

Bold and Underlined material is that portion being added.

BILL NO. 9-1-20-2

SUMMARY –An amendment providing an exemption for certain vouchers administered by the Southern Nevada Regional Housing Authority to that ordinance adopted by the Board on August 4, 2020 prohibiting discrimination in housing on the basis of source of income or prior eviction related to the COVID-19 pandemic

ORDINANCE NO. \_\_\_\_\_  
(of Clark County, Nevada)

AN AMENDMENT PROVIDING AN EXEMPTION FOR CERTAIN VOUCHERS ADMINISTERED BY THE SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY TO THAT ORDINANCE ADOPTED BY THE BOARD ON AUGUST 4, 2020 PROHIBITING DISCRIMINATION IN HOUSING ON THE BASIS OF SOURCE OF INCOME OR PRIOR EVICTION RELATED TO THE COVID-19 PANDEMIC, AND PROVIDING OTHER MATTERS RELATED THERETO.

Whereas, on August 4, 2020, the Board of County Commissioners passed an emergency ordinance prohibiting discrimination in housing on the basis of source of income or prior eviction related to the COVID-19 pandemic; and

Whereas, upon administration of the ordinance, it appears that delays in approval of housing vouchers by issuing authorities are working a hardship on landlords wishing to be in compliance with the emergency ordinance, and a clarifying amendment is in order;

NOW, THEREFORE, the Board does hereby ordain as follows:

SECTION ONE. There is an amendment to that emergency ordinance adopted August 4, 2020 dealing with housing discrimination, and that ordinance shall now read as follows:

(a) Prohibited Discrimination. A person shall not, because of the source of a prospective tenant's identified source of income

1. Refuse to rent or refuse to negotiate for the rental of, or otherwise make unavailable or deny, a rental dwelling to any person.

2. Discriminate against any person in the terms, conditions or privileges of rental of a dwelling, including the amount of breakage or brokerage fees, deposits or other undue penalties, or in the provision of services or facilities in connection therewith.

3. Make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement with respect to the rental of a dwelling that indicates any preference, limitation or discrimination, or an intention to make any preference, limitation or discrimination.

4. Represent to any person because of the source of that person's income that any dwelling is not available for rental when the dwelling is in fact so available.

5. For profit, induce or attempt to induce any person to rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of the source of income of persons living in that neighborhood.

6. Coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of that person having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected in this chapter.

(b) Definitions.

1. Source of Income. For purposes of this Section, “source of income” shall mean any lawful, verifiable source of income or housing assistance paid to or on behalf of a renter or buyer including, but not limited to monies from any legal occupation or activity, from any contract, agreement, loan or settlement, from any court-ordered payments such as child support, or from federal, state or local payments, including disability benefits, housing choice vouchers or any other rent subsidy or rent assistance program and related program requirements.

2. Dwelling. For purposes of this Section, “dwelling” includes a house, room or unit described in subsection 2 or 3 of NRS 118.060 and offered for rent.

(c) Exceptions.

1. This Section shall not apply where a person owns and makes available for renting, subrenting, leasing, or subleasing only a single unit, nor to a multiple-unit dwellings of not more than two (2) dwelling units where at least one (1) of the units is owner-occupied.

2. Nothing in this section shall prohibit group homes, self-care elderly homes, special-care homes or other facilities whose use is restricted to the elderly or to individuals with physical or mental disabilities.

3. *This Section shall not apply if the tenant’s source of income includes a Housing Choice Voucher (HCV) or other rental assistance funds administered by the Southern Nevada Regional Housing Authority (SNRHA) and SNRHA fails to approve the tenancy within seven (7) business days from the landlord’s execution and delivery to the tenant of a Request for Tenancy Approval (RFTA).*

4 This Section shall not apply to religious organizations or associations.

SECTION TWO. There is a new section of the Clark County Code which shall read as follows:

A person shall not, because a prospective tenant had previously been evicted due to that tenant's business, occupation or source of income being negatively impacted by the COVID-19 pandemic, refuse to rent or refuse to negotiate for the rental of, or otherwise make unavailable or deny, a rental dwelling to any person.

SECTION THREE. There is a new section of the Clark County Code which shall read as follows:

In addition to the penalties provided in Chapter 1 of this Code, a landlord, housing manager, rental agent or real property owner who has been determined to have violated a provision of this chapter shall be reported to the Clark County Business License Department and any applicable state licensing agency to determine if remedial or disciplinary action is appropriate.

SECTION FOUR. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION FIVE. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION SIX. This ordinance shall be published thereof by title only, together with

the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks, and shall be effective on and from the fifteenth day after passage and thereafter until December 31, 2020, unless extended by official action of the Board.

PROPOSED on the \_\_\_\_ day of \_\_\_\_\_, 2020.

PROPOSED BY: Commissioner \_\_\_\_\_

PASSED on the \_\_\_\_ day of \_\_\_\_\_ 2020.

AYES: \_\_\_\_\_

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NAYS: \_\_\_\_\_

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ABSTAINING: \_\_\_\_\_

ABSENT \_\_\_\_\_

\_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By: \_\_\_\_\_

MARILYN KIRKPATRICK, Chair

ATTEST:

\_\_\_\_\_  
Lynn Marie Goya, County Clerk

This ordinance shall be in force and effect from and after  
the \_\_\_\_\_ day of \_\_\_\_\_ 2020.