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Property; unlawful detainer

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receiver must take possession of the business, property, and assets of the association or developer within the State and, upon court approval, take other necessary and reasonable actions for the conduct of the business.³⁰

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30. *Id.* secs. 11, at ___ (amending NEV. REV. STAT. § 119A.____) (pertaining to time shares); 20, at ___ (amending NEV. REV. STAT. § 119B.____) (pertaining to campgrounds). The receiver must inventory the association's or developer's assets and liabilities, the inventory and creditors' claims must be open for inspection, the receiver's actions upon claims are subject to court approval, and the liquidation expenses, attorney's fees, and receiver's expenses are paid out of the assets controlled by the receiver. *Id.* secs. 11, at ___ (amending NEV. REV. STAT. § 119A.____) (pertaining to time shares); 20, at ___ (amending NEV. REV. STAT. § 119B.____) (pertaining to campgrounds).

Property; unlawful detainer

NEV. REV. STAT. §§ 40.253, 118A.460 (amended).
SB 404 (Wagner and Townsend); 1987 STAT. Ch 544

Existing law provides that a landlord¹ can dispose of personal property left or abandoned on premises² by a tenant³ without incurring civil or criminal liability by providing for the safe storage of property for thirty days after abandonment, eviction, or the end of the rental period.⁴ After the thirty day period expires, the landlord may dispose of the property and recover any reasonable storage costs out of the value of the property if the landlord has made reasonable attempts to locate or has located the tenant and has notified the tenant of the impending disposal.⁵ With the enactment of Chapter 544, the tenant may file a motion with the justice of the peace to

1. NEV. REV. STAT. § 118A.100 (definition of landlord).

2. *Id.* § 118A.140 (definition of premises).

3. Tenant under this section includes any tenant of a dwelling, apartment, mobile home, or commercial premises with rent paid monthly or any shorter period. *Id.* § 40.253 1; *see also id.* § 118A.170 (definition of tenant).

4. *Id.* § 118A.460 (amended by 1987 Nev. Stat. ch. 544, sec. 2, at ___).

5. *Id.* (amended by 1987 Nev. Stat. ch. 544, sec. 2, at ___). The landlord must wait until 14 days have elapsed since the notice was given to the tenant. *Id.* The notice must be mailed to the tenants present address or last known address. *Id.* This section does not apply to the tenant of a mobile home lot in a mobile home park. *Id.* § 40.253.

dispute the amount of any costs claimed by the landlord for the inventory, moving, and storage of personal property left on the premises.⁶ The motion must be filed within twenty days after the summary order for removal or abandonment by the tenant, or within twenty days after (1) the tenant has vacated or been removed from the premises, and (2) a copy of the charges has been requested by, or provided to, the tenant.⁷ Upon the filing of the motion, the justice of the peace must schedule a hearing to be held within ten days to determine any costs and must order the release of the property upon payment of any charges.⁸

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6. 1987 Nev. Stat. ch. 544, sec. 2, at ____ (enacting NEV. REV. STAT. 40.253 4).

7. *Id.* (whichever is later).

8. *Id.* sec. 2, at ____ (enacting NEV. REV. STAT. § 40.253 5).

Property; acquiring loans by fraud—statute of limitations

NEV. REV. STAT. § 40.____ (new); § 11.190 (amended).
AB 425 (Marvel); 1987 STAT. Ch 564

With the enactment of Chapter 564, any person who knowingly conceals a material fact, or makes a false statement concerning a material fact, to obtain a loan secured by a lien on real property is liable to any financial institution¹ for any damages sustained by reliance on the fraud.² In addition to actual damages, Chapter 564 permits the financial institution to recover exemplary or punitive damages in an amount not to exceed fifty percent of the actual damages awarded.³

1. Financial institution means a bank, mortgage company, credit union, thrift company, or savings and loan association, or any subsidiary or affiliate of a bank, mortgage company, credit union, thrift company, or savings and loan association, that is authorized to transact business in the State that makes or acquires, in whole or in part, a loan secured by a lien on real property. 1987 Nev. Stat. ch. 564, sec. 1, at ____ (enacting NEV. REV. STAT. § 40.____).

2. *Id.* This cause of action is not an action to recover a debt or to enforce a right secured by a mortgage or lien upon real estate. This cause of action is in addition to, and is not a substitute for, any right of foreclosure existing in favor of the financial institution. The financial institution is not entitled to recover actual damages more than once for the same loss. *Id.*

3. *Id.* This provision does not apply to a loan secured by a lien on real property used for residential purposes if the residence is a single-family dwelling occupied by the borrower and the principal amount of the loan is \$150,000 or less. *Id.*