

Case No. _____

Dept. _____

IN THE JUSTICE COURT OF PAHRUMP TOWNSHIP
COUNTY OF NYE, STATE OF NEVADA
* * * * *

Landlord(s) Name

vs.

Tenant(s) Name

☐ and all occupants ☐ named tenants only

Address

City, State, Zip Code

Telephone Number

Email Address

**TENANT'S AFFIDAVIT
IN OPPOSITION TO
SUMMARY EVICTION
REGARDING
NON-PAYMENT OF RENT**

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

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

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

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

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

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

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

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

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

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

If Yes, list how many and their ages: _____

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

- a. ☐ I moved out and gave my keys to the Landlord
- b. ☐ I disagree with the amount of rent the Landlord claims I owe.
- c. ☐ My rent is paid in full.
- d. ☐ I tried to pay my full rent, but my Landlord refused to accept it.
- e. ☐ Landlord accepted partial payment of my rent.
- f. ☐ The rent amount stated in the notice includes costs or fees that are not regular rent or late fees.
- g. ☐ Landlord is charging a late fee more than 5% of regular rent.
- h. ☐ *(To raise this defense you must give your full rent to the court to hold before the hearing date.)* I sent Landlord written notice about a habitability problem at my rental unit. Landlord did not fix, or try to fix, the problem in 14 days. Therefore, I am holding back payment of rent.
- i. ☐ *(To raise this defense you must give your full rent to the court to hold before the hearing date.)* I sent Landlord written notice of an "essential services" problem at my rental unit (heat, air conditioning, running or hot water, electricity, gas, a working door lock, or other essential item or service). Landlord did not fix, or try to fix, the problem within 48 hours. Therefore, I am holding back payment of rent.
- j. ☐ I corrected a habitability problem at my rental unit and am removing the cost from my rent after giving Landlord an itemized statement. I gave Landlord written notice of 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

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

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) _____

and

*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.*

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

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

(Date)

(Print Name)

(Signature)