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**JUSTICE COURT, TOWNSHIP OF RENO
WASHOE COUNTY, NEVADA**

Landlord's
Name: _____
Preferred Pronoun(s): _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____

Case No.: _____
Dept. No.: _____

Landlord,

vs.

**TENANT'S AFFIDAVIT IN
OPPOSITION TO SUMMARY
EVICITION REGARDING
NONPAYMENT OF RENT**

Tenant's
Name: _____
Preferred Pronoun(s): _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____

Tenant.

Tenant, appearing in proper person, contests this matter pursuant to NRS 40.253 and states as follows (*if completing by hand, please **print** in clear, legible ink. Illegible documents may be summarily dismissed by the Court*):

1. I am the tenant of the rental unit located at (*insert complete address of rental unit, including city, state and zip*):

_____.

2. My rent (*check one box*) is not is subsidized by a public housing authority or governmental agency.

3. I received a notice stating that I owe rent. I assert the following defenses to the notice: (*check all that apply*):

a. I paid my rent in full.

- 1 b. I presented payment of my rent in full, but landlord refused to accept it.
- 2
- 3 c. Landlord accepted partial payment of my rent.
- 4
- 5 d. The amount Landlord is demanding in the notice includes costs or fees that are
6 not periodic rent or late fees.
- 7
- 8 e. Landlord is charging an unreasonable late fee, or late fee that exceeds 5% of the
9 amount of the periodic rent.
- 10 f. *(To raise this defense you must deposit your rent into the court's rent escrow account.)* I
11 gave Landlord written notice describing Landlord's failure to maintain my rental
12 unit in a habitable condition. Landlord did not fix, or make a reasonable effort to
13 fix, the habitability problem within 14 days after my notice. Therefore, I am
14 withholding payment of rent.
- 15 g. *(To raise this defense your rent must have been current at the time you gave written
16 notice to Landlord.)* I gave Landlord written notice of an "essential services"
17 problem at my rental unit *(heat, air conditioning, running or hot water, electricity, gas, a
18 working door lock, or other essential item or service)*. Landlord did not fix, or make a
19 reasonable effort to fix, the problem within 48 hours after my notice. Therefore, I
20 am withholding payment of rent.
- 21 h. I corrected a habitability problem at my rental unit and am deducting the cost
22 from my rent after giving Landlord an itemized statement. I gave Landlord written
23 notice of the habitability problem and stated my intention to repair. Landlord did
24 not fix the problem within 14 days after my notice.
- 25 i. Landlord's notice to me did not comply with Nevada law because it:
- 26 a. Was not served on me as required by NRS 40.280;
- 27 b. Did not identify the court that has jurisdiction over this case;
- 28 c. Did not notify me of my right to contest this matter by filing an affidavit
with the court;
- d. Did not notify me that the court may issue a summary order for my
removal directing the sheriff or constable to post the order in a conspicuous
place on the premises not later than 24 hours after the order is received by
the sheriff or constable, and that the sheriff or constable shall remove the
tenant not earlier than 24 hours but not later than 36 hours after the posting
of the order;

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e. Did not notify me of my right to seek expedited relief if Landlord unlawfully removes or excludes me from the premises or interrupts an essential service;

j. Landlord is discriminating against me in violation of the Federal Fair Housing Act and/or Nevada laws.

k. Landlord is retaliating against me for having engaged in certain protected acts, and Landlord is in violation of NRS 118A.510.

l. I am a tenant on property that has been foreclosed upon and sold. The new owner:

a. Failed to serve me with the notice of change of ownership required by NRS 40.255(2);

b. Is violating NRS 40.255 by failing or refusing to grant me an additional 60 days on the property;

c. Is attempting to use the summary eviction procedure in violation of NRS 40.255(1), which requires the new owner to use the formal unlawful detainer procedure under NRS 40.290 to 40.420.

m. Other defense (*explain below*).

(State the facts and circumstances that support the defenses you checked above).

check here if continuation sheets are attached.

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THEREFORE, I declare under penalty of perjury that the above statements are true and correct to the best of my knowledge and that the reason for this request is not for the purpose of delay or any other frivolous or improper purposes. Finally, by signing below I consent to accept electronic service of any documents filed into this case at the e-mail address indicated above, pursuant to Rule 9(c) of the Nevada Electronic Filing and Conversion Rules.

(Date) *(Type or Print Name)* *(Signature)*