

DEC 10 2020

By   
DEPUTY CLERK

IN THE JUSTICE COURT OF SPARKS TOWNSHIP  
COUNTY OF WASHOE, STATE OF NEVADA

IN THE ADMINISTRATIVE MATTER  
CONCERNING EVICTIONS AND FORMS

ADMINISTRATIVE ORDER 2020-9

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has issued a temporary halt to certain residential evictions to prevent the further spread of COVID-19; but that the CDC Moratorium only applies to evictions for non-payment of rent and expires December 31, 2020;

WHEREAS, the Nevada Legislature, during the Thirty-Second Session, amended Chapter 40 of the Nevada Revised Statutes to create an Alternate Dispute Resolution Program for eviction proceedings;

WHEREAS, on October 6, 2020, the Nevada Supreme Court entered an Order in ADKT 0567 Adopting the Temporary Residential Summary Eviction Mediation Rules effective October 15, 2020, for evictions for non-payment of rent pursuant to NRS 40.253;

WHEREAS, the Chief Judge of the Sparks Justice Court has the authority pursuant to NRS 4.157 (c) to make administrative decisions pertaining to the business of the Court; and

WHEREAS, the Sparks Justice Court has adopted mandatory eviction forms to include the requirements of the CDC Eviction Moratorium as well as the Eviction Mediation Program created by the Nevada Legislature.

AND GOOD CAUSE BEING SHOWN,

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1 IT IS HEREBY ORDERED THAT:

- 2 1. The Sparks Justice Court's Eviction Forms, attached hereto, are to be used by all parties  
3 who file for an eviction. Older, outdated forms not containing all current requirements  
4 may be rejected. Parties are free to incorporate the contents of the Court's forms into  
5 their own documents, but they must contain all the contents of the Court's forms or they  
6 may be rejected.
- 7 2. If a landlord files an eviction pursuant to NRS 40.253 for non-payment of rent which is  
8 referred to the Mediation Program and subsequently files an eviction pursuant to NRS  
9 40.254, the subsequent eviction may be stayed pending resolution of the first.  
10 Landlords filing a subsequent eviction while the first is pending mediation are required  
11 to specifically notify the Court.
- 12 3. Tenants are advised to respond to all evictions filed against them and not assume, to  
13 their possible detriment, that the matter has somehow been automatically stayed. They  
14 are also encouraged to use the current versions of the Tenant forms attached hereto.
- 15 4. For evictions for non-payment of rent, the tenant must proffer the CDC Moratorium  
16 Notice to their Landlord on a timely basis. Notices not proffered until after the eviction  
17 has been granted, the lockout order issued, or the lockout performed may not stay the  
18 matter.

19 This Administrative Order 2020-9 shall stay in full force and effect until amended or  
20 rescinded by the Sparks Justice Court.

21 IT IS SO ORDERED.

22 Dated this 10<sup>th</sup> day of December 2020.

23  
24   
25 \_\_\_\_\_  
Chief Judge Kevin Higgins  
Justice of the Peace

1 Forms Attached:

- 2 • CDC Declaration
- 3 • Seven-Day Notice to Pay Rent or Quit
- 4 • Affidavit of Tenant Summary Eviction Nonpayment of Rent
- 5 • Affidavit/Complaint of Landlord for Summary Eviction for Nonpayment of Rent
- 6 • Seven-Day "No Cause" Notice to Quit (NRS 40.251)
- 7 • Five-Day Notice to Perform Lease Condition or Quit (NRS 40.2516)
- 8 • Five-Day Notice of Unlawful Detainer (NRS 40.254)
- 9 • Five-Day Notice to Quit for Tenancy-At-Will (NRS 40.251)
- 10 • Three-Day Notice to Quit for Nuisance, Waste, Assigning/Subletting, Unlawful  
11 Business, or Drug Violation (NRS 40.2514)
- 12 • Thirty-Day "No Cause" Notice to Quit (NRS 40.251)
- 13 • Affidavit of Tenant Other Than Non-Payment of Rent
- 14 • Affidavit of Landlord for Unlawful Detainer
- 15 • Declaration of Service

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**DECLARATION UNDER PENALTY OF PERJURY FOR  
THE CENTERS FOR DISEASE CONTROL AND PREVENTION'S TEMPORARY  
HALT IN EVICTIONS TO PREVENT FURTHER SPREAD OF COVID-19**

This declaration is for tenants, lessees, or residents of residential properties who are covered by the CDC's order temporarily halting residential evictions (not including foreclosures on home mortgages) to prevent the further spread of COVID-19. Under the CDC's order you must provide a copy of this declaration to your landlord, owner of the residential property where you live, or other person who has a right to have you evicted or removed from where you live. Each adult listed on the lease, rental agreement, or housing contract should complete this declaration. Unless the CDC order is extended, changed, or ended, the order prevents you from being evicted or removed from where you are living through December 31, 2020. You are still required to pay rent and follow all the other terms of your lease and rules of the place where you live. You may also still be evicted for reasons other than not paying rent or making a housing payment. This declaration is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or omit important information.

I certify under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing are true and correct:

**Check all that apply:**

- I have used best efforts to obtain all available government assistance for rent or housing;<sup>1</sup>  
**\*(Please explain on the next page what efforts you have made such as name of entity you applied to including dates whether your application has been accepted and if you are currently on a waiting list and estimated time for the benefits to be paid).**
- I either expect to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), was not required to report any income in 2019 to the U.S. Internal Revenue Service, or I received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
- I am unable to pay my full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary<sup>2</sup> out-of-pocket medical expenses;
- I am using best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other nondiscretionary expenses;
- If evicted I would likely become homeless, need to move into a homeless shelter, or need to move into a new residence shared by other people who live in close quarters because I have no other available housing options.<sup>3</sup> If evicted I would likely become homeless, need to move into a homeless shelter, or need to move into a new residence shared by other people who live in close quarters because I have no other available housing options.<sup>3</sup>

<sup>1</sup> "Available government assistance" means any governmental rental or housing payment benefits available to the individual or any household member.

<sup>2</sup> An "extraordinary" medical expense is any unreimbursed medical expense likely to exceed 7.5% of one's adjusted gross income for the year.

<sup>3</sup> "Available housing" means any available, unoccupied residential property, or other space for occupancy in any seasonal or temporary housing, that would not violate federal, state, or local occupancy standards and that would not result in an overall increase of housing cost to you.



# SEVEN-DAY NOTICE TO PAY RENT OR QUIT

(NRS 40.253)

TO: \_\_\_\_\_  
*Tenant(s) Name(s)*

FROM: \_\_\_\_\_  
*Landlord's Name*

and all occupants     named tenant(s) only

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

\_\_\_\_\_  
*Email Address*

DATE OF SERVICE: \_\_\_\_\_

**TENANTS ARE ADVISED THAT THE SPARKS JUSTICE COURT HAS INFORMATION ON ITS WEBSITE CONCERNING THE AVAILABILITY OF MEDIATION, GOVERNMENT-SPONSORED RENTAL ASSISTANCE, AND ELECTRONIC FILING FOR THE TENANT AFFIDAVIT, AMONG OTHER MATTERS. A TENANT MAY ACCESS THIS INFORMATION AT: [www.washoecounty.us/sjc](http://www.washoecounty.us/sjc)**

PLEASE TAKE NOTICE that you are in default in payment of rent for the above-described premises.

You are in default for the period *(insert beginning date covered by rent due)* \_\_\_\_\_ to *(insert ending date covered by rent due)* \_\_\_\_\_.

The amount of periodic rent is *(rent may include recurring periodic utilities)*: \_\_\_\_\_.

The last date any amount of rent was paid was *(insert date of last rent payment)* \_\_\_\_\_ in the amount of *(amount of last rent payment made)* \$ \_\_\_\_\_.

Current rent due: *(amount of rent due for the current period)*        \$ \_\_\_\_\_

Past due rent: *(rent due for previous periods)*                        \$ \_\_\_\_\_

Late fees: *(cannot be in excess of 5% of the periodic rent)*        \$ \_\_\_\_\_

Total owed: *(the rent owed plus late fees owed)*                     \$ \_\_\_\_\_

Your failure to pay rent or vacate the premises before the close of business on the seventh (7<sup>th</sup>) judicial day<sup>1</sup> following the Date of Service of this notice may result in your landlord applying to the Justice Court for an eviction order. If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your nonadmittance, 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. The sheriff or constable shall then remove you not earlier than 24 hours but not later than 36 hours after the posting of the order. Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises, or excludes you by blocking or attempting to block your entry upon the premises, or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or chapter 118A of the Nevada Revised Statutes.

**YOU ARE HEREBY ADVISED OF YOUR RIGHT TO CONTEST THIS NOTICE** by filing an Affidavit no later than by the close of business<sup>2</sup> on the seventh (7<sup>th</sup>) judicial day following the Date of Service of this notice, with the Justice Court for the Township of Sparks, stating that you have tendered payment or are not in default of rent. You can fill out the forms and file electronically at <https://nevada.tylerhost.net/ofswweb> (choose "EVICTION: Affidavit of Tenant"). If you do not have internet access, you can file your forms in-person at the Sparks Justice Court located at 1675 E. Prater Way Ste. 107, Sparks, NV 89434. In-person filing requires an appointment at this time. Appointments can be made by calling 775-353-7600.

**YOU CAN OBTAIN AN AFFIDAVIT FORM AND INFORMATION** at the Sparks Justice Court, or on its website at [www.washoecounty.us/sjc](http://www.washoecounty.us/sjc).

<sup>1</sup> Judicial days do not include the date of service, weekends, or certain legal holidays.

<sup>2</sup> Sparks Justice Court closes at 5:00pm on Mondays through Thursdays and Fridays at 12:00pm.

**DECLARATION OF SERVICE**  
**OF SEVEN-DAY NOTICE TO PAY RENT OR QUIT**

On *(insert date of service)* \_\_\_\_\_, I served a Seven-Day Notice to Pay Rent or Quit to the following address in the following manner:

*(street address where you served)* \_\_\_\_\_

*(city, state, zip where you served)* \_\_\_\_\_

*(check only one)*

- By delivering a copy to the tenant(s) personally.
- Because the tenant(s) was absent from tenant's place of residence, by leaving a copy with (insert name or physical description of person served) \_\_\_\_\_, a person of suitable age and discretion, AND by mailing a copy to the tenant(s) at tenant's place of residence.
- Because neither tenant nor a person of suitable age or discretion could be found there, by posting a copy in a conspicuous place on the property, AND mailing a copy to the tenant(s) at the place where the property is situated.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Server's Name)*

\_\_\_\_\_  
*(Server's Badge/License #)*

\_\_\_\_\_  
*(Server's Signature)*

IN THE JUSTICE COURT OF SPARKS TOWNSHIP  
COUNTY OF WASHOE, STATE OF NEVADA

Landlord's  
Name:

\_\_\_\_\_

Landlord,

vs.

Tenant's  
Name:

\_\_\_\_\_

Address:

\_\_\_\_\_

City, State, Zip:

\_\_\_\_\_

Phone:

\_\_\_\_\_

E-Mail:

\_\_\_\_\_

Tenant.

Case No.: \_\_\_\_\_

Dept No.: \_\_\_\_\_

**AFFIDAVIT OF TENANT  
SUMMARY EVICTION  
NONPAYMENT OF RENT**

Tenant, appearing in proper person, contests this matter pursuant to NRS 40.253 and states as follows:

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/  is not subsidized by a public housing authority or governmental agency.

3. I  do not  do request to mediate this issue. This request is only for residential tenants. *(Answer the following questions if you request mediation.)*

a. I prefer *(check one box)*  an in-person mediation  a telephonic mediation  a video-conference mediation.

b. The following tenants would participate in the mediation: *(check all that apply)*  myself  other tenant(s) named: *(write the names of all the tenants who plan to be at the mediation)*

\_\_\_\_\_

c. A mediator may contact me/the tenants at the following:

a. Phone number: *(insert the best phone number for the mediator to reach participants)* \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

b. Email: *(insert the best email for the mediator to reach participants)* \_\_\_\_\_

c. Address:  rental property address  other *(insert another address for the mediator to mail to)*:

\_\_\_\_\_

d.  I require an interpreter in the following language:  Spanish  Other *(name*

*language)* \_\_\_\_\_

e. I  have not  have applied for rental assistance through

*(name the entity where you applied)* \_\_\_\_\_,

and that application  was approved  was denied  is pending.



- 1 f.  I have not  have previously entered into a repayment plan with my landlord to pay back owed  
2 rent.
- 3 4. I received a notice stating that I owe rent. I disagree with this notice for the following reasons (*check all*  
4 *that apply and provide your written explanation at end of this section*):
- 5 a.  I paid my rent in full.
- 6 b.  I offered to pay my rent in full, but Landlord refused to accept it.
- 7 c.  Landlord accepted partial payment of my rent.
- 8 d.  The amount Landlord is demanding in the notice includes costs or fees that are not periodic rent  
9 or late fees.
- 10 e.  Landlord is charging an unreasonable late fee, or a late fee that exceeds 5% of the amount of the  
11 periodic rent.
- 12 f.  (*To raise this defense you must deposit your rent into the court's rent escrow account.*) I gave  
13 Landlord written notice describing Landlord's failure to maintain my rental unit in a habitable  
14 condition. Landlord did not fix, or make a reasonable effort to fix, the habitability problem within  
15 14 days after my notice. So I am withholding payment of rent.
- 16 g.  (*To raise this defense your rent must have been current at the time you gave written notice to*  
17 *Landlord.*) I gave Landlord written notice of an "essential services" problem at my rental unit (heat,  
18 air conditioning, running or hot water, electricity, gas, a working door lock, or other essential item or  
19 service). Landlord did not fix, or make a reasonable effort to fix, the problem within 48 hours after  
20 my notice. So I am withholding payment of rent.
- 21 h.  I corrected a habitability problem at my rental unit and am deducting the cost from my rent after  
22 giving Landlord an itemized statement. I gave Landlord written notice of the habitability problem  
23 and stated my intention to repair. Landlord did not fix the problem within 14 days after my notice.
- 24 i.  Landlord's notice to me did not comply with Nevada law because it:  
25 i.  Was not served on me as required by NRS 40.280;  
26 ii.  Did not identify the court that has jurisdiction over this case;  
27 iii.  Did not notify me of my right to contest this matter by filing an affidavit with the court;  
28 iv.  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;  
v.  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.  
vi.  Did not advise me of the availability of an existing mediation program, government-  
sponsored rental assistance program, or an electronic option for the filing of this affidavit, or  
advise me of the Justice Court's website with this information.
- j.  Landlord's notice to me did not comply with the CARES Act because the rental unit is a  
"covered property" under § 4024 of the CARES Act.
- k.  Landlord is discriminating against me in violation of the Federal Fair Housing Act and/or  
Nevada laws.
- l.  Landlord is retaliating against me for having engaged in certain protected acts, and Landlord is in  
violation of NRS 118A.510.

- m.  I am a tenant on property that has been foreclosed upon and sold. The new owner:
  - i.  Failed to serve me with the notice of change of ownership required by NRS 40.255(2);
  - ii.  Is violating NRS 40.255 by failing or refusing to grant me an additional 60 days on the property;
  - iii.  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.

n.  I am a "covered" person under the Department of Health & Human Services Centers for Disease Control and Prevention's Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19, and this eviction is not allowable under that Order. *85 Fed. Reg. 173 (Sept. 4, 2020)*. I am filing Proof of Service of the Declaration under Penalty of Perjury for the CDC's Halt in Residential Evictions.

Other defense (*explain below*).

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

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THEREFORE, I request that Landlord take nothing as requested in Landlord's Notice to Pay Rent or Quit and/or Affidavit/Complaint.

*I understand that as long as the filing of this affidavit is timely, I will receive notice of any mediation and/or hearing by e-mail and/or regular U.S. Mail.*

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Type or Print Name)*

\_\_\_\_\_  
*(Signature)*

IN THE JUSTICE COURT OF SPARKS TOWNSHIP  
COUNTY OF WASHOE, STATE OF NEVADA

Owner's Name: \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Agent's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Case No.: \_\_\_\_\_  
Dept. No.: \_\_\_\_\_

vs. Landlord,

Tenant's Name: \_\_\_\_\_  
Tenant.

**AFFIDAVIT/COMPLAINT OF  
LANDLORD FOR SUMMARY  
EVICTION FOR  
NONPAYMENT OF RENT**

Landlord or Landlord's authorized agent states as follows pursuant to NRS 40.253:

1. I am the (check one box)  owner or  owner's agent of the rental premises located at  
(insert rental's address) \_\_\_\_\_,  
in the city of (insert city name) \_\_\_\_\_, Nevada.

2. The tenancy started on (insert date) \_\_\_\_\_.

3. The amount of Tenant's rent is (insert amount) \$ \_\_\_\_\_ per (check one)  
 month,  week, or  other (specify) \_\_\_\_\_.

4. Tenant paid the following deposits (insert amounts): Rent deposit of \$ \_\_\_\_\_,  
security deposit of \$ \_\_\_\_\_, and cleaning deposit of \$ \_\_\_\_\_.

5. Tenant's rent became delinquent on (insert date) \_\_\_\_\_, and Tenant has  
remained in possession without paying rent since that date.

6. I verified Tenant continued in possession of the rental premises following the expiration of  
the Notice to Pay Rent or Quit on (insert date you checked rental premises) \_\_\_\_\_.

7. Tenant owes the following amounts:

\$ \_\_\_\_\_ in periodic rent

\$ \_\_\_\_\_ in late fees

\$ \_\_\_\_\_ TOTAL now due and delinquent.

1 8. Tenant was served with a written notice to pay rent or quit on *(insert date notice served)*  
2 \_\_\_\_\_ in compliance with NRS 40.280, and a copy of that notice and proof of service is  
3 attached or submitted with this complaint.

4 9. Tenant *(check one box)*  did not sign a written rental agreement, or  did sign a written  
5 rental agreement, and a copy of that agreement is attached or submitted with this complaint.

6 10. Tenant's rent *(check one box)*  is not, or  is subsidized by a public housing authority or  
7 governmental agency, and a copy of the Housing Assistance Payment Contract (or "HAP") is attached or  
8 submitted with this complaint and I have provided Southern Nevada Regional Housing Authority with a  
9 copy of the eviction notice pursuant to 24 C.F.R. § 982.310(e)(2)(ii).

10 11. I  do not  do request to mediate this issue. *(Answer the following questions even if you*  
11 *are not requesting mediation.)*

12 12. If sent to mediation, I prefer *(check one box)*  an in-person mediation  a telephonic  
13 mediation  a video-conference mediation.

14 13. The following individual has the authority to settle the case and would participate in  
15 mediation if mediation proceeds: *(check all that apply)*  myself  other individual with authority:  
16 *(write the names of all the individuals with authority who plan to be at the mediation)*  
17 \_\_\_\_\_

18 14. The mediator may contact me/the individual with settlement authority at the following.

19 Phone number: *(insert the best phone number for the mediator to make contact)*

20 \_\_\_\_\_

21 Email: *(insert the best email for the mediator to make contact)*

22 \_\_\_\_\_

23 Mailing Address: *(insert best mailing address for mediator to make contact)*

24 *(Street Address):* \_\_\_\_\_

25 *(City, State, Zip):* \_\_\_\_\_

1 15. I declare under penalty of perjury that I have made a thorough investigation of the following  
2 and, based upon that investigation, to the best of my knowledge and belief:

- 3 a.  The property does not participate in any VAWA Covered Housing Program.
- 4 b.  The property does not participate in the Rural Housing Voucher Program (42 U.S.C.  
5 1490r).
- 6 c.  The property does not have a federally backed mortgage loan. A “federally backed  
7 mortgage loan” includes any loan that (A) is secured by a first or subordinate lien on  
8 residential real property (including individual units of condominiums and cooperatives)  
9 designed principally for the occupancy of from 1 to 4 families, including any such secured  
10 loan, the proceeds of which are used to prepay or pay off an existing loan secured by the  
11 same property; and (B) is made in whole or in part, or insured, guaranteed, supplemented,  
12 or assisted in any way, by any officer or agency of the Federal Government or under or in  
13 connection with a housing or urban development program administered by the Secretary  
14 of Housing and Urban Development or a housing or related program administered by any  
15 other such officer or agency, or is purchased or securitized by the Federal Home Loan  
16 Mortgage Corporation or the Federal National Mortgage Association.
- 17 d.  The property does not have a federally backed multifamily mortgage loan. A  
18 “federally backed multifamily mortgage loan” includes any loan that (A) is secured by a  
19 first or subordinate lien on residential multifamily real property designed principally for  
20 the occupancy of 5 or more families, including any such secured loan, the proceeds of  
21 which are used to prepay or pay off an existing loan secured by the same property; and (B)  
22 is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way,  
23 by any officer or agency of the Federal Government or under or in connection with a  
24 housing or urban development program administered by the Secretary of Housing and  
25 Urban Development or a housing or related program administered by any other such  
26 officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage  
27 Corporation or the Federal National Mortgage Association.
- 28 e.  The property does not have a federally backed multifamily mortgage loan that is  
currently in forbearance.

16. I  did  did not receive a Declaration from the tenant pursuant to the Department of  
Health & Human Services Centers of Disease Control & Prevention’s Temporary Halt in Residential  
Evictions to Prevent the Further Spread of COVID-19. *85 Fed. Reg. 173 (Sept. 4, 2020).*

17. Tenant has not complied with the obligations of tenants set forth in Chapter 118A of the NRS  
by defaulting on the rent.

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1                    THEREFORE, Landlord asks the Court to enter a date for mediation, if elected, or  
2 alternatively, an Order for Summary Eviction of Tenant.

3                    I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is  
4 true and correct.

5  
6 \_\_\_\_\_  
*(Date)*

\_\_\_\_\_ *(Type or print name)*

\_\_\_\_\_ *(Signature)*

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**SEVEN-DAY "NO CAUSE" NOTICE TO QUIT**  
**(NRS 40.251)**

TO: \_\_\_\_\_  
*Tenant(s) Name(s)*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

FROM: \_\_\_\_\_  
*Landlord's Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

**PLEASE TAKE NOTICE** that you are hereby required to vacate the premises within seven (7) judicial<sup>1</sup> days following the Date of Service of this notice. If you do not comply with this notice, your possession of the premises will be unlawful (called "unlawful detainer"), and your landlord may initiate an eviction against you by either serving you with a Five-Day Notice to Quit for Unlawful Detainer or a Summons and Complaint for Unlawful Detainer. If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your nonadmittance, 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. The sheriff or constable shall then remove you not earlier than 24 hours but not later than 36 hours after the posting of the order.

Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises, or excludes you by blocking or attempting to block your entry upon the premises, or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or Chapter 118A of the Nevada Revised Statutes.

Pursuant to NRS 40.251, if you receive this notice during a government shutdown and you are a federal worker, tribal worker, state worker, or household member of such a worker, you may request to be allowed to continue in possession during the period commencing on the date on which a shutdown begins and ending on the date that is 30 days after the date on which the shutdown ends by submitting a written request for the extended period and providing proof that you are a federal worker, tribal worker, state worker, or household member of such a worker during a shutdown. The landlord who receives this request shall allow you to continue in possession for the period requested unless the court orders otherwise.

**YOU CAN OBTAIN FORMS AND INFORMATION** at the **Sparks Justice Court, 1675 E. Prater Way, Suite 107, Sparks, Nevada 89434, (775) 353-7600**, or on the Court's website at <https://www.washoecounty.us/sjc/index.php>.

**DECLARATION OF SERVICE**

On *(insert date of service)* \_\_\_\_\_, I served this notice in the following manner *(check only one)*:

- By delivering a copy to the tenant(s) personally.
- Because the tenant(s) was absent from tenant's place of residence, by leaving a copy with *(insert name or physical description of person served)* \_\_\_\_\_, a person of suitable age and discretion, AND mailing a copy to the tenant(s) at tenant's place of residence.
- Because neither tenant nor a person of suitable age or discretion could be found there, by posting a copy in a conspicuous place on the property, AND mailing a copy to the tenant(s) at the place where the property is situated.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Server's Name)*

\_\_\_\_\_  
*(Server's Badge/License #)*

\_\_\_\_\_  
*(Server's Signature)*

<sup>1</sup> Judicial days do not include the date of service, weekends, or certain legal holidays.

**FIVE-DAY NOTICE TO PERFORM LEASE CONDITION OR QUIT**  
**(NRS 40.2516)**

TO: _____ <i>Tenant(s) Name(s)</i>	FROM: _____ <i>Landlord's Name</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**PLEASE TAKE NOTICE** that you have neglected or failed to perform a condition or covenant of your lease or rental agreement as follows (describe in detail specific lease violation(s) alleged, with citation to applicable page and paragraph of lease; attach additional pages if necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

You must either vacate the premises or correct the violations described above no later than five (5) judicial days<sup>1</sup> following the Date of Service of this notice. If you do not comply with this notice, your possession of the premises will be unlawful (called "unlawful detainer"), and your landlord may initiate an eviction against you by either serving you with a Five-Day Notice to Quit for Unlawful Detainer or a Summons and Complaint for Unlawful Detainer. Within five (5) days after the Date of Service of this notice, you may perform the condition or covenant and thereby save the lease from forfeiture, unless the covenants and conditions cannot afterwards be performed. If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your nonadmittance, 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. The sheriff or constable shall then remove you not earlier than 24 hours but not later than 36 hours after the posting of the order. Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises or excludes you by blocking or attempting to block your entry upon the premises or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or Chapter 118A of the Nevada Revised Statutes.

Pursuant to NRS 40.251, if you receive this notice during a government shutdown and you are a federal worker, tribal worker, state worker, or household member of such a worker, you may request to be allowed to continue in possession during the period commencing on the date on which a shutdown begins and ending on the date that is 30 days after the date on which the shutdown ends by submitting a written request for the extended period and providing proof that you are a federal worker, tribal worker, state worker, or household member of such a worker during a shutdown. The landlord who receives this request shall allow you to continue in possession for the period requested unless the court orders otherwise.

**YOU CAN OBTAIN FORMS AND INFORMATION** at the **Sparks Justice Court, 1675 E. Prater Way, Suite 107, Sparks, Nevada 89434, (775) 353-7600**, or on the Court's website at <https://washoecounty.us/sjc/index.php>.

**DECLARATION OF SERVICE**

On (insert date of service) \_\_\_\_\_, I served this notice in the following manner (check only one):

- By delivering a copy to the tenant(s) personally.
- Because the tenant(s) was absent from tenant's place of residence, by leaving a copy with (insert name or physical description of person served) \_\_\_\_\_, a person of suitable age and discretion, AND mailing a copy to the tenant(s) at tenant's place of residence.
- Because neither tenant nor a person of suitable age or discretion could be found there, by posting a copy in a conspicuous place on the property, AND mailing a copy to the tenant(s) at the place where the property is situated.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

_____	_____	_____	_____
<i>(Date)</i>	<i>(Server's Name)</i>	<i>(Server's Badge/License #)</i>	<i>(Server's Signature)</i>

<sup>1</sup> Judicial days do not include the date of service, weekends, or certain legal holidays.



**FIVE-DAY NOTICE OF UNLAWFUL DETAINER**  
**(NRS 40.254)**

TO: \_\_\_\_\_  
*Tenant(s) Name(s)*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

FROM: \_\_\_\_\_  
*Landlord's Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

**DATE OF SERVICE:** \_\_\_\_\_

**YOU ARE GUILTY OF AN UNLAWFUL DETAINER.**  
**YOU ARE REQUIRED TO QUIT THE PREMISES.**

**YOU MAY CONTEST THIS NOTICE** by filing an Affidavit (or Answer) before the court's close of business on the fifth (5<sup>th</sup>) full judicial day <sup>1</sup> following the Date of Service of this notice, with the Justice Court for the Township of Sparks stating that you are not guilty of an unlawful detainer. The Justice Court is located at *(insert Justice Court's address)*:

Sparks Justice Court  
1675 E. Prater Way, Suite 107  
Sparks, Nevada 89434

**YOU CAN OBTAIN AN AFFIDAVIT/ANSWER FORM AND INFORMATION** at the **Sparks Justice Court, 1675 E. Prater Way, Suite 107, Sparks, Nevada 89434, (775) 353-7600**, or on the Court's website at <https://www.washoecounty.us/sjc/index.php>.

If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your nonadmittance, 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. The sheriff or constable shall then remove you not earlier than 24 hours but not later than 36 hours after the posting of the order. You may request that the court stay the execution of the order for removal or nonadmittance for a period of no more than 10 days by stating the reasons why a stay is warranted.

Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises, or excludes you by blocking or attempting to block your entry upon the premises, or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or Chapter 118A of the Nevada Revised Statutes.

**DECLARATION OF SERVICE**

On *(insert date of service)* \_\_\_\_\_, I served this notice in the following manner *(check only one)*:

- By delivering a copy to the tenant(s) personally.
- Because the tenant(s) was absent from tenant's place of residence, by leaving a copy with *(insert name or physical description of person served)* \_\_\_\_\_, a person of suitable age and discretion, AND mailing a copy to the tenant(s) at tenant's place of residence.
- Because neither tenant nor a person of suitable age or discretion could be found there, by posting a copy in a conspicuous place on the property, AND mailing a copy to the tenant(s) at the place where the property is situated.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

\_\_\_\_\_  
*(Date)*                      \_\_\_\_\_  
*(Server's Name)*                      \_\_\_\_\_  
*(Server's Badge/License #)*                      \_\_\_\_\_  
*(Server's Signature)*

<sup>1</sup> Judicial days do not include the date of service, weekends, or certain legal holidays.

**FIVE-DAY NOTICE TO QUIT FOR TENANCY-AT-WILL**  
**(NRS 40.251)**

TO: \_\_\_\_\_  
*Tenant(s) Name(s)*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

FROM: \_\_\_\_\_  
*Landlord's Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

**PLEASE TAKE NOTICE** that your tenancy-at-will is hereby terminated, and you are required to vacate the premises within five (5) judicial<sup>1</sup> days following the Date of Service of this notice. If you do not comply with this notice, your possession of the premises will be unlawful (called "unlawful detainer"), and your landlord may initiate an eviction against you by either serving you with a Five-Day Notice to Quit for Unlawful Detainer or a Summons and Complaint for Unlawful Detainer. If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your nonadmittance, 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. The sheriff or constable shall then remove you not earlier than 24 hours but not later than 36 hours after the posting of the order.

Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises, or excludes you by blocking or attempting to block your entry upon the premises, or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or Chapter 118A of the Nevada Revised Statutes.

Pursuant to NRS 40.251, if you receive this notice during a government shutdown and you are a federal worker, tribal worker, state worker, or household member of such a worker, you may request to be allowed to continue in possession during the period commencing on the date on which a shutdown begins and ending on the date that is 30 days after the date on which the shutdown ends by submitting a written request for the extended period and providing proof that you are a federal worker, tribal worker, state worker, or household member of such a worker during a shutdown. The landlord who receives this request shall allow you to continue in possession for the period requested unless the court orders otherwise.

**YOU CAN OBTAIN FORMS AND INFORMATION** at the **Sparks Justice Court, 1675 E. Prater Way, Sparks, Nevada, 89434, (775) 353-7600**, or on the Court's website at <https://www.washoecounty.us/sjc/index.php>.

**DECLARATION OF SERVICE**

On *(insert date of service)* \_\_\_\_\_, I served this notice in the following manner *(check only one)*:

- By delivering a copy to the tenant(s) personally.
- Because the tenant(s) was absent from tenant's place of residence, by leaving a copy with *(insert name or physical description of person served)* \_\_\_\_\_, a person of suitable age and discretion, AND mailing a copy to the tenant(s) at tenant's place of residence.
- Because neither tenant nor a person of suitable age or discretion could be found there, by posting a copy in a conspicuous place on the property, AND mailing a copy to the tenant(s) at the place where the property is situated.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

\_\_\_\_\_  
*(Date)*                      \_\_\_\_\_  
*(Server's Name)*                      \_\_\_\_\_  
*(Server's Badge/License #)*                      \_\_\_\_\_  
*(Server's Signature)*

<sup>1</sup> Judicial days do not include the date of service, weekends, or certain legal holidays.

**THREE-DAY NOTICE TO QUIT FOR NUISANCE, WASTE  
ASSIGNING/SUBLETTING, UNLAWFUL BUSINESS, OR DRUG VIOLATION**

(NRS 40.2514)

TO: _____ <i>Tenant(s) Name(s)</i>	FROM: _____ <i>Landlord's Name</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**PLEASE TAKE NOTICE** that you are hereby required to vacate the premises within three (3) judicial days<sup>1</sup> after the Date of Service of this notice for the following reasons(s) *(check all that apply)*:

- Assigning or subletting the premises contrary to the covenants of the lease;
- Committing or permitting waste on the property;
- Setting up or carrying on any unlawful business in or on the property;
- Suffering, permitting, or maintaining a nuisance on or about the premises consisting of conduct or an ongoing condition which constitutes an unreasonable obstruction to the free use of property and causes injury and damage to other tenants or occupants of that property or adjacent buildings or structures;
- Violating any of the controlled substance laws in NRS 453.011 to 453.552, inclusive, except NRS 453.336, in or on the property.

This notice is based upon the following facts *(describe in detail the facts and circumstances relating to each box checked above, including names, dates, locations, etc.; attach additional pages if necessary)*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you do not comply with this notice, your possession of the premises will be unlawful (called "unlawful detainer"), and your landlord may initiate an eviction against you by either serving you with a Five-Day Notice to Quit for Unlawful Detainer or a Summons and Complaint for Unlawful Detainer. If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your nonadmittance, 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. The sheriff or constable shall then remove you not earlier than 24 hours but not later than 36 hours after the posting of the order. Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises, or excludes you by blocking or attempting to block your entry upon the premises, or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or Chapter 118A of NRS.

**YOU CAN OBTAIN FORMS AND INFORMATION** at the **Sparks Justice Court, 1675 E. Prater Way, Suite 107, Sparks, Nevada 89434, (775) 353-7600**, or on the Court's website at <https://www.washoecounty.us/sjc/index.php>.

**DECLARATION OF SERVICE**

On *(insert date of service)* \_\_\_\_\_, I served this notice in the following manner *(check only one)*:

- By delivering a copy to the tenant(s) personally.
- Because the tenant(s) was absent from tenant's place of residence, by leaving a copy with *(insert name or physical description of person served)* \_\_\_\_\_, a person of suitable age and discretion, AND mailing a copy to the tenant(s) at tenant's place of residence.
- Because neither tenant nor a person of suitable age or discretion could be found there, by posting a copy in a conspicuous place on the property, AND mailing a copy to the tenant(s) at the place where the property is situated.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

\_\_\_\_\_  
*(Date)*                      *(Server's Name)*                      *(Server's Badge/License #)*                      *(Server's Signature)*

<sup>1</sup> Judicial days do not include the date of service, weekends, or certain legal holidays.

**THIRTY-DAY "NO CAUSE" NOTICE TO QUIT**  
**(NRS 40.251)**

TO: \_\_\_\_\_  
*Tenant(s) Name(s)*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

FROM: \_\_\_\_\_  
*Landlord's Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

**PLEASE TAKE NOTICE** that you are hereby required to vacate the premises within thirty (30) calendar days following the Date of Service of this notice. If you do not comply with this notice, your possession of the premises will be unlawful (called "unlawful detainer"), and your landlord may initiate an eviction against you by either serving you with a Five-Day Notice to Quit for Unlawful Detainer or a Summons and Complaint for Unlawful Detainer. If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your nonadmittance, 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. The sheriff or constable shall then remove you not earlier than 24 hours but not later than 36 hours after the posting of the order.

If you are 60 years of age or older, or if you have a physical or mental disability, and your tenancy is not week-to-week, you may make a written request to your landlord to be allowed to continue in possession of the rental premises for an additional 30 days past the expiration of this notice. You must provide your landlord with proof of your age or disability with your written request. If your landlord rejects your request, you have the right to petition the court to continue in possession of the rental unit for an additional 30 days.

Pursuant to NRS 40.251, if you receive this notice during a government shutdown and you are a federal worker, tribal worker, state worker, or household member of such a worker, you may request to be allowed to continue in possession during the period commencing on the date on which a shutdown begins and ending on the date that is 30 days after the date on which the shutdown ends by submitting a written request for the extended period and providing proof that you are a federal worker, tribal worker, state worker, or household member of such a worker during a shutdown. The landlord who receives this request shall allow you to continue in possession for the period requested unless the court orders otherwise.

Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises, or excludes you by blocking or attempting to block your entry upon the premises, or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or Chapter 118A of the Nevada Revised Statutes.

**YOU CAN OBTAIN FORMS AND INFORMATION** at the **Sparks Justice Court, 1675 E. Prater Way, Suite 107, Sparks, Nevada 89434, (775) 353-7600**, or on the Court's website at <https://www.washoecounty.us/sjc/index.php>.

**DECLARATION OF SERVICE**

On *(insert date of service)* \_\_\_\_\_, I served this notice in the following manner *(check only one)*:

- By delivering a copy to the tenant(s) personally.
- Because the tenant(s) was absent from tenant's place of residence, by leaving a copy with *(insert name or physical description of person served)* \_\_\_\_\_, a person of suitable age and discretion, AND mailing a copy to the tenant(s) at tenant's place of residence.
- Because neither tenant nor a person of suitable age or discretion could be found there, by posting a copy in a conspicuous place on the property, AND mailing a copy to the tenant(s) at the place where the property is situated.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Server's Name)*

\_\_\_\_\_  
*(Server's Badge/License #)*

\_\_\_\_\_  
*(Server's Signature)*

IN THE JUSTICE COURT OF SPARKS TOWNSHIP  
COUNTY OF WASHOE , STATE OF NEVADA

Landlord's  
Name: \_\_\_\_\_

Case No.: \_\_\_\_\_

Dept No.: \_\_\_\_\_

Landlord,

vs.

**AFFIDAVIT OF TENANT  
OTHER THAN NON-PAYMENT  
OF RENT**

Tenant's  
Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Nuisance/Waste/Assigning/Subletting/  
Unlawful Business/Controlled Substance  
Violation [Complete Sections 1,2,3&7-11]

Perform Lease Condition  
[Complete Sections 1,2,4&7-11]

No Cause  
[Complete Sections 1,2,5&7-11]

Tenancy-At-Will  
[Complete Sections 1,2,6&7-11]

Tenant.

**Sections 1 and 2 must be completed:**

Tenant, appearing in proper person, contests this matter pursuant to NRS 40.254 and states as follows:

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/  is not subsidized by a public housing authority or governmental agency.

**(Section 3 Complete ONLY if you received a Three-Day Notice to Quit for Nuisance/Waste/Etc.)**

3. I received a three-day notice pursuant to NRS 40.2514. I disagree with this notice for the following reasons *(check all that apply and provide your written explanation at end of this section)*:

The acts Landlord describes in the notice do not meet the legal definition of "nuisance."<sup>1</sup>

Landlord's notice did not comply with Nevada law because *(check all that apply)*:

One or more of the notices was not served on me as required by NRS 40.280;

The Notice of Unlawful Detainer did not identify the court that has jurisdiction over this case;

The Notice of Unlawful Detainer did not notify me of my right to contest this matter by filing an affidavit with the court;

The Notice of Unlawful Detainer did not notify me of my right to request that the court stay the execution of the order for a period not exceeding 10 days.

Other defense *(explain below)*.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check if attaching continuation pages

<sup>1</sup> NRS 40.2514(4) defines "nuisance" as "conduct or an ongoing condition which constitutes an unreasonable obstruction to the free use of property and causes injury and damage to other tenants or occupants of that property or adjacent buildings or structures" or violation of the controlled substance laws in NRS 453.011 to 453.552.

1 **(Section 4 Complete ONLY if you received a Five-Day Notice to Perform Lease Condition or Quit.)**

2  4. I received a five-day notice stating that I violated my lease agreement. I disagree with this notice for the  
3 following reasons *(check all that apply and provide your written explanation at end of this section)*:

4  The conduct Landlord alleges does not violate any term of my lease agreement.

5  I fixed (or "cured") the alleged violation of my lease agreement within five days after Landlord's  
6 notice to me.

7  Landlord's notices did not comply with Nevada law because *(check all that apply)*:

8  One or more of the notices was not served on me as required by NRS 40.280;

9  The Notice to Perform Lease Condition or Quit did not specifically identify the relevant lease  
10 provisions, the alleged violations, and what I needed to do to save the lease;

11  The Notice of Unlawful Detainer did not identify the court that has jurisdiction over this case;

12  The Notice of Unlawful Detainer did not notify me of my right to contest this matter by filing  
13 an affidavit with the court;

14  The Notice of Unlawful Detainer did not notify me of my right to request that the court stay  
15 the execution of the order for a period not exceeding 10 days.

16  Other defense *(explain below)*.

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

18 \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_

Check if attaching continuation pages

22 **(Section 5 Complete ONLY if you received a Seven-Day or Thirty-Day "No Cause" Notice to Quit.)**

23  5. I received a seven-day or thirty-day notice to vacate my rental premises. I disagree with the notice for  
24 the following reasons *(check all that apply and provide your written explanation at end of this section)*:

25  My lease agreement has not expired and will not expire until *(insert date)* \_\_\_\_\_.

26  My lease agreement has expired, but Landlord renewed my tenancy by accepting rent for a new  
27 rental period and/or entering into a new lease agreement.

28  I received a thirty-day notice to quit and am 60 years of age or older or have a physical or mental  
disability. I gave Landlord a written request (along with proof of my age or disability) on *(insert*  
*date)* \_\_\_\_\_, asking to continue in possession for an additional 30 days.

Landlord *(check one)*  approved my request on *(insert date)* \_\_\_\_\_, or

rejected my request,<sup>2</sup> or  has not responded to my request.

<sup>2</sup> If Landlord rejected your written request, NRS 40.251(4) allows you to file a petition with the court asking for the additional 30 days.

- Landlord's notices did not comply with Nevada law because *(check all that apply)*:
  - One or more of the notices were not served on me as required by NRS 40.280;
  - The thirty-day notice did not notify me of my right to request to be allowed to continue in possession for an additional 30 days as required by NRS 40.251(3).
  - The Notice of Unlawful Detainer did not identify the court that has jurisdiction over this case;
  - The Notice of Unlawful Detainer did not notify me of my right to contest this matter by filing an affidavit with the court;
  - The Notice of Unlawful Detainer did not notify me of my right to request that the court stay the execution of the order for a period not exceeding 10 days.
- Other defense *(explain below)*.

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

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Check if attaching continuation pages

**(Section 6 Complete ONLY if you received a Five-Day Tenancy-At-Will Notice to Quit.)**

- 6. I received a five-day notice to vacate my rental premises. I disagree with the notice for the following reasons *(check all that apply and provide your written explanation at end of this section)*:
  - I am not a tenant-at-will because I pay rent to the Landlord in the amount of *(insert amount of rent)* \_\_\_\_\_ per *(check one)*  month,  week, or  other *(specify)* \_\_\_\_\_.
  - I am not a tenant-at-will because I have an agreement with my Landlord regarding the length of my tenancy *(explain the agreement at the end of this section)*:
  - Landlord's notices did not comply with Nevada law because *(check all that apply)*:
    - One or more of the notices were not served on me as required by NRS 40.280;
    - The Notice of Unlawful Detainer did not identify the court that has jurisdiction over this case;
    - The Notice of Unlawful Detainer did not notify me of my right to contest this matter by filing an affidavit with the court;
    - The Notice of Unlawful Detainer did not notify me of my right to request that the court stay the execution of the order for a period not exceeding 10 days.
  - Other defense *(explain below)*.

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

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Check if attaching continuation pages

1 **(Sections 7-11 may apply regardless of why you are being evicted. Select all that apply.)**

- 2  7. This action is brought in violation of the Federal Fair Housing Act or Nevada laws forbidding  
3 discrimination in housing *(explain below)*.
- 4  8. This action is brought in violation of NRS 118A.510, which prohibits a landlord from terminating a  
5 tenancy in retaliation for a tenant having engaged in certain protected acts *(explain below)*.
- 6  9. I am a tenant on property that has been foreclosed upon and sold. The new owner *(check all that apply)*:  
7  Failed to serve me with the notice of change of ownership required by NRS 40.255(2);  
8  Is violating NRS 40.255 by failing or refusing to grant me an additional 60 days on the property;  
9  Is attempting to use the summary eviction procedure in violation of NRS 40.255(1), which requires  
10 the new owner to use the formal unlawful detainer procedure under NRS 40.290 to 40.420.
- 11  10. Other defense *(explain below)*.
- 12  11. Pursuant to NRS 70.010 and JCRCP 110, I ask the Court to delay ("stay") enforcement of any summary  
13 eviction order for *(insert number of days, up to 10)* \_\_\_\_\_ for the following reasons *(explain*  
14 *below)*.

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

16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_

19  *Check if attaching continuation pages*

20 THEREFORE, I request that Landlord take nothing requested in Landlord's Affidavit/Complaint.

21 *I understand that as long as the filing of this affidavit is timely, I will receive  
22 notice of my hearing from the Court.*

23 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

24 \_\_\_\_\_  
25 *(Date)*

26 \_\_\_\_\_  
27 *(Type or Print Name)*

28 \_\_\_\_\_  
*(Signature)*



**IN THE JUSTICE COURT OF SPARKS TOWNSHIP  
COUNTY OF WASHOE, STATE OF NEVADA**

Case No.: \_\_\_\_\_

\_\_\_\_\_  
Landlord

v.

\_\_\_\_\_

\_\_\_\_\_  
Tenant

STATE OF NEVADA     )  
COUNTY OF WASHOE   )

**AFFIDAVIT UNLAWFUL DETAINER**

The undersigned petitioner, being first duly sworn, deposes and says:

1. That your affiant, in compliance with NRS 118A, is the landlord of certain dwellings or apartments within the jurisdictional confines of Sparks Township, Washoe County, Nevada
2. That your affiant rented a certain dwelling or apartment to:

Name of Tenant: \_\_\_\_\_

Address: \_\_\_\_\_

Start Date: \_\_\_\_\_

Rental/Cleaning Deposit: \$ \_\_\_\_\_ In excess of first month's rent

3. That the periodic rental agreement has not been waived or altered by a written agreement of any kind.
4. That more than thirty/five days have elapsed since the service of the notice as aforesaid, but the above named tenant has refused, and still refuses, to vacate and quit the above named premises.

WHEREFORE, your affiant prays for an order of this Court, directed to the Sheriff of Washoe County, ordering the above named tenant from the above mentioned premises, as provided for in NRS, Chapter 40.

5. Pursuant to NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Phone Number

## DECLARATION OF SERVICE

TO: \_\_\_\_\_  
Tenant(s) Name

FROM: \_\_\_\_\_  
Landlord's Name

\_\_\_\_\_  
Tenant(s) Name

\_\_\_\_\_  
Landlord's Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Telephone Number

**Check one: (must attach a copy of the Notice)**

**Non-payment of Rent**  
 **Breach of Contract**

**No Cause Notice**  
 **Nuisance/Waste Notice**

**Other:**

On \_\_\_\_\_ (date of service), I served this notice in the following manner (check only one):

By Delivering a copy to the tenant(s) personally, in the presence of a witness (server, witness, and tenant must all sign below);

OR

I attempted personal service in the presence of a witness who signed below but the tenant(s) was absent from tenant's place of residence or business or found the tenant but tenant would not sign, so I left a copy with \_\_\_\_\_ (name), a person of suitable age and discretion and mailed<sup>1</sup> a copy to tenant(s).

OR

I attempted personal and substituted service above in the presence of a witness who signed below but because I could not find the tenant at tenant's place of residence or business and could not find a person of suitable age or discretion, I posted a copy in a conspicuous place on the property on the \_\_\_\_\_ (e.g. front door, etc.) and mailed<sup>1</sup> a copy to the tenant(s).

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print tenant's name)

\_\_\_\_\_  
(Tenant's signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print witness' name)

\_\_\_\_\_  
(Witness' signature)

Pursuant to NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print servers' name)

\_\_\_\_\_  
(Servers' signature)

<sup>1</sup> When notice is also mailed you cannot include non-judicial days in the computation and you must add an additional three (3) calendar days for mailing (JCRCP 6(a)). Judicial days do not include the date of service, weekends, and certain holidays. If mailing of notice is used you must file with the court a "certificate of mailing" issued by the United States Post Office per NRS 40.280(3).