

MOTION FOR EXPEDITED RELIEF FOR THE REMOVAL OR EXCLUSION OF TENANT OR INTERRUPTION OF ESSENTIAL SERVICES (JUSTICE COURT)

Is this the right form for you?

This form might be right for you if: You are a tenant who has recently left a residential or commercial rental unit (because you were evicted, were locked out, abandoned the unit, or for some other reason) and your former landlord is refusing to give you the personal property you left in the rental unit or is demanding that you pay money before he'll return the personal property.

You are still within one of the following timeframes: This motion can only be filed within 20 days after the last of these to occur:

- (1) An eviction was ordered by the court, or
- (2) You abandoned the rental unit, or
- (3) You vacated the rental unit or were removed and you asked for a copy of the charges your landlord is demanding or the landlord provided the charges to you.

What you should know before you file:

Filing fee: The court will charge you a filing fee of \$71. If you can't afford the filing fee, you can file an application asking the court to waive it based on your inability to pay.

Free Ask-A-Lawyer: The Civil Law Self-Help Center hosts a Landlord/Tenant Ask-A-Lawyer where you can sign up for a free 15-minute consultation with an attorney. There are two sessions every Wednesday, 10:00 a.m. to 12:00 p.m. and 1:00 p.m. to 3:00 p.m. Come one hour before the session to sign up. Space is limited.

Filling out your forms:

- Read the entire form BEFORE you start filling it out. This will help you understand what the form is intended to accomplish and what information you'll need to provide.
- Be sure your completed form is clear and easy to read. Type your form or use blue or black ink only. This form is available online and can be filled out on a computer and printed.
- Use your legal name, current address, daytime telephone number, and a valid e-mail address.
- Your "landlord" is usually the owner of the rental property, not the property manager or management company. Read your lease to find this information.
- Fill out the form completely and accurately. If something does not apply to you, write "N/A" (meaning "not applicable").
- Sign your forms in each place that requires your signature. You are signing "under penalty of perjury." That means untrue information could lead to civil and criminal penalties.

For information and forms, visit www.CivilLawSelfHelpCenter.org.



Filing With the Court to Start Your Case:

In person: Take your completed form to the justice court for the township where the rental property is located.

- If you're filing your case in the Las Vegas Justice Court, you will not need to make copies, but you will need a valid e-mail address. The court clerk will help you electronically file your form. The court will e-mail your filed document to you after processing.
- In all other justice courts (Henderson or North Las Vegas, for example), you'll need to make at least two additional copies of your form. Give the original and all copies to the court clerk for filing. The clerk will return the filed copies to you.

Online: In the Las Vegas Justice Court, you can file electronically at <http://wiznet.wiznet.com/clarknv>. You must register for an account, and you must be able to upload your documents via pdf. There is a \$3.50 fee for each document you upload.

Serving the Other Side:

Have someone personally serve your landlord with the motion and the notice of hearing:

Timing: Because the court will set your hearing on an expedited basis, you should serve your landlord with your motion and the hearing date as quickly as possible. Do not delay.

Who Can Serve: The constable, sheriff, or other process server (anyone 18 and older, who is not a party to the case).

How To Serve: The complaint and the notice setting the date and time of the hearing must be hand delivered to the landlord or property manager, a person in charge at the landlord's or property manager's office, or a person who lives at the landlord's home and is at least 14 years old.

File the Affidavit of Service: The person who served the documents must complete an Affidavit of Service. File the Affidavit of Service at the courthouse with the court clerk before your hearing. An Affidavit of Service form is available on the Self-Help Center website.

Attending Your Hearing:

- Be on time. Allow extra time for traffic or other possible delays.
- Dress appropriately and conservatively and conduct yourself properly in the courtroom.
- When you enter the courtroom, check in with the courtroom clerk or the bailiff.
- Listen carefully and talk directly to the judge. Do not speak directly to the other side.
- Be prepared to tell the judge your story and to state your position, how you would like the judge to rule, and why the judge should rule in your favor.

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