

**JUSTICE COURT, TOWNSHIP OF HENDERSON
CLARK COUNTY, NEVADA**

Landlord's
Name: _____

Landlord,
vs.

Tenant's
Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

E-Mail: _____

Tenant.

Case No.: _____

Dept. No.: _____

**TENANT'S AFFIDAVIT IN OPPOSITION
TO SUMMARY EVICTION REGARDING
NONPAYMENT OF RENT**

Tenant, appearing in proper person, contests this matter under NRS 40.253 as follows:

1. Do you live in a weekly? ☐ No ☐ Yes

If yes, how often is your rent due? _____

2. Is your landlord claiming you owe more than 3 months' rent? ☐ No ☐ Yes

3. Are you 62 years old or older? ☐ No ☐ Yes

4. Do you, or someone living with you receive SSI benefits due to a disability? ☐ No ☐ Yes

5. Are there children living in your home? ☐ No ☐ Yes

If yes, list how many and their ages: _____

6. My defense(s) to the notice claiming I owe rent are: (check all that apply):

- a. ☐ I moved out and gave my keys to the landlord.
- b. ☐ I disagree with the amount of rent the Landlord claims I owe.
- c. ☐ My rent is paid in full.
- d. ☐ I tried to pay the amount on the notice on (insert date) _____, but my landlord refused to accept it.
- e. ☐ Landlord accepted partial payment of my rent on this date: _____.
- f. ☐ Landlord is charging a late fee more than 5% of rent.
- g. ☐ (To raise this defense you must give your full rent **in certified funds** to the court to hold before the hearing date) I sent Landlord written notice about a habitability problem at my rental unit. Landlord did not fix, or try to fix, the problem in 14 days. Therefore, I am holding back payment of rent.

- h. ☐ (To raise this defense your rent must have been up to date at the time you sent written notice to Landlord.) I sent Landlord written notice of an “essential services” problem at my rental unit (heat, air conditioning, running or hot water, electricity, gas, a working door lock, or other essential item or service). Landlord did not fix, or try to fix, the problem in 48 hours. Therefore, I am holding back payment of rent.
- i. ☐ I gave Landlord written notice of a habitability problem, and Landlord did not fix the problem in 14 days after my notice. I corrected the habitability problem at my rental unit and I am removing the cost from my rent after giving Landlord a detailed statement.
- j. ☐ Landlord's notice was not served on me as required by law, or the notice did not in other ways follow Nevada law.
- k. ☐ Other defense (explain below).

(State the facts and circumstances that support the defenses you checked. Financial hardship – not having the money to pay your rent – is not a defense to a non-payment of rent notice)

☐ Pursuant to NRS 70.010 and JCRCP 110, I ask the Court to delay (“stay”) enforcement of any summary order for (insert number of days, up to 10) ____ days for the following reasons (explain below):

☐ I require an interpreter in the following language: ☐ Spanish ☐ Other _____
(If you require an interpreter, contact the Clark County Interpreter’s Office at (702) 671-4578 at least 3 days before your court hearing)

THEREFORE, I ask that Landlord receive nothing requested in Landlord's Affidavit/Complaint or instead ask for a delay in the issuance of an order for eviction.

*I understand that if the filing of this affidavit is timely,
I will receive notice of any hearing by phone and/or regular U.S. Mail.*

I DECLARE UNDER PENALTY OF PERJURY under the law of the State of Nevada that the foregoing is true and correct.

(Print Name)

(Signature)

(Date)

FOR COURT USE ONLY

NOTICE OF HEARING

THIS MATTER IS SET FOR THE _____ DAY OF _____, 20____ AT _____ .M.

IN DEPARTMENT NO: _____ LOCATED AT **243 WATER STREET, HENDERSON, NEVADA 89015.**

NRS 40.253 requires a copy of the Tenant's Affidavit be provided to the Landlord or Agent to avoid non-admittance to the premises.

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- ☐ Copy of Affidavit/Notice of Hearing given to Plaintiff/Landlord (at the counter).
 - ☐ Copy of Affidavit/Notice of Hearing mailed to Plaintiff/Landlord.
 - ☐ Copy of Affidavit/Notice of Hearing mailed to Defendant/Tenant(s).
 - ☐ Landlord notified by telephone of hearing date/time.
 - ☐ Tenant(s) notified by telephone of hearing date/time.

DATE: _____

CLERK'S INITIALS: _____