

1 Case No. _____

2 Dept. _____

3
4 IN THE JUSTICE COURT OF PAHRUMP TOWNSHIP
5 COUNTY OF NYE, STATE OF NEVADA
6 * * * * *

<p>7</p> <p>8 _____ Landlord(s) Name</p> <p>9 vs.</p> <p>10 _____ Tenant(s) Name</p> <p>11 <input type="checkbox"/> and all occupants <input type="checkbox"/> named tenants only</p> <p>12 _____ Address</p> <p>13 _____ City, State, Zip Code</p> <p>14 _____ Telephone Number</p> <p>15 _____ Email Address</p> <p>16</p>	<p>7</p> <p>8</p> <p>9</p> <p>10 TENANT'S AFFIDAVIT</p> <p>11 IN OPPOSITION TO</p> <p>12 SUMMARY EVICTION</p> <p>13 REGARDING</p> <p>14 NON-PAYMENT OF RENT</p> <p>15</p> <p>16</p>
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17 Tenant, appearing in proper person, contests this matter pursuant to NRS 40.253 as follows:

18 1. What is the address on the notice you received, including city, state, and zip code:

19 _____

20 2. Do you live in a weekly? No / Yes

21 a. If Yes, how often is your rent due? _____

22 3. What is the date the eviction notice was given to you? (Please copy this information from
23 your eviction notice) _____

24 4. Do you have a completed application for any kind of rental assistance that shows pending
25 status? No / Yes

26 5. Is your Landlord claiming you owe more than 3 months' rent? No / Yes

1 6. Are you 62 years old or older? No / Yes

2 7. Do you, or does someone living with you, have a disability they are receiving SSI benefits
3 for? No / Yes

4 8. Are there children in your home? No / Yes

5 If Yes, list how many and their ages: _____

6 9. **My defense(s) to the notice claiming I owe rent are: (check all that apply):**

7 a. I moved out and gave my keys to the Landlord

8 b. I disagree with the amount of rent the Landlord claims I owe.

9 c. My rent is paid in full.

10 d. I tried to pay my full rent, but my Landlord refused to accept it.

11 e. Landlord accepted partial payment of my rent.

12 f. The rent amount stated in the notice includes costs or fees that are not regular
13 rent or late fees.

14 g. Landlord is charging a late fee more than 5% of regular rent.

15 h. *(To raise this defense you must give your full rent to the court to hold before the*
16 *hearing date.)* I sent Landlord written notice about a habitability problem at my rental
17 unit. Landlord did not fix, or try to fix, the problem in 14 days. Therefore, I am holding
18 back payment of rent.

19 i. *(To raise this defense you must give your full rent to the court to hold before the*
20 *hearing date.)* I sent Landlord written notice of an "essential services" problem at my
21 rental unit (heat, air conditioning, running or hot water, electricity, gas, a working door
22 lock, or other essential item or service). Landlord did not fix, or try to fix, the problem
23 within 48 hours. Therefore, I am holding back payment of rent.

24 j. I corrected a habitability problem at my rental unit and am removing the cost from
25 my rent after giving Landlord an itemized statement. I gave Landlord written notice of
26 the problem, and Landlord did not fix the problem within 14 days after my notice.

k. Landlord's notice was not served on me as required by law, or the notice did not
in other ways follow Nevada law.

l. Landlord is discriminating against me in violation of the Federal Fair Housing Act
or Nevada law.

- 1 m. Landlord is retaliating against me for taking part in certain protected acts.
2 n. I am a tenant on property that has been foreclosed upon and sold. The new

3 owner:

- 4 i. Did not give the notice of change of ownership required by law;
5 ii. Violated the law by failing or refusing to give me an additional 60 days in the
6 property;
7 iii. Is using the summary eviction process in violation of the law, which requires
8 the formal unlawful detainer process.
9 o. Other defense (*explain below*).

10 **(State the facts and circumstances that support the defenses you checked. *Financial***
11 **hardship – not having the money to pay your rent – is not a defense to a non-payment of**
12 **rent notice.)**

13 _____
14 _____
15 _____
16 _____

Check if attaching continuation pages

17 Pursuant to NRS 70.010 and JCRCP 110, I ask the Court to delay (“stay”) enforcement of any
18 summary order for (*insert number of days, up to 10*) _____ days for the following reasons
19 (*explain below*):

20 _____
21 _____
22 _____
23 _____
24 _____

Check if attaching continuation pages

1 THEREFOR, I ask that Landlord receive nothing requested in Landlord's Affidavit/Complaint,
2 or instead ask for a delay in the issuance of an order for eviction.

3
4 *I understand that as long as the filing of this affidavit is timely, I will receive notice of my hearing*
telephonically from the court at (provide number) _____
5 **and**
6 *I understand that it is my responsibility to follow-up with the court weekly,*
at 775-751-7050, if I do not hear from them.

7
8 To avoid an eviction on my record, I am willing to move out before the hearing date and give
9 the keys to the Landlord before or at the hearing.

10
11 I declare under penalty of perjury the laws of the State of Nevada that the foregoing is true
12 and correct.

13
14 _____
(Date)

(Print Name)

(Signature)