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Property; prohibiting use of storage facilities as a residence

NEV. REV. STAT. § 40 (new); §§ 108.475, 108.4755 (amended).
AB 55 (Gibbons); 1989 STAT. Ch. 95

Existing law prohibits any person from using a storage facility¹ as a residence.² Chapter 95 requires a storage facility rental agreement to contain a provision declaring use of the facility as a residence to be unlawful.³ Chapter 95 also requires a storage facility owner to evict any person using a facility as a residence.⁴

Under Chapter 95, if the storage facility is not vacated, the owner must file a petition for summary eviction with a court.⁵ The court receiving the affidavit for summary eviction shall order the county sheriff or constable to remove the person within twenty-four hours.⁶

BJM

1. See NEV. REV. STAT. § 108.4733 (1987) (definition of a storage facility).

2. *Id.* § 108.475 1 (1987).

3. 1989 Nev. Stat. ch. 95, sec. 2, at 213 (amending NEV. REV. STAT. § 108.4755). The provision must be printed in at least 10-point type. *Id.*

4. *Id.* sec. 1, at 212 (amending NEV. REV. STAT. § 108.475 1). The owner must deliver a written eviction notice. *Id.* sec. 3, at ___ (enacting NEV. REV. STAT. § 40.____). The notice must direct the person to discontinue the use of the facility as a residence within 24 hours of receiving the notice. *Id.* The notice must also advise the person that the facility may continue to be used for storage of personal property. *Id.*

5. *Id.* The owner must apply by affidavit for summary eviction to the justice of the peace in the township where the facility is located. *Id.* The affidavit must include statements that the person is using the facility as a residence, that a written eviction notice was served to the person, and that the person did not discontinue the unlawful use of the facility within 24 hours of receiving the notice. *Id.*

6. *Id.* Chapter 95 prohibits removal of the personal property of the person by the county sheriff or constable. *Id.*