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Office of the Governor

June 2, 2025

The Honorable Steve Yeager
Speaker of the Nevada State Assembly
401 South Carson Street
Carson City, Nevada 89701

Re: Assembly Bill 223 of the 83rd Legislative Session

Dear Speaker Yeager:

I am forwarding to you, for filing within the time limit set forth in the Nevada Constitution and without my approval, Assembly Bill 223 ("AB 223"), which is titled as follows:

AN ACT relating to real property; authorizing a tenant whose landlord fails to remedy a failure to maintain a dwelling unit in a habitable condition to file a verified complaint for expedited relief; revising certain provisions relating to the content of written rental agreements; revising provisions relating to the payment of rent; revising provisions relating to requirements for habitability; revising provisions relating to the remedies a tenant is authorized to pursue if a landlord fails to remedy certain breaches or failures relating to habitability; providing that certain items and services constitute essential items and services for purposes of such provisions; revising the amounts which a tenant is authorized to recover from a landlord who takes certain unlawful actions or fails to make required disclosures; requiring a landlord to, under certain circumstances, provide a tenant who has terminated a rental agreement with a reasonable length of time to gather his or her belongings; and providing other matters properly relating thereto.

AB 223 needlessly disrupts a well-established balance in Nevada law which provides adequate tenant protections while also ensuring lessors maintain safe, quality housing. Nevadans need safe, affordable housing and a change to existing law as far-reaching and

insensitive to scheduling realities as this bill would only serve to destabilize Nevada's rental market.

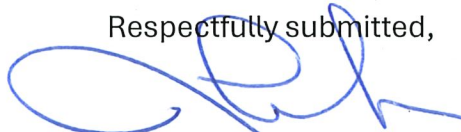
Specifically, AB 223 would require that a lessor remedy certain tenant issues within 48 hours after receiving notice, excluding weekends and holidays. This onerous requirement would, in certain instances, be impossible for lessors to comply with. Suppose a tenant has an issue and the local repairperson cannot schedule the repair until 5 days after the lessor received notice of the outage. Under current law, the lessor could schedule that repair appointment and use her best efforts to remedy the defect in the meantime with minimal worry that she may be exposed to legal liability. Under AB 223, however, if the lessor could not find someone to do the repair, they would have to do it themselves. To be clear, they would not have to *attempt* to do the repair. They would not have to use their best efforts to complete the repair or otherwise have it completed. No. The lessor would have to repair the habitability defect or could be sued.

It is also important to note, AB 223 lacks sufficient specificity regarding the cause of the habitability concern. Under the provisions of this bill, a tenant's own negligence may cause the defective condition, and the lessor would still be required to remedy that condition unless she could show by clear and convincing evidence the defect was caused by the tenant.

In short, since AB 223 would create fundamental unfairness in the lessor-lessee relationship, I cannot support it.

For these reasons, I veto this bill and return it without my signature or approval.

Respectfully submitted,



JOE LOMBARDO

Governor of Nevada

Enclosure

cc: The Honorable Stavros Anthony, President of the Senate (without enclosure)
The Honorable Nicole Cannizzaro, Senate Majority Leader (without enclosure)
The Honorable Francisco Aguilar, Secretary of State (without enclosure)
Brendan Bucy, Secretary of the Senate (without enclosure)
Bonnie Borda Hoffecker, Chief Clerk of the Assembly (without enclosure)
Diane Thornton, Legislative Counsel Bureau, Director (without enclosure)
Asher Killian, Legislative Counsel Bureau, Legislative Counsel (without enclosure)