisdiction to adopt an ordinance for a creation of a tiny house park. The bill also establishes the structural requirements for the units. Senator Harris introduced a conceptual amendment that repealed and replaced the entire bill with new language that placed population requirements for each section. The bill was supported by several Nevada housing organizations. The bill was agendized for a work session on March 31st where the amended language was introduced. The bill passed out of the committee and will be transmitted to the floor of the Senate for further consideration. The bill passed the Senate on April 20, 2020, as amended 1 <sup>st</sup> reprint with a Final Passage Yeas: 20, Nays: 1. The bill is currently on the agenda for 5/6, Assembly Government Affairs Committee | <a href="#">Work Session 5/12, 9 am Assembly Gov Affairs</a>      | Monitor      |

## 2021 BILLS ON NHC RADAR – Still Active 5-11-2021

|                       | Sponsor | Description   | Title  | Notes  | Status  | NHC Position   |
|-----------------------|---------|---|--|--|---|----------------|
| <a href="#">SB218</a> | Ratti   | Makes various changes relating to property. (BDR 10-74)               | AN ACT relating to property; establishing and revising various definitions relating to property; prohibiting landlords from charging prospective tenants certain fees; making various changes relating to fees, fines, deposits and costs paid by tenants; requiring rental agreements to include a grace period for the late payment of rent; revising provisions relating to agents of attorneys who serve certain notices relating to evictions; and providing other matters properly relating thereto.   | <b>MONITOR</b> - SB 218 was sponsored by Senator Ratti and was heard in the Senate Judiciary on March 24th. Senator Ratti provided an amendment that would change the security deposit requirements currently in statute. The amendment also would remove all surety bond language that is outdated and confusing. The amendment also clarifies the fines and fees language. The proposal was supported by formal letters/testimony by multiple organizations with opposition primarily from the Realtors and Nevada Apartment Association. The bill was agendized for a work session on April 9th where Senator Ratti introduced a conceptual amendment that made changes to the security deposit language and the fees and fines section. The amendment continued with additional new requirements between a landlord and tenant. The bill passed of committee and will move the full Senate. The bill, as amended, passed the Senate on April 20, 2020 with a Final Passage Yeas: 12, Nays: 9. The bill has been referred to the Assembly and re-referred to the Assembly Commerce and Labor  | To Assembly Commerce and Labor.                                     | <b>Monitor</b> |
| <a href="#">SB254</a> | Neal    | Revises provisions relating to discrimination in housing. (BDR 18-38) | AN ACT relating to discriminatory practices; revising various provisions relating to discrimination in housing; providing civil penalties and other remedies for certain violations; authorizing the Nevada Equal Rights Commission to enter into certain agreements with the United States Department of Housing and Urban Development for the Commission to investigate and enforce laws relating to fair housing as a certified agency under federal law; providing that certain conduct relating to seeking an applicant or tenant's arrest record, conviction record or record of criminal history constitutes an unlawful discriminatory practice in housing; and providing other matters properly relating thereto. | <b>MONITOR:</b> SB 254 is being sponsored by Senator Neal. The bill was heard in Senate Government Affairs on March 31st. Senator Neal introduced the bill and laid out the changes to the statute as it relates to rental protocols. NV Housing Coalition testified neutral as follows: The source of income provisions of AB 317 that are added per the conceptual amendment are provisions on which the Nevada Housing Coalition has worked closely with various stakeholders. • Currently in Nevada, landlords can refuse tenancy to housing applicants simply based upon the applicant's source of income (SOI), whether that is a housing voucher, Social Security Disability, or other public or adjudicated sources of income. As mentioned earlier, 19 other states and the District of Columbia have enacted source of income protections. In fact, Nevada's own Clark County passed an emergency ordinance last August. The Bill passed out as amended with he first reprint on a vote of the Senate 12 yeas and 9 no's. Heard in assembly Government Affairs 5/6 with conceptual amendment. Due to the language of the amendment that was more harmful than helpful for SOI protections, NHC moved from neutral to oppose. | <a href="#">Heard in Assembly Government Affairs 5/6.</a>           | <b>OPPOSE</b>  |
| <a href="#">SB311</a> | Ratti   | Revises provisions relating to rural housing.                         | AN ACT relating to housing; authorizing the Nevada Rural Housing Authority to create a for-profit business entity for the purpose of developing, operating and managing housing projects to provide dwellings primarily for persons of low and moderate income   | <b>SUPPORT</b> - SB 311 was sponsored by Senator Ratti. The bill was heard in Senate Government Affairs on March 26th and introduced by Senator Ratti. The principal presenters were Bill Brewer and Katie Coleman from NV Rural Housing Authority. The bill would allow the NV Rural Housing Authority to build and manage market-rate projects throughout rural Nevada. Currently, Nevada law prohibits this organization from this type of activity. There was support from several building/business associations. The bill was scheduled for a work session on April 5th, no further amendments were introduced, the bill passed out of committee as amended and will be transmitted to the Senate for consideration. The bill passed the Senate with a vote 20 Yeas and 1 Excused. The bill has been transmitted to the Assembly and referred to the Assembly Government Affairs. Assembly Government Affairs held a hearing on April 23 <sup>rd</sup> The work session has been scheduled for 5/12.   | <a href="#">Work Session 5/12, 9 am Assembly Government Affairs</a> | <b>SUPPORT</b> |

# Bills to watch Access and Equity

NEVADA  
HOMELESS  
ALLIANCE



Policy  
Council on  
Homelessness

- **Eviction Sealing:**
  - **AB141:** Automatically seals any eviction for non-payment of rent during COVID-19 emergency declaration is in effect. Extends no-cause evictions from 30 days to 60 days if a tenant has been in a rental for at least a year.

Passed Assembly chamber and referred to Senate Committee on Judiciary. Heard with no action in Senate Judiciary on 04/30.

- **Source of Income Protection:**
  - **AB317:** Statewide Bill to Prevent Source of Income Discrimination. Revises NV Fair Housing Law to include Source of Income, including Housing Choice Vouchers as a protected class.

Bill did not receive a hearing.

- **Fair-Chance Housing:**
  - **SB254:** Create limitations on how conviction history may be considered in rental application process.

Amended and passed by Senate Government Affairs 04/07/21. Passed Senate chamber on 04/22/21 and referred to Assembly Committee on Government Affairs. Heard in Assembly Government Affairs 5/6/21 @9am. Waiting for a work session.



# Bills to Watch Youth Homelessness

## ○ **Medical Access for Unaccompanied Youth**

- **AB197:** Current Nevada law requires unaccompanied minors to have been living on their own away from their parents or legal guardians for a minimum of four months prior to being able to consent to critical medical services. This proposed legislation will eliminate this time requirement, expanding the types of health services that homeless minors can access to also include dental and mental health care, and creates a clear process for medical providers to verify unaccompanied minors' homeless status.

Passed Assembly Chamber and referred to Senate Health and Human Services. Heard in Senate HHS on 04/27. Work session is today, 5/13 at 3 pm.

## ○ **Revising School Discipline Measures**

- **SB354:** Prohibit School Districts in the State from giving homeless students out-of-school suspensions and ensures an assessment of the students living situation is performed during each incident of school discipline.

Passed Senate and referred to Assembly Committee on Education. Hearing was yesterday, 5/12. Waiting for work session.

  
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