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Property; Creation of a Right of Survivorship

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his or her agent when consummating the rental agreement.⁹ Prior law provided that the person negotiating the rental agreement on the landlord's behalf would incur the principal's obligations¹⁰ if the landlord's identity was not disclosed at or before the commencement of the tenancy.¹¹ Under Chapter 555, the agent assumes the landlord's obligations whether or not the landlord's identity is disclosed.¹² Chapter 555 also provides that service of process on the landlord in actions involving his or her property may be affected by serving the manager of the premises.¹³

9. See *id.* §118A.260 1, 2, 3. See generally 3 AM. JUR. *Agency* 2 (2d ed. 1970) [hereinafter cited as *Agency*].

10. See generally N.R.S. §§118A.240-118A.300, 118A.320-118A.340; *Agency, supra* note 9, §§238-260, 261-286.

11. See STATUTES OF NEVADA 1977, c. 543, §30, at 1335 (enacting N.R.S. §118A.260 4). See generally *Peccole v. Fresno Air Serv. Inc.*, 86 Nev. 377, 469 P.2d 397 (1970); *Agency, supra* note 9, §§308, 309, 317-321.

12. N.R.S. §118A.260 4.

13. *Id.* See NEV. R. CIV. P. 4(d); 4 C. WRIGHT & A. MILLER, FEDERAL PRACTICE AND PROCEDURE §§1094-1116 (1969); 62 AM. JUR. 2d *Process* §§5, 25, 130 (2d ed. 1972). Cf. N.R.S. §§118A.260 1(a)(2), 118A.260 3 (agents authorized to receive service of process on landlord's behalf). Compare N.R.S. §118A.260 4 with STATUTES OF NEVADA 1977, c. 543, §30, at 1335.

Property; creation of a right of survivorship

N.R.S. §§111.064, 120.010 (amended).

SB 659 (Committee on Judiciary); STATS 1981, Ch 633

Chapter 633 provides that no right of survivorship is created in an estate in community property unless the instrument creating the estate expressly declares that the husband and wife take the property as community property with a right of survivorship.¹ If either spouse transfers his or her interest in the community property during the marriage, however, the right of survivorship is extinguished.²

Chapter 633 additionally specifies that any party taking an interest in property as a result of a right of survivorship is deemed a beneficiary³ for purposes of disclaiming a property interest.⁴

1. N.R.S. §111.064 2.

2. See *id.*

3. *Id.* §120.010 1 (beneficiary, for these purposes, means any person entitled, except for a disclaimer, to take an interest by intestate succession, devise, legacy, bequest, succession to a disclaimed interest, election to take against a will, as beneficiary of a testamentary trust, pursuant to the exercise or nonexercise of a power of appointment, by right of survivorship, or as beneficiary of an inter vivos gift).

4. See *id.* §120.010.