

ASSEMBLY BILL NO. 141—ASSEMBLYWOMAN
BUSTAMANTE ADAMS

FEBRUARY 11, 2015

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the foreclosure of liens by a homeowners’ association. (BDR 10-751)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to common-interest communities; revising provisions relating to the foreclosure of liens by a homeowners’ association; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law: (1) provides that a homeowners’ association has a lien on a unit
2 of a common-interest community for certain amounts that are due to the
3 association; (2) authorizes an association to foreclose such liens by sale; and (3)
4 prescribes the foreclosure procedures for an association. (NRS 116.3116-
5 116.31168) Under existing law, a homeowners’ association or other person
6 conducting a sale of a unit pursuant to the foreclosure of a lien is required to mail to
7 certain parties a copy of the notice of default and election to sell. (NRS 116.31163)
8 This bill removes a provision that requires a copy of the notice of default and
9 election to sell to be mailed to holders of certain security interests only if such
10 holders have notified the association of the existence of the security interest 30 days
11 before the recordation of the notice.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 116.31163 is hereby amended to read as
2 follows:

3 116.31163 The association or other person conducting the sale
4 shall also mail, within 10 days after the notice of default and
5 election to sell is recorded, a copy of the notice by first-class mail
6 to:



- 1 1. Each person who has requested notice pursuant to NRS
2 107.090 or 116.31168;
- 3 2. Any holder of a recorded security interest encumbering the
4 unit's owner's interest ; ~~who has notified the association, 30 days~~
5 ~~before the recordation of the notice of default, of the existence of the~~
6 ~~security interest;~~ and
- 7 3. A purchaser of the unit, if the unit's owner has notified the
8 association, 30 days before the recordation of the notice, that the
9 unit is the subject of a contract of sale and the association has been
10 requested to furnish the certificate required by NRS 116.4109.

