

EVICTON INSTRUCTIONS

SEVEN-DAY NOTICE OF EVICTION FOR NON-PAYMENT OF RENT (NRS 40.253)

Seven-Day Notice of Eviction for Non-Payment of Rent should be used to initiate a non-payment of rent eviction when the tenant is in default of payment of rent. Rent includes the periodic rental payments, as well as any applicable late fees set forth in the rental agreement. This notice must be served in accordance with NRS 40.280, and the correct proof of service must be obtained.

Complete the Notice as Follows:

- Fill in the tenant name, address and telephone number.
- Provide the landlord name, address, telephone number and email address.
- Fill in the date of service.
- Provide the monetary and date information.

DECLARATION OF SERVICE

Nevada law requires that the landlord serve notices to tenants of the termination of their tenancies. The document that records and proves the method of notification is the Declaration of Service.

To complete the form correctly, read the methods of service described in the form and follow it strictly. Personal service must be attempted. For service to have been made personally, the server, the tenant and the witness **MUST** sign the form. If personal service was not made, you must have posted a copy of the notice at the residence and mailed a copy to the tenant, making sure that you obtained a **United States Postal Service Certificate of Mailing**. The original USPS Certificate of Mailing must be attached to the Declaration of Service to prove that a copy was mailed to the tenant.

FAILURE TO GIVE LAWFUL NOTICE MAY RESULT IN THE DISMISSAL OF THE EVICTION AND REQUIRE THAT

A NEW NOTICE PROCESS BEGIN AGAIN.

**NON-PAYMENT OF RENT
DECLARATION OF SERVICE**

TO: _____
Tenant(s) Name

FROM: _____
Landlord's Name

Tenant(s) Name

Landlord's Name

and all occupants named tenants only

Address

Address

City, State, Zip Code

City, State, Zip Code

Telephone Number

Telephone Number

Email Address

NON-PAYMENT OF RENT NOTICE

On _____ (date of service), I served this notice in the following manner:

By Delivering a copy to the tenant(s) personally, in the presence of a witness (server, witness, and tenant **must all sign** below);

IF NO TENANT'S SIGNATURE

I attempted personal and substituted service above in the presence of a witness who signed below but because I could not find the tenant at tenant's place of residence or business and could not find a person of suitable age or discretion, I posted a copy in a conspicuous place on the property on the

_____ (e.g. front door, etc.) and mailed¹ a copy to the tenant(s).

(Date)

(Print tenant's name)

(Tenant's signature)

(Date)

(Print witness' name)

(Witness' signature)

Pursuant to NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

(Date)

(Print server's name)

(Servers' signature)

¹ When notice is also mailed you cannot include non-judicial days in the computation and you must add an additional three (3) calendar days for mailing (JCRC 6(a)). Judicial days do not include the date of service, weekends, and certain holidays.

² If mailing of notice is used you must file with the court a "certificate of mailing" issued by the United States Post Office per NRS 40.280(3).

JUSTICE / MUNICIPAL CIVIL COURT COVER SHEET

Esmeralda Township, Esmeralda County, Nevada

Case No. _____
(Assigned by Clerk's office)

Interpreter Needed: No Yes Language: _____

I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
E-mail Address	E-mail Address
Attorney (name/address/phone):	Attorney (name/address/phone):
Law Firm / Bar #	Law Firm / Bar #
E-mail Address	E-mail Address

I. Nature of Controversy *(please select the one most applicable filing type below)*

Civil Case Filing Types

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

_____ Date

_____ Signature of initiating party or representative

1 Case No. _____

2 Dept. _____

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IN THE JUSTICE COURT OF ESMERALDA TOWNSHIP
COUNTY OF ESMERALDA, STATE OF NEVADA

vs Landlord(s),

**LANDLORD'S COMPLAINT FOR
SUMMARY EVICTION FOR
NON-PAYMENT OF RENT**

_____ Tenant(s) /

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

1. I am the owner or owner's agent of the rental premises located at

(insert rental's address) _____

2. The tenancy started on (insert date) _____

3. The amount of the Tenant's rent is (insert amount) \$ _____ per (check box)

month, week, or other (specify) _____

4. Tenant paid the following deposits (insert amounts): Rent deposit of \$ _____,
security deposit of \$ _____, and cleaning deposit of \$ _____.

5. Tenant's rent became delinquent in (insert date) _____, and

Tenant has remained in possession without paying rent since that date.

6. I verified Tenant continued in possession of the rental premises following the expiration of
the Seven Day Notice to Pay Rent or Quit on (insert date you checked rental property).

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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 *(insert date notice was served)* _____ 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, or 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 Southern Nevada Regional Housing Authority with a copy of the eviction notice pursuant to 24 C.F.R. § 982.310(e)(2)(ii).

11. Tenant has not complied with the obligations of tenants set forth in Chapter 118A of the NRS by defaulting on the rent.

THEREFOR, Landlord asks the Court to enter an Order for Summary Eviction of Tenant.

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

(Date)

(Print Name)

(Signature)