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**IN THE JUSTICE COURT OF \_\_\_\_\_ TOWNSHIP  
IN AND FOR THE COUNTY OF \_\_\_\_\_, STATE OF NEVADA**

Name: \_\_\_\_\_,  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
  
Landlord/Plaintiff,  
  
vs.  
  
Name: \_\_\_\_\_,  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
  
Tenant/Defendant.

Case No.  
Dept. No.

**TENANT’S AFFIDAVIT/DECLARATION IN OPPOSITION TO SUMMARY  
EVICTION  
("No Cause" Notice)**

The undersigned tenant, appearing in proper person, states that:

1. I am the tenant of the dwelling unit located at *(insert complete address of rental unit)* \_\_\_\_\_.
2. I rented the above unit from Landlord on or about \_\_\_\_\_ *(date)* and I pay rent monthly / weekly.
3. My landlord *(choose one)* is / is not subsidized by a governmental agency.
4. I *(choose one)* received / did not receive a Seven-Day or a Thirty-Day "No Cause" Notice to vacate my rental unit on \_\_\_\_\_ *(date)*.
5. I *(choose one)* received / did not receive the 5-day Notice of Unlawful Detainer on \_\_\_\_\_ *(date)*.

1           6.       This notice was not correct for the following reasons: (*check all that apply and*  
2 *provide a written explanation of the facts at paragraph 8.*)

3           I am protected from eviction by the Governor’s Emergency Directive 036. I am in default  
4 of my rent and am a Covered Person under the Directive. I delivered the required Declaration to  
5 my landlord on \_\_\_\_\_(date).

6           I am protected from eviction by the CDC Moratorium as nothing restricts eviction to non-  
7 payment only. I delivered the required Declaration to my landlord on \_\_\_\_\_(date).

8           I have a valid lease agreement that does not expire until \_\_\_\_\_ (*expiration date*).

9           My landlord has renewed the tenancy by accepting rent or by entering into a new  
10 agreement.

11          I am 60 years of age or older and/or have a physical or mental disability. I gave Landlord  
12 a written request along with proof of my age/disability on \_\_\_\_\_(*date*). I am requesting  
13 additional time in accordance with NRS 40.251.

14          The Court lacks jurisdiction over this eviction action because one or more of Landlord’s  
15 notices does not comply with Nevada Law because it:

16               Was not served on me as required by NRS 40.280;

17               I pay rent monthly and the landlord issued me a notice that requires I vacate in less  
18 than 30 days.

19               The thirty-day notice did not notify me of my right to request to be allowed to  
20 continue in possession for an additional 30 days as required by NRS 40.251(3).

21               The Notice of Unlawful Detainer did not identify the court that has jurisdiction  
22 over this case;

23               The Notice of Unlawful Detainer did not notify me of my right to contest this  
24 matter by filing an affidavit with the court;

25               The Notice of Unlawful Detainer did not notify me that the court may issue a  
26 summary order for my removal directing the sheriff or constable to post the order  
27 in a conspicuous place on the premises not later than 24 hours after the order is  
28

1 received by the sheriff, and the sheriff or constable shall remove the tenant not  
2 earlier than 24 hours but not later than 36 hours after the posting of the order;

3 The Notice of Unlawful Detainer did not notify me of my right to seek a stay of  
4 execution of the eviction not exceeding 10 days.

5 The Landlord/Plaintiff's is using a No Cause Notice as a pretext; the true motivation for  
6 evicting me is:

7 retaliation for behavior protected by NRS 118A.510 (*complaints about habitability,*  
8 *discrimination, and/or joining a tenant's union, etc.*).

9 discrimination pursuant to NRS 118, the Nevada Fair Housing Law, because I am  
10 being evicted in relation to my membership in a protected class (*race, religious creed, color, national*  
11 *origin, disability, sexual orientation, gender identity or expression, ancestry, familial status or sex*).

12 7. Explain any of the defenses above or other legal defense to the eviction:  
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20 8. Pursuant to NRS 40.253(6), if an affidavit is filed in response to a Notice of  
21 Unlawful Detainer, and "if the court determines that there is a legal defense as to the alleged  
22 unlawful detainer, the court shall refuse to grant either party any relief, and . . . shall require that  
23 any further proceedings be conducted pursuant to NRS 40.290 to 40.420, inclusive."  
24 Accordingly, if the affidavit raises a legal defense to the unlawful detainer, the Court is required  
25 to dismiss the summary eviction.

26 WHEREFORE, the Tenant/Defendant prays for hearing in this court pursuant to NRS  
27 Chapter 40, and that this matter be dismissed at the hearing because I have raised a legal defense  
28 to the alleged unlawful detainer.

1                   **Request for a Stay.** In the alternative, if the court concludes that I have not raised  
2 a legal defense at the hearing held pursuant to this affidavit/declaration, I request a stay of  
3 execution under NRS 70.010(2) of 10 days in order to move. I need the additional time because:  
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7                   **Declaration pursuant to NRS 53.045:** I declare under the penalty of perjury under the  
8 law of the State of Nevada that the foregoing is true and correct.

9                   **Affirmation pursuant to NRS 239B.030:** The undersigned does hereby affirm that the  
10 preceding document does not contain the social security number of any person.

11                   DATED: \_\_\_\_\_

12  
13                   \_\_\_\_\_  
14                   Tenant/Defendant Signature

15                   \_\_\_\_\_  
16                   Printed Name

17                   **CERTIFICATE OF MAILING**

18                   I hereby certify that on \_\_\_\_\_ (*date*) I served the foregoing TENANT'S  
19 AFFIDAVIT/DECLARATION IN OPPOSITION TO SUMMARY EVICTION by depositing a  
20 copy of the same in a sealed envelope in the United States Mail, postage pre-paid, to the following:  
21

22                   \_\_\_\_\_  
23                   \_\_\_\_\_  
24                   \_\_\_\_\_

25                   DATED: \_\_\_\_\_

26  
27                   Signed: \_\_\_\_\_

28                   Printed Name: \_\_\_\_\_