



May 28, 2025

The Honorable Joe Lombardo  
Governor of Nevada  
State Capitol Building  
101 N. Carson Street  
Carson City, NV 89701

Dear Governor Lombardo:

I am writing on behalf of the Nevada State NARPM Chapter to encourage you to veto AB480, which would create a state law regarding disparate impact in housing similar to a federal rule imposed by the Obama and Biden Administrations and later overturned by the Trump Administration.

As an organization and an industry, we are committed in word, deed, and spirit to the principle of fair housing. In no uncertain terms, we condemn those who would discriminate in the provision of housing and housing-related services. That includes both those who would explicitly discriminate and those who would purposely use other factors as a proxy to discriminate based on someone's status as a member of a protected class. Those who would engage in either of these acts deserve prosecution to the fullest extent of the law and have no place in our industry. We do not speak for them.

Our interest in the issue of disparate impact is solely on behalf of our members who work hard to follow and adhere to fair housing laws. These men and women work hard to make sure that their practices and policies comply with applicable state and federal law. To that end, our intent is statutory and regulatory policy that provides clarity and certainty to the regulated community. Unfortunately, the proposal before you does not provide that clarity and certainty.

Here are our concerns:

- There is no definition of what constitutes prima facie evidence for a plaintiff to establish a case. Even cases that are resolved at the pleading level require time and expense. Therefore, we should ensure that cases making it into the proverbial pipeline are those in which there is more likelihood to be substantive issues. This allows more time and focus on those most egregious cases, and it also helps to protect our members, many of whom are small businesses, from having to expend precious resources to defend baseless claims.

- While a plaintiff can be required to demonstrate that the defendant's legitimate business aim may be achieved by means of a less discriminatory practice, there is no limit that what cost this practice would entail. As part of the burden shifting approach, there should be language clarifying that the alternative suggested by the plaintiff serve the legitimate business interest of the defendant in an equally effective manner without imposing materially greater costs on, or creating other material burdens for, the defendant. Without this language, there exists no real limit on what would constitute a reasonable alternative practice.
- The proposed legislation should contain positive defenses for the defendant. This would allow property managers to understand the bounds of the law as written in statute and interpreted by the courts in case law, and with that understanding, design screening policies with more certainty that they comply in word and spirit with applicable law.
- This proposal should also make it clear that remedies need to concentrate on fixing problems and should include a prohibition on punitive damages. The focus of resolving the case must be to correct the situation, educate the offending party, and make the harmed party whole.

In sum, enactment of AB480 would create uncertainty and unnecessary legal exposure for property owners and small businesses in Nevada. As such, we strongly encourage you to veto this legislation.

Thank you for your consideration of our views and for your service to the citizens of Nevada.

Sincerely,

*Demetria Kalfas-Gordon*

Demetria Kalfas-Gordon  
President  
Nevada State NARPM® Chapter