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Property: rehabilitation of abandoned residential property

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Property; recovery of costs for removal of debris

NEV. REV. STAT. § 244.— (new); § 444.630 (amended).
AB 209 (Committee on Commerce); 1989 STAT. Ch. 217

Chapter 217 authorizes counties to use any reasonable means to recover the costs¹ for removing refuse or debris,² or for repairing or demolishing a dangerous structure.³ Chapter 217 specifically allows counties to place liens on the property from which the debris or structure is removed.⁴

Existing law makes it a crime to deposit garbage⁵ on public property, or on private property where the public is allowed.⁶ Chapter 217 creates a reasonable inference that the owner of the garbage was the person who deposited it.⁷

TFT

1. See 1989 Nev. Stat. ch. 217, sec. 1, at 484 (enacting NEV. REV. STAT. § 244.—) (costs include the labor and materials used for the removal or repair).

2. Debris includes weeds and noxious plants, but does not include hazardous waste. *Id.* See NEV. REV. STAT. § 459.430 (1987) (definition of hazardous waste).

3. 1989 Nev. Stat. ch. 217, sec. 1, at 484 (enacting NEV. REV. STAT. § 244.—). The Board of County Commissioners may, by ordinance, adopt any reasonable means to recover money. *Id.*

4. *Id.* (counties may put a lien on the property on which the debris or dangerous structure is located in order to recover the costs for removal, repair, or demolition). The lien is valid only if a statement of the amount owing is filed with the county recorder along with a description of the property, and notice of the lien is mailed, by certified or registered mail, to the last known owner of the property. *Id.*

5. See NEV. REV. STAT. § 444.630 1 (1987) (definition of garbage).

6. *Id.* § 444.630 2 (a person who dumps or deposits garbage, or causes garbage to be dumped or deposited, is guilty of a misdemeanor).

7. 1989 Nev. Stat. ch. 217, sec. 2, at 484 (amending NEV. REV. STAT. § 444.630). Ownership of garbage does not transfer from the original owner until it is received by a person authorized to dispose of solid waste, or until deposited in a garbage dump site. *Id.*

Property: rehabilitation of abandoned residential property

NEV. REV. STAT. § ____ (new); § 361.603 (amended).
AB 218 (Regan); 1989 STAT. Ch. 82

Chapter 82 authorizes the governing body of a county or city to establish a program for the rehabilitation¹ of abandoned residential

1. See 1989 Nev. Stat. ch. 82, sec. 3, at 189 (enacting NEV. REV. STAT. § ____.) (definition of rehabilitation).

property.² Applicants for the program must be residents of the area,³ fall within a certain economic bracket,⁴ and intend to reside on the property.⁵ Applicants must also have the financial ability to complete the rehabilitation as agreed upon,⁶ be able to complete the rehabilitation in a timely fashion,⁷ and be able to properly maintain the property.⁸ The property must be entirely within the area of the governing body, be reasonably capable of rehabilitation,⁹ and have no more than two encumbrances upon it.¹⁰

If the applicant completes the rehabilitation according to the terms of the agreement, title to the property must be transferred to the applicant.¹¹ If the applicant only substantially fulfills the agreement, the governing body must offer to sell the property to the applicant.¹²

HMA

2. *Id.* Abandoned residential property is residential property which has been acquired by a local government or by the University of Nevada System under Nevada Revised Statutes section 361.603, has been declared abandoned by the Federal Government, or because of its condition has been declared abandoned by the area's governing body. *Id.*

3. *Id.* sec. 5, at 190 (enacting NEV. REV. STAT. § ____).

4. *Id.* The applicant must be a member of a household whose gross income is less than 80% of the median gross income for households of similar size. *Id.*

5. *Id.*

6. *Id.* sec. 7, at 190 (enacting NEV. REV. STAT. § ____.) (providing for a plan for the rehabilitation of the property). The agency must specify the terms of the agreement between the applicant and the governing body. *Id.* The agreement must identify the property, the standards for rehabilitation, and the terms and conditions of the rehabilitation. *Id.*

7. *Id.* sec. 6, at 190 (enacting NEV. REV. STAT. § ____). The agency administering the program must interview the applicant to insure that the applicant has the ability to properly complete the rehabilitation. *Id.*

8. *Id.*

9. *Id.* sec. 5, at 190 (enacting NEV. REV. STAT. § ____). The agency administering the program must inspect the property to insure that rehabilitation is feasible. *Id.* sec. 6, at 190 (enacting NEV. REV. STAT. (____)).

10. *Id.*

11. *Id.* sec. 7, at 190 (enacting NEV. REV. STAT. § ____).

12. *Id.* at 190. (the offer to sell must be at the fair market value of the property prior to rehabilitation).