

JUSTICE COURT, TOWNSHIP OF \_\_\_\_\_  
CLARK COUNTY, NEVADA

Landlord's  
Name: \_\_\_\_\_

vs. \_\_\_\_\_  
Landlord,

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. What is the address on the notice you received, including city, state, and zip code:

\_\_\_\_\_

2. Do you live in a weekly? ☐ No / ☐ Yes

a. If Yes, how often is your rent due? \_\_\_\_\_

3. What is the date the eviction notice was given to you? (Please copy this information from your eviction notice) \_\_\_\_\_

4. Do you have a completed application with Clark County Social Services that shows a pending status? (FI CHAP, E CHAP or WSAP? ☐ No / ☐ Yes

5. Is your Landlord claiming you owe more than 3 months' rent? ☐ No / ☐ Yes

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

7. Do you, or does someone living with you, have a disability they are receiving SSI benefits for? ☐ No / ☐ Yes

8. Are there children in your home? ☐ No / ☐ Yes If Yes, list how many and their ages:

\_\_\_\_\_

9. **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 my full rent, but my Landlord refused to accept it.

- 1 e. ☐ Landlord accepted partial payment of my rent.
- 2 f. ☐ The rent amount stated in the notice includes costs or fees that are not regular rent
- 3 or late fees.
- 4 g. ☐ Landlord is charging a late fee more than 5% of regular rent.
- 5 h. ☐ *(To raise this defense you must give your full rent to the court to hold before the*
- 6 *hearing date)* I sent Landlord written notice about a habitability problem at my rental
- 7 unit. Landlord did not fix, or try to fix, the problem in 14 days. Therefore, I am holding
- 8 back payment of rent.
- 9 i. ☐ *(To raise this defense your rent must have been up to date at the time you sent*
- 10 *written notice to Landlord.)* I sent Landlord written notice of an “essential services”
- 11 problem at my rental unit (heat, air conditioning, running or hot water, electricity, gas, a
- 12 working door lock, or other essential item or service). Landlord did not fix, or try to fix,
- 13 the problem in 48 hours. Therefore, I am holding back payment of rent.
- 14 j. ☐ I corrected a habitability problem at my rental unit and am removing the cost from
- 15 my rent after giving Landlord a detailed statement. I gave Landlord written notice of
- 16 the problem, and Landlord did not fix the problem in 14 days after my notice.
- 17 k. ☐ Landlord's notice was not served on me as required by law, or the notice did not in
- 18 other ways follow Nevada law.
- 19 l. ☐ Landlord is discriminating against me in violation of the Federal Fair Housing Act or
- 20 Nevada law.
- 21 m. ☐ Landlord is retaliating against me for taking part in certain protected acts.
- 22 n. ☐ I am a tenant in a property that has been foreclosed on and sold. The new owner:
- 23 i. ☐ Did not give the notice of change of ownership required by law;
- 24 ii. ☐ Violated the law by failing or refusing to give me an additional 60 days in the
- 25 property;
- 26 iii. ☐ Is using the summary eviction process in violation of the law, which requires
- 27 the formal unlawful detainer process.
- 28 o. ☐ 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)***

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

3 *I understand that as long as the filing of this affidavit is timely, I will receive*  
4 *notice of any hearing by e-mail and/or regular U.S. Mail.*

5 ☐ To avoid an eviction on my record, I am willing to move out before the hearing date and give  
6 the keys to the landlord before or at the hearing.

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

9  
10 \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print your name)

\_\_\_\_\_  
(Sign your name)