

JUSTICE COURT, TOWNSHIP OF _____
CLARK COUNTY, NEVADA

Landlord's Name: _____	Landlord,
vs.	
Tenant's Name: _____	Tenant.
Address: _____	
City, State, Zip: _____	
Phone: _____	
E-Mail: _____	

Case No.: _____
Dept. No: _____

**TENANT'S AFFIDAVIT IN
OPPOSITION TO SUMMARY
EVICTON 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.

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- e. Landlord accepted partial payment of my rent.
- f. The rent amount stated in the notice includes costs or fees that are not regular rent or late fees.
- g. Landlord is charging a late fee more than 5% of regular rent.
- h. *(To raise this defense you must give your full rent 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.
- i. *(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.
- j. I corrected a habitability problem at my rental unit and am removing the cost from my rent after giving Landlord a detailed statement. I gave Landlord written notice of the problem, and Landlord did not fix the problem in 14 days after my notice.
- k. Landlord's notice was not served on me as required by law, or the notice did not in other ways follow Nevada law.
- l. Landlord is discriminating against me in violation of the Federal Fair Housing Act or Nevada law.
- m. Landlord is retaliating against me for taking part in certain protected acts.
- n. I am a tenant in a property that has been foreclosed on and sold. The new owner:
 - i. Did not give the notice of change of ownership required by law;
 - ii. Violated the law by failing or refusing to give me an additional 60 days in the property;
 - iii. Is using the summary eviction process in violation of the law, which requires the formal unlawful detainer process.
- 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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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):

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

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

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

(Date) (Print your name) (Sign your name)