

FIVE-DAY NOTICE TO PAY RENT OR QUIT (NRS 40.253)

<i>TO: Name of TENANT(s)</i>
<i>Address:</i>
<i>City, State, ZIP:</i>

<i>FROM: Name of LANDLORD</i>
<i>Address</i>
<i>City, State, ZIP:</i>
<i>Telephone Number:</i>

DATE OF SERVICE: _____

PLEASE TAKE NOTICE that you are in default in payment of rent for the above-described premises in the sum of *(insert total rent due)* \$_____ for the period *(insert beginning date covered by rent due)* _____ to *(insert ending date covered by rent due)* _____. Rental payment(s) became delinquent on *(insert first date rent was due but not paid)* _____.

Your failure to pay rent or vacate the premises before noon on the fifth judicial day¹ 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 remove you within twenty-four (24) hours after receipt 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 NRS Chapter 118A.

YOU ARE HEREBY ADVISED OF YOUR RIGHT TO CONTEST THIS NOTICE by filing an Affidavit (or Answer) no later than noon on the fifth judicial day¹ following the Date of Service of this notice with the Virginia Township Justice Court stating that you are not guilty of an unlawful detainer. The Virginia Township Justice Court is located at 26 South B Street, Second Floor, Virginia City, Nevada. You may obtain forms at the court clerk's office, and at www.storeycounty.org.

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, in the presence of a witness *(server, witness, and tenant must all sign landlord's copy of notice)*:

_____	_____	_____
<i>(Date)</i>	<i>(Type or Print Name of Witness)</i>	<i>(Tenant's Signature)</i>

		<i>(Signature of Witness)</i>

Because the tenant(s) was absent from the tenant's place of residence or from tenant's usual place of business, by leaving a copy with *(insert name)* _____, a person of suitable age and discretion, at either place AND mailing² a copy to the tenant(s) at tenant's place of residence or place of business;

Because tenant's place of residence or business could not be ascertained, or a person of suitable age or discretion could not be found there, by posting a copy in a conspicuous place on the property, delivering a copy to a person there residing, if the person could be found, AND mailing² 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>(Type or Print Server's Name)</i>	<i>(Server's Signature)</i>

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

²If this manner of service is used, Landlord must file with the court a "certificate of mailing" issued by the United States Post Office per NRS 40.280(3).

**IF THE TIME TO FILE AN ANSWER HAS EXPIRED,
AND THE TENANT HAS NOT PAID THE RENT
OR VACATED THE PREMISES,
AND YOU STILL WANT THE TENANT TO VACATE,
YOU MUST FILE A COMPLAINT FOR SUMMARY EVICTION**

You will need to file an original and two copies of the following documents with the justice court: *(Be prepared to pay a filing fee. The current filing fee is \$51.00)*

- ① Complaint for Summary Eviction;
- ② All eviction notices served on the tenant ;
- ③ The written rental/lease agreement, if any, and
- ④ The original Affidavit of Service and when required, a certificate of mailing.
- ⑤ Initial Appearance Affirmation
- ⑥ Civil Cover Sheet (for court only)

Note: If the Tenant does file an Answer, you will still need to file a Complaint for Summary Eviction. A hearing will be scheduled. You will receive notification from the Court of the hearing date and time.

**IN THE JUSTICE COURT OF VIRGINIA TOWNSHIP
IN AND FOR THE COUNTY OF STOREY, STATE OF NEVADA**

<i>Owner's Name/DBA:</i> <i>Address:</i> <i>City, State, ZIP:</i>
<i>Agent's Name</i> <i>Address:</i> <i>City, State, ZIP</i> <p style="text-align: right;">Plaintiff/Landlord</p>
Versus
<i>Name:</i> <i>Address:</i> <i>City, State, ZIP:</i> <p style="text-align: right;">Defendant/Tenant</p>

Case No. _____

COMPLAINT FOR SUMMARY EVICTION

COMES NOW, the undersigned and states as follows:

1. I am (*check one*) the Landlord Landlord's duly-appointed agent, at the premises located at:
_____ situated within
Virginia Township, Storey County, Nevada.
2. The tenancy commenced on _____ .
The amount of periodic rent is \$_____ per _____.
3. Tenant's rent deposit: \$_____. Security deposit: \$_____. Cleaning deposit: \$_____ .
4. Rent (*check one*) is current became delinquent on _____, and the
Tenant has remained in possession without payment of rent since that date. The amount of rent claimed due and delinquent,
if any, is \$_____.
5. The Tenant (*if not applicable, mark "N/A"*) N/A has not complied with the conditions and covenants of the rental
agreement or with the obligations of the Tenant as enumerated in Chapter 118A of the NRS as follows: _____
_____.
6. On the _____ day of _____, 20____, a written Notice to the Tenant was served on
the Tenant in accordance with NRS 40.280, a copy of the Notice with the Proof of Service is attached to this Complaint.
7. The Tenant (*check one*) Did Did Not sign a written rental agreement. If the tenant signed a written rental
agreement, a copy of the Notice is attached to this Complaint.
8. Affiant requests that the Court enter an Order for Summary Eviction of the Tenant.

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

(Signature): _____ (Date): _____

(Type or Print Name): _____

**IN THE JUSTICE COURT OF VIRGINIA TOWNSHIP
IN AND FOR THE COUNTY OF STOREY, STATE OF NEVADA**

<i>Owner's Name/DBA:</i> <i>Address:</i> <i>City, State, ZIP:</i>
<i>Agent's Name</i> <i>Address:</i> <i>City, State, ZIP</i> <p style="text-align: right;">Plaintiff/Landlord</p>
Versus
<i>Name:</i> <i>Address:</i> <i>City, State, ZIP:</i> <p style="text-align: right;">Defendant/Tenant</p>

Case No. _____

**INITIAL APPEARANCE AFFIRMATION
(NRS 239B.030/603A.040)**

The undersigned does hereby affirm that upon the filing of additional documents in the above matter, an Affirmation will be provided ONLY if the document contains a social security number (NRS 239B.030) or "personal information" (NRS 603A.040), which means a natural person's first name or first initial and last name in combination with any one or more of the following data elements:

1. Social Security number.
2. Driver's license number or identification card number.
3. Account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to the person's financial account.

The term does not include publicly available information that is lawfully made available to the general public.

(Your signature) _____ (Date) _____, 20__

The purpose of this initial affirmation is to ensure that each person who initiates a case, or upon first appearing in a case, acknowledges their understanding that no further affirmations are necessary unless a pleading which is filed contains personal information.

**VIRGINIA TOWNSHIP JUSTICE COURT
CIVIL COURT COVER SHEET**

Case. _____

(Assigned by Clerk's Office)

I. Party Information *(Provide both home and mailing address if different.)*

Plaintiff(s)' Name, address, phone:	Defendant(s), Name, address, phone:
Attorney's Name, address, phone:	Attorney's Name, address, phone:

II. Nature of Controversy *(Please select the one most applicable filing type below.)*

Civil Case Filing Types:

Real Property	Torts	Protection Orders
Real Property <input checked="" type="checkbox"/> Landlord/Tenant (Summary Eviction) <input type="checkbox"/> Unlawful Detainer Complaint (Writ of Restitution) <input type="checkbox"/> Other real property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Other Torts <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Other Torts	Protection Order <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 Protection Order – Extension Request <input type="checkbox"/> Request for Extended Domestic Violence Protection Order <input type="checkbox"/> Request for Extended Protective Order (Non-Domestic Violence)
Contract Case	Other Civil Filings	
Seller Plaintiff (Debt Collection) <input type="checkbox"/> Credit Card Collection <input type="checkbox"/> Payday Loan Collection <input type="checkbox"/> Debt Collection Agency <input type="checkbox"/> Other Debt Collection Other Contract Case <input type="checkbox"/> Contract Buyer Plaintiff <input type="checkbox"/> Other Contract Case	Other Civil Filing <input type="checkbox"/> Contested Liens Case <input type="checkbox"/> District Court Order to Seal Records <input type="checkbox"/> Other Civil Matters	

_____ Date

_____ Signature of initiating party or representative