

# LANDLORD NOTIFICATION AND AUTHORIZATION

\_\_\_\_\_ has APPLIED for utility services located at: \_\_\_\_\_ PO Box \_\_\_\_\_ Caliente Nevada 89008, from the Caliente Public Utilities, as a renter for this property.

## **NRS 5.050 Jurisdiction**

1. Municipal courts have jurisdiction of civil actions or proceedings:
  - (a) For the violation of any ordinance of their respective cities.
  - (b) To prevent or abate a nuisance within the limits of their respective cities.
2. The municipal courts have jurisdiction of all misdemeanors committed in violation of the ordinances of their respective cities. Upon approval of the district court, a municipal court may transfer original jurisdiction of a misdemeanor to the district court for the purpose of assigning an offender to a program established pursuant to [NRS 176A.250](#) or [176A.280](#).
3. The municipal courts have jurisdiction of:
  - (a) Any action for the collection of taxes or assessments levied for city purposes, when the principal sum thereof does not exceed \$2,500.
  - (b) Actions to foreclose liens in the name of the city for the nonpayment of those taxes or assessments when the principal sum claimed does not exceed \$2,500.
  - (c) Actions for the breach of any bond given by any officer or person to or for the use or benefit of the city, and of any action for damages to which the city is a party, and upon all forfeited recognizances given to or for the use or benefit of the city, and upon all bonds given on appeals from the municipal court in any of the cases named in this section, when the principal sum claimed does not exceed \$2,500.
  - (d) Actions for the recovery of personal property belonging to the city, when the value thereof does not exceed \$2,500.
  - (e) Actions by the city for the collection of any damages, debts or other obligations when the amount claimed, exclusive of costs or attorney's fees, or both if allowed, does not exceed \$2,500.
4. Nothing contained in subsection 3 gives the municipal court jurisdiction to determine any such cause when it appears from the pleadings that the validity of any tax, assessment or levy, or title to real property, is necessarily an issue in the cause, in which case the court shall certify the cause to the district court in like manner and with the same effect as provided by law for certification of causes by justice courts.  
[33:19:1865; B § 938; BH § 2452; C § 2533; RL § 4853; NCL § 8395] + [34:19:1865; B § 939; BH § 2453; C § 2534; RL § 4854; NCL § 8396]—(NRS A 1959, 853; 1981, 652, 1928; 1985, 129, 671; 1991, 454; [2001 Special Session, 258](#); [2009, 111](#))

## **NRS 266.285 Provision of utilities.** The city council may:

1. Provide, by contract, franchise or public enterprise, for any utility to be furnished to the city for the residents thereof.
2. Provide for the construction of any facility necessary for the provision of the utility.
3. Fix the rate to be paid for any utility provided by public enterprise. Any charges due for services, facilities or commodities furnished by any utility owned by the city to put a lien upon the property to which the service is rendered and must be perfected by recording with

the county recorder a statement by the city clerk of the amount due and unpaid and describing the property subject to the lien. Each such lien:

- (a) Is coequal with the latest lien thereon to secure the payment of general taxes.
- (b) Is not subject to extinguishment by the sale of any property because of the nonpayment of general taxes.
- (c) Is prior and superior to all liens, claims, encumbrances and titles other than the liens of assessments and general taxes.

[Part 28:125:1907; RL § 794; NCL § 1128]—(NRS A 1971, 301; [2001, 1756, 2076](#); [2003, 152](#))

### **NRS 108.315 Enforcement of lien for unpaid rent or utilities**

1. ....to enforce a lien for unpaid rent or rent and utilities under the provisions of [NRS 108.270](#) to [108.367](#), inclusive, must within 15 days after the rent is 30 days past due, make a demand in writing upon the registered owner of the recreational vehicle, mobile home or manufactured home, for the amount due, stating that a lien is claimed on the recreational vehicle, mobile home or manufactured home. A copy of the demand must be sent to every holder of a security interest and every person who is listed in the records of the Manufactured Housing Division of the Department of Business and Industry as holding an ownership or other interest in, and every tenant or subtenant of, the recreational vehicle, mobile home or manufactured home, and to the:

- (a) Manufactured Housing Division of the Department of Business and Industry, with regard to mobile homes and manufactured homes; or
- (b) Department of Motor Vehicles, with regard to recreational vehicles,  
☐ by registered or certified mail.

2. To obtain the name and address of a holder of a security interest or a person who is listed in the records of the Manufactured Housing Division of the Department of Business and Industry as holding an ownership or other interest in the recreational vehicle, mobile home or manufactured home, the landlord shall, before making the demand for payment, request that information from the:

- (a) Manufactured Housing Division of the Department of Business and Industry, with regard to mobile homes, manufactured homes and commercial coaches as defined in [chapter 489](#) of NRS; or
- (b) Department of Motor Vehicles, with regard to all other vehicles,

☐ and the state agency shall supply that information from its records. If the recreational vehicle, mobile home or manufactured home is registered in another state, territory or country, the landlord shall, before making the demand for payment, obtain the information from the appropriate agency of that state, territory or country.

3. A landlord who enforces a lien for unpaid rent may recover an amount equal to:

- (a) The amount of the unpaid rent;
- (b) The cost of any advertising and notices required pursuant to [NRS 108.270](#) to [108.367](#), inclusive;
- (c) The cost and fees ordered by a court in any action contesting the validity of a lien; and
- (d) The cost of a sale, if a sale by auction is made pursuant to the provisions of [NRS 108.310](#).

4. No recreational vehicle, mobile home or manufactured home may be sold for delinquent rent or rent and utilities until 4 months have elapsed after the first default in payment, and a notice of lien has been served pursuant to subsection 1. At least 10 days but not more than 30 days before a sale, a written notice of sale by auction must be sent to the registered owner and tenant or subtenant and to every holder of a security interest and every person

who is listed in the records of the Manufactured Housing Division of the Department of Business and Industry as holding an ownership or other interest in the recreational vehicle, mobile home or manufactured home by registered or certified mail stating that a sale by auction of the recreational vehicle, mobile home or manufactured home is to be made pursuant to the provisions of [NRS 108.310](#). The written notice of sale by auction must include the time and location of the sale, the amount necessary to satisfy the lien and a description of the legal proceeding available to contest the lien pursuant to [NRS 108.350](#) and [108.355](#).

(Added to NRS by 1961, 485; A 1967, 1482; 1969, 95; 1979, 1217; 1985, 1975; 1991, 1720; 1993, 235, 1507, 2040, 2043; 1995, 669; [1999, 3590](#); [2001, 2563](#))

**NRS 108.290 Priority of lien; limitation on lien of landlord.**

1. If property that is the subject of a lien which is acquired as provided in [NRS 108.270](#) to [108.367](#), inclusive, is the subject of a secured transaction in accordance with the laws of this State, the lien:

(a) In the case of a lien acquired pursuant to [NRS 108.315](#), is a first lien.

(b) In the case of a lien on a motor vehicle for charges for towing, storing and any related administrative fees:

(1) For the first 30 days of the lien:

(I) If the amount of the lien does not exceed \$1,000, is a first lien.

(II) If the amount of the lien exceeds \$1,000, is a second lien.

(2) After the first 30 days of the lien:

(I) If the amount of the lien does not exceed \$2,500, is a first lien.

(II) If the amount of the lien exceeds \$2,500, is a second lien.

(c) In all other cases, if the amount of the lien:

(1) Does not exceed \$1,000, is a first lien.

(2) Exceeds \$1,000, is a second lien.

2. The lien of a landlord may not exceed \$2,500 or the total amount due and unpaid for rentals and utilities, whichever is less.

[3:95:1943; A 1945, 358; 1953, 377]—(NRS A 1957, 105; 1961, 485; 1965, 926; 1981, 62; 1983, 1358; 1985, 238; 1991, 1719; [1997, 1422](#); [2005, 1001](#); [2007, 97, 2333](#))

If the Renter does not pay the utility bill, the home owner will be responsible for any unpaid utility bills. Pursuant to the NRS's listed above, the City of Caliente can file a lien against the above listed real property if the utility services provided to the property are not paid.

Renter hereby authorizes the City of Caliente to Furnish and disclose to the Landlord listed below any requested information regarding the status and payments on the utility bills.

Renter acknowledges and agrees that utility service shall not be provided unless renter authorizes and executes this authorization.

