

SUMMARY EVICTION: SEVEN-DAY NOTICE TO PAY RENT OR QUIT (NRS 40.253)

TO: Name of TENANT(s)
<input type="checkbox"/> and all occupants <input type="checkbox"/> named Tenant(s) only
Address:
City, State, ZIP:

FROM: Name of LANDLORD
Address
City, State, ZIP:
Telephone Number:

DATE OF SERVICE: _____

PLEASE TAKE NOTICE that you are in default in payment of rent for the above-described premises.

You are in default for the period *(insert beginning date covered by rent due)* _____ to *(insert ending date covered by rent due)* _____.

The amount of periodic rent is *(rent may include recurring periodic utilities)*: \$ _____

The last date any amount of rent was paid was *(insert date of last rent payment)*: _____
in the amount of *(amount of last rent payment made)*: \$ _____

Current Rent Due:	<i>(Amount of rent due for the current period.)</i>	\$
Past Due Rent:	<i>(Rent due for previous periods.)</i>	\$
Late Fees:	<i>(Cannot be in excess of 5% of the periodic rent.)</i>	\$
Total Owed:	<i>(The rent owed plus late fees owed.)</i>	\$

Your failure to pay rent or vacate the premises before the close of business on the seventh (7th) 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 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 an 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 Affidavit no later than the close of business² on the seventh (7th) judicial day following the Date of Service of this notice, with the Justice Court, stating that you have tendered payment or are not in default of rent. Forms are available at the Court located at 800 South C Street, Virginia City, Nevada 89440 and at storeycounty.org.

Note: This Notice must include a valid Proof of Service if filed with the Court.

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

² The Justice Court hours of operation are the following days and times: Monday – Friday, 8:00 a.m., - 5:00 p.m.

DECLARATION OF SERVICE

On _____, I served a Seven-Day Notice to Pay Rent or Quit to
(Date of Service)

the following address in the following manner:

Street address where you served: _____

City, State, Zip where you served: _____

(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:

_____, a person of
(Name or physical description of person served.)

suitable age and discretion, AND by mailing 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 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.

Date

Server's Signature

Server's Badge/License Number

Server's Name - Print

A server who does not have a badge 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.

If you have properly served the 7-Day Notice to Pay Rent or Quit, waited the required number of days, and the tenant has not vacated, it's time to file a:

COMPLAINT FOR SUMMARY EVICTION

You must file an original and two copies of the following documents with the justice court:
(Be prepared to pay a filing fee.)

- 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 files 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**

Owner's Name:	
Business Name:	
Agent's Name:	
Address:	
City, State, Zip:	
Phone:	
Email:	
vs.	Landlord,
Tenant's Name:	Tenant.

Case No. _____

**LANDLORD'S COMPLAINT FOR SUMMARY
EVICTION FOR NONPAYMENT OF RENT**

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

1. I am (*check one*) the Landlord Landlord's duly-appointed agent, at the rental premises located at:
_____ situated within
(Street address for rental)

Virginia Township, Storey County, Nevada.

2. The tenancy commenced on the date of _____.

3. The amount of the Tenant's rent is \$_____ per (check one) month week other: _____.

4. Tenant paid the following deposits: Rent deposit of \$_____, Security deposit of \$_____,
and Cleaning deposit of \$_____.

5. Tenant's rent became delinquent on the date of _____, and the Tenant
has remained in possession without payment of rent since that date.

6. I verified Tenant continued in possession of the rental premises following the expiration of the Notice to Pay
Rent or Quit. Date I checked the rental premises: _____.

7. Tenant owes the following amounts:

\$ _____	In periodic rent
\$ _____	In late fees.
\$ _____	TOTAL now due and delinquent.

8. Tenant was served with a written notice to pay rent or quit on the following date: _____
which is in compliance with NRS 40.280, and a copy of that notice and proof of service is attached or submitted
with this complaint.

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

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

Tenant has not complied with the obligations of tenants set forth in Chapter 118A of the NRS by defaulting on the rent. THEREFORE, Landlord asks the Court to for an Order for Summary Eviction of Tenant.

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

Signature

Date

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>
Plaintiff/Landlord
Versus
<i>Name:</i> <i>Address:</i> <i>City, State, ZIP:</i>
Defendant/Tenant

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:
<i>Email:</i>	<i>Email:</i>
Attorney's Name, address, phone:	Attorney's Name, address, phone:
<i>Email:</i>	<i>Email:</i>

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

Civil Case Filing Types – Definitions

The following information is furnished as a guide only and should not be construed as legal advice. Our court staff is happy to help you, but it is against the law for court staff to give legal advice.

Landlord/Tenant (Summary Eviction): A case for exclusion of a tenant for default of rent or other deficiency following as in NRS 40.253 and 40.254. These are eviction cases where a landlord cannot get a money judgment.

Unlawful Detainer Complaint (Writs of Restitution): A case involving a formal complaint alleging the occupant's right to possess a property has been terminated after the foreclosure or sale of a property. This category includes evictions of commercial tenants on any basis other than nonpayment of rent.

Other Real Property: A case involving disputes of real property that does not fit within the definitions of Landlord/Tenant or Unlawful Detainer Complaint.

Credit Card Collection: A debt collection case where the petitioner is a credit card company.

Payday Loan Collection: A debt collection case where the petitioner is a payday loan company.

Debt Collection Agency: A debt collection case where the petitioner is a debt collection agency.

Other Debt Collection: A debt collection case that does not fit within the definitions of any other debt collection case category. This category includes tax collection cases.

Contract Buyer Plaintiff: A contract case (expressed or implied) involving a buyer of goods or services alleging that a seller of goods or services has failed to either deliver said goods or services or honor a warranty.

Other Contract Case: A contract case (expressed or implied) that does not fit within the definitions of a Contract Buyer Plaintiff case.

Auto: A negligence case resulting from personal injury, property damage, or wrongful death arising out of a party's alleged negligent operation of a motor vehicle.

Premises Liability: A negligence case involving liability resulting from alleged negligence on property that results in damages or injuries to persons or property occupying said property.

Other Negligence: A negligence case that does not fit within the definitions of Auto negligence or Premises Liability.

Intentional Misconduct: A case involving issues of an alleged intentional misconduct. Examples include assault, battery, fraud, punitive damages, defamation, libel, and slander.

Other Torts: A case that does not fit within the definitions of any other negligence case type or Intentional Misconduct.

Contested Liens Case: A case that contests the validity of liens, or requests the enforcement of liens. Examples include the enforcement of mechanics' liens (NRS 108.239)

and liens of owners of storage facilities, or to contest the validity of liens on mobile and manufactured homes.

District Court Order to Seal Records: An order from the District Court to the Justice or Municipal Court which directs the court to seal their records. Original Petitions to Seal Records should be counted as "Other Civil Matters."

Other Civil Matters: A case that involves a matter that does not fit within the definitions of any other civil case category. This includes "Confession of Judgment" and Petitions to Seal Records.

Request for Domestic Violence Protective Order: A protection order application for a temporary order for protection from a person who has committed or may commit an act of domestic violence (including battery). (Refer to NRS 33.020, 33.030, 33.080, 33.100, and 200.481.)

Request for Protection Order (Non-Domestic Violence): A protection order application for a temporary order for protection from a person who has committed or may commit an act an act of harassment, stalking, or threat to life not related to domestic violence of sexual assault.

Sexual Assault Protection Orders: A protection order application for an order for protection against a person who has or may commit an act related to sexual assault. (Refer to NRS 193.166 and 202.378.)

Requests for Extended Domestic Violence Protective Orders: A protection order case involving a request for an extended order for protection against domestic violence (including battery). (Refer to NRS 33.020, 33.030, 33.100, and 200.481.)

Requests for Extended Protective Orders (Non-Domestic Violence): A protection order case involving a request for an extended order for protection against harassment, stalking, or threat to life not related to domestic violence.

Please contact our office if you have procedural questions or need filing fee information. You may also visit our Justice Court website at www.storeycounty.org.

Virginia Township Justice Court
800 South C Street
P.O. Box 674
Virginia City, Nevada
Phone: 775-847-0962
Facsimile: 775-847-0915
Email: jp@storeycounty.org

Storey County is an equal opportunity provider and employer.