

PUBLIC DISCLAIMER

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The court clerk is not permitted to give legal advice to you.

This packet is not intended to substitute for the advice of an attorney. You may find legal information/advice/representation from the organizations listed below.

For Tenants

Clark, Nye, Lincoln and Esmeralda Counties

Nevada Legal Services
702-386-0404
866-432-0404

City of Las Vegas Senior Citizens
Law Project (60+ years old)
702-229-6596

Washoe County

Nevada Legal Services 775-284-3491
Washoe Legal Services (private housing only) 775-329-2727
Washoe County Senior Law Project 775-328-2592

Other Counties

Nevada Legal Services
800-323-8666

For Landlords

Statewide

Lawyer Referral and Information Service
State Bar of Nevada
702-382-0504 or 800-789-5747

EVICTION INSTRUCTIONS

Notice of Eviction for any reason should be used to initiate an eviction action against the tenant. The notices must be served in accordance with NRS 40.280, and the correct proof of service must be obtained.

Complete the Notice(s) as Follows:

- Fill in the tenant name, address and telephone number.
- Provide the landlord name, address, telephone number and email address.
- Fill in the date of service.
- Provide any further information required in the Notice(s) being served.

DECLARATION OF SERVICE

Nevada law requires that any Notice of Eviction being served to the tenant for termination of their tenancy be served by the Sheriff's Office, Constable, a Licensed Processed Server or a Licensed Attorney's Agent. This is done one of three (3) ways as outlined in NRS 40.280. The document that records and proves the method of notification is the Declaration of Service.

After service has been made, **you** must bring the declaration(s) of service, attached to the Notice(s) you served, to the court when you file for a twenty-four (24) hour eviction order. Declaration of service is a paper that shows the tenant(s) received a copy of the Notice.

When you come to court, **bring everything you need to file for your eviction.** This means you must have one (1) notice (for non-payment of rent) or two (2) notices (for reasons other than non-payment of rent) with the declaration of service for each notice served, the written rental agreement if applicable, your Landlord's Complaint and the filing fee of \$51.00

REMEMBER, this is your eviction. You must prove it. It is not up to the tenant to disprove your eviction. The court will help you file the eviction, but you have to provide the information required to file.

FAILURE TO GIVE LAWFUL NOTICE MAY RESULT IN THE DISMISSAL OF THE EVICTION AND REQUIRE THAT

A NEW NOTICE PROCESS BEGIN AGAIN.

SEVEN-DAY NOTICE OF EVICTION
FOR NON-PAYMENT OF RENT
(NRS 40.253)

Your failure to pay rent or vacate the premises before close of business on the seventh (7th) judicial day¹ following the date of service of this notice may result in their 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 the non-admittance, directing the Sheriff to post the order in a conspicuous place on the premises not later than 24 hours after the order is received by the Sheriff. The Sheriff 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 any 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 Affidavit² no later than the close of business³ day on the seventh(7th) judicial day¹ following the Date of Service of this notice with the Pahrump Justice Court stating that you have tendered payment or are not in default in payment of rent. **THE AFFIDAVIT FORM AND INFORMATION MAY BE OBTAINED** at the **Pahrump Justice Court** located at **1520 East Basin Avenue, Suite 104, Pahrump, NV 89060**, or on the Court's website at <http://www.pahrumpjusticecourt.com/>.

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

² To file an Affidavit, you **MUST** bring this Notice, a copy of your lease if applicable and a **\$51.00** filing fee to the address listed above.

³ The close of business varies between the courthouses, so make sure to check the business days and hours for the Justice Court listed above.

DECLARATION OF SERVICE

TO: _____
Tenant(s) Name

FROM: _____
Landlord's Name

Tenant(s) Name

Landlord's Name

and all occupants named tenants only

Address

Address

City, State, Zip Code

City, State, Zip Code

Telephone Number

Telephone Number

Email Address

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

- Non-Payment of Rent** **No Cause Notice** **Breach of Contract**
 Nuisance / Waste Notice **Unlawful Detainer**

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^{1 & 2} 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^{1 & 2} 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 the foregoing is true and correct.

(Date)

(Officer's Name)

(Badge #)

(Officer's Signature)

OR

(Date)

(Server's Name)

(License #)³

(Officer's Signature)

1 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.

2 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).

3. A server who does not have a badge or license number may be an agent of an attorney licensed in Nevada. Notices served by agents must also include an attorney declaration as proof of service.

JUSTICE / MUNICIPAL CIVIL COURT COVER SHEET

Pahrump Township, Nye County, Nevada

Case No. _____
(Assigned by Clerk's office)

Interpreter Needed: No Yes Language: _____

I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
E-mail Address	E-mail Address
Attorney (name/address/phone):	Attorney (name/address/phone):
Law Firm / Bar #	Law Firm / Bar #
E-mail Address	E-mail Address

I. Nature of Controversy *(please select the one most applicable filing type below)*

Civil Case Filing Types

Real Property	Torts	Protection Orders
<p>Real Property</p> <input type="checkbox"/> Landlord/Tenant (Summary Eviction) <input type="checkbox"/> Unlawful Detainer Complaint (Writs of Restitution) <input type="checkbox"/> Other Real Property	<p>Negligence</p> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <p>Other Torts</p> <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Other Torts	<p>Protection Order</p> <input type="checkbox"/> Request for Domestic Violence Protective Order <input type="checkbox"/> Request for Protection Order (Non-Domestic Violence) <input type="checkbox"/> Sexual Assault Related <input type="checkbox"/> Request for High Risk Protective Order
<p style="text-align: center;">Contract Case</p> <p>Seller Plaintiff (Debt Collection)</p> <input type="checkbox"/> Credit Card Collection <input type="checkbox"/> Payday Loan Collection <input type="checkbox"/> Debt Collection Agency <input type="checkbox"/> Other Debt Collection <p>Other Contract Case</p> <input type="checkbox"/> Contract Buyer Plaintiff <input type="checkbox"/> Other Contract Case	<p style="text-align: center;">Other Civil Filings</p> <p>Other Civil Filing</p> <input type="checkbox"/> Contested Liens Case <input type="checkbox"/> District Court Order to Seal Records <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Other Civil Matters	<p>Protection Order-Extension Request</p> <input type="checkbox"/> Request for Extended Domestic Violence Protective Order <input type="checkbox"/> Request for Extended Protective Order (Non-Domestic Violence) <input type="checkbox"/> Request for Extended High Risk Protective Order

_____ Date

_____ Signature of initiating party or representative

1 Case No. _____

2 Dept. _____

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

7 _____,

8 Landlord(s),

**LANDLORD'S COMPLAINT FOR
SUMMARY EVICTION FOR
NON-PAYMENT OF RENT**

9 vs

10 _____,

11 Tenant(s). /

12
13 Landlord or Landlord's authorized agent states as follows pursuant to NRS 40.253:

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

17 2. The tenancy started on (insert date) _____.

18 3. The amount of the Tenant's rent is (insert amount) \$ _____ per (check box)
19 month, week, or other (specify) _____.

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

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

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

1 7. Tenant owes the following amounts:

2 \$ _____ in periodic rent

3 \$ _____ in late fees

4 \$ _____ TOTAL now due and delinquent.

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

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

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

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

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

18 13. The following individual has the authority to settle the case and would participate in
19 mediation if mediation proceeds: *(check all that apply)* myself, other individual with authority:
20 *(write the names of all the individuals with authority who plan to be at the mediation)*
21 _____

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

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

24 _____ - _____ - _____

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

26 _____

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

2 (Street Address): _____

3 (City, State, Zip): _____

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

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

16. I did, or 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).

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

3 THEREFOR, Landlord asks the Court to enter a date for mediation, if elected, or
4 alternatively, an Order for Summary Eviction of Tenant.

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

7
8 _____
9 (*Date*)

(*Print Name*)

(*Signature*)

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