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## Property; tenants' access to community antenna television

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Existing law provides several time limitations for bringing specific causes of actions.<sup>4</sup> Under Chapter 564, an action for damages sustained by a financial institution resulting from their reliance on the fraudulent conduct of a borrower may be commenced only within three years.<sup>5</sup>

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4. See NEV. REV. STAT. § 11.190 (amended by 1987 Nev. Stat. ch. 564, sec. 2, at \_\_\_\_). See generally 1981 PAC. L.J. NEV. REV. LEGIS. 31 (discussing statute of limitations on specific actions).

5. 1987 Nev. Stat. ch. 564, sec. 2, at \_\_\_\_ (amending NEV. REV. STAT. § 11.190). The cause of action is deemed to accrue upon the financial institution's discovery of the facts constituting the concealment or false statement. *Id.*

### Property; tenants' access to community antenna television

NEV. REV. STAT. § 711.\_\_\_\_ (new).

AB 736 (Committee on Commerce); 1987 STAT. Ch 742

Under existing law, community antenna television (CATV) companies may exercise the right of eminent domain.<sup>1</sup> Chapter 742 prevents a landlord<sup>2</sup> from interfering with a tenant's receipt of CATV services or from discriminating against a tenant for receiving those services.<sup>3</sup> Before authorizing receipt of CATV services, however, a landlord may (1) take reasonable steps to ensure the safety, function, and appearance of the premises; (2) require the cost of installation, operation, and removal of the necessary facilities to be paid by the CATV company; and (3) demand evidence that the company will indemnify the landlord for any damage caused by the installation, operation, or removal of the facilities.<sup>4</sup>

Chapter 742 requires a CATV company to compensate a landlord for any direct adverse economic effect resulting from granting access to CATV services.<sup>5</sup> To determine whether the damages alleged are

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1. NEV. REV. STAT. § 37.010 16.

2. 1987 Nev. Stat. ch. 742, sec. 1, at \_\_\_\_ (enacting NEV. REV. STAT. § 711.\_\_\_\_) (definition of landlord).

3. *Id.*

4. *Id.*

5. *Id.* There is a rebuttable presumption that damages are \$1 per unit or \$1000, whichever is greater. *Id.* A landlord must request greater compensation within 20 days of notification by

reasonable, a court must consider: (1) The extent the facilities physically occupy the premises, (2) the long-term damage the facilities will cause to the premises, (3) the extent the facilities will interfere with the normal use and enjoyment of the premises, and (4) any change in the value of the premises.<sup>6</sup>

Chapter 742 prohibits a landlord from accepting payment in exchange for granting a tenant access to CATV services.<sup>7</sup> A landlord's request for greater compensation or assertion of a claim against a CATV company does not affect the company's right to construct, install, or maintain its facilities upon the landlord's premises.<sup>8</sup> In addition, Chapter 742 requires the landlord and the CATV company to negotiate in good faith for the purchase of cable facilities existing on the premises.<sup>9</sup> Finally, Chapter 742 prohibits a CATV company from offering special benefits to a particular group of tenants unless the offer is extended to the rest of the county.<sup>10</sup>

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the CATV company of intent to provide services. *Id.* CATV companies must notify a landlord in writing 30 days before the company takes action to provide service to a tenant. *Id.*

6. *Id.*

7. *Id.*

8. *Id.* (greater compensation than provided by the rebuttable presumption).

9. *Id.*

10. *Id.*