

VIRGINIA TOWNSHIP
JUSTICE COURT

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6 IN THE JUSTICE COURT OF VIRGINIA TOWNSHIP
7 COUNTY OF STOREY, STATE OF NEVADA
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9 IN THE ADMINISTRATIVE MATTER OF:
10 VIRGINIA TOWNSHIP JUSTICE COURT'S RESPONSE
11 TO CORONAVIRUS DISEASE (COVID-19)

ADMINISTRATIVE ORDER 2021-02

12
13 On March 12, 2020, Governor Steve Sisolak declared a state of emergency in Nevada in
14 response to the recent outbreak of the Coronavirus Disease (COVID-19). On March 29, 2020,
15 Governor Sisolak issued Emergency Directive 008 staying certain evictions and lock-outs. On
16 June 26, 2020, by signing Directive 025, Governor Sisolak issued amendments to Emergency
17 Directive 008. On August 31, 2020, by signing Directive 031, Governor Sisolak issued
18 additional amendments in relation to evictions. On October 6, 2020, the Nevada Supreme
19 Court in Case No. ADKT 0567 entered an *Order Adopting the Temporary Residential Summary*
20 *Eviction Mediation Rules* which took effect on October 15, 2020, and created a mediation
21 program for summary eviction cases that are filed pursuant to NRS 40.253.

22 On December 14, 2020, by signing Directive 036, Governor Sisolak issued additional
23 amendments in relation to evictions;

24 On March 31, 2021, by signing Directive 043, Governor Sisolak issued additional
25 amendments in relation to evictions;

1 The Judge of the Virginia Township Justice Court has the authority pursuant to NRS
2 4.157(c) to make administrative decisions pertaining to the business of the Court. Given the
3 severity of the risk posed to the public by COVID-19, pursuant to the requirements of
4 Emergency Directive 008, the amendments set forth in Directive 025, Directive 031, Directive
5 036, and Directive 043, the Judge of the Virginia Township Justice Court has determined that
6 alterations to court procedures are necessary for the protection of the community.

7 AND GOOD CAUSE BEING SHOWN,

8 IT IS HEREBY ORDERED:

9 The provisions of previous Directives are hereby superseded only by the explicit
10 provisions of Directive 043. Any provisions not addressed by Directive 043 remain in force as
11 provided by previous Directives or regulations promulgated pursuant to the March 12, 2020,
12 Declaration of Emergency.

13 Section 2 of Directive 036 is amended by read as follows:

14 "Covered Person is a tenant as defined by NRS 118A.170 or NRS 118B.0185, who:

- 15 1. Is unable, due to circumstances related to the COVID-19 pandemic, to pay the full
16 rent due to substantial loss of household income, significant loss of compensable
17 hours of work or wages, a lay-off, or extraordinary out-of-pocket medical
18 expenses;
- 19 2. Is likely to become homeless or be forced to move into a congregate or shared
20 living situation if evicted; and
- 21 3. The individual:
 - 22 a. Earned no more than \$99,000 in annual income for Calendar Year 2020 or
23 expects to earn no more than \$99,000 in Calendar Year 2021 (or not more than
24 \$198,000 if filing a joint tax return);
 - 25 b. Was not required to report any income in 2019 or 2020 to the U.S. Internal
Revenue Service; or
 - c. Received an Economic Impact Payment (stimulus check) pursuant to Section
2201 of the CARES Act or a Recovery Rebate (stimulus check) pursuant to Section
9601 of the ARP Act.

"Covered Eviction" has the meaning ascribed to it in Section 3 of Directive 036

1 In addition to the provisions in Directive 036, if a landlord serves a notice pursuant to
2 NRS 40.280, a notice to vacate, notice to quit or pay, or any other notice to a tenant related to
3 removal of the tenant or surrender of the premises related to a Covered Eviction, the landlord
4 must include with the notice an informational statement (“Informational Statement”) on a
5 form prescribed by the Nevada Housing Division of the Department of Business & Industry.

6 The Informational Statement must include the following:

- 7 • A statement that the eviction moratoria pursuant to the CDC Order and the
8 State’s emergency directives provide protection from eviction to certain
9 persons in certain residential evictions;
- 10 • A statement that the protections of the moratoria are not automatic, and that
11 the tenant must respond to the notice and must take action in order to avoid
12 eviction, unless the tenant has already provided a Covered Person Declaration
13 or CDC declaration to his or her landlord;
- 14 • A description of who is a Covered Person, as defined in Directive 036;
- 15 • A statement that a tenant who qualifies as a Covered Person has the option to
16 present a Covered Person Declaration, and a copy of a Covered Person
17 Declaration form; and
- 18 • Information regarding rental assistance programs in the tenant’s county and
19 information on how to access such programs.

20 The Informational Statement must be printed in at least size 12 font, provided in a
21 clear and conspicuous manner, and must be printed and provided in both English and Spanish.

22 A tenant who has already provided a Covered Person Declaration or a CDC declaration
23 to his or her landlord pursuant to Directive 036 or the CDC Order is not required to provide a
24 new declaration in order to be protected under this Directive.

25 Section 4 of Directive 036 is amended to state that this section does not stay eviction
mediation proceedings pursuant to the program established by the Nevada Supreme Court for
cases that were pending in a court prior to the effective date of this Directive. It does not stay
or prohibit any process or application for rental relief or assistance.

Section 13 of Directive 036 is amended to reflect an extension to May 31, 2021.

1 The provisions of this Order pursuant to Governor Sisolak's Directive 043 shall remain
2 in effect until May 31, 2021, at 11:59 p.m., unless sooner amended or terminated by a
3 subsequent Directive promulgated pursuant to the March 12, 2020, Declaration of Emergency
4 to facilitate the State's response to the COVID-19 pandemic, or upon dissolution or
5 termination of the Declaration of Emergency.

6 IT IS SO ORDERED.

7 Dated this 1st day of April, 2021.

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10 E.F. Herrington
11 Justice of the Peace
12 Virginia Township Justice Court
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