

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. State the complete address of the rental unit as shown on the notice you received, including city, state, and zip code:

2. What year were you born? _____

3. Do you live on a fixed monthly income from Social Security, veteran's benefits, disability benefits, or other similar program or benefit?

☐ No. If no, are you currently employed? ☐ No / ☐ Yes

☐ Yes. If yes, what is the source of your fixed income? _____

4. Has your landlord increased your rent in the past year? ☐ No / ☐ Yes

5. Is your landlord claiming you currently owe more than two months in back rent?

☐ No / ☐ Yes

6. Did something unexpected or unforeseen happen recently that caused you to fall behind on your rent payments (for example, a large, one-time expense that surprised you, like a car repair; a sudden illness, injury, or medical event; or an unanticipated, temporary loss of income due to a job change or loss of hours)?

☐ No.

☐ Yes. If yes, what happened? _____

7. Have you received rental assistance of any kind in the last 12 months?

☐ No / ☐ Yes

8. Have you been able to pay rent on your own without the use of any kind of rental assistance for the past 12 months?

☐ No / ☐ Yes

1 9. What months of rent is your Landlord claiming you owe? (Please copy this information
2 from your eviction notice)

3 _____

4 10. What is the monthly amount your Landlord is claiming is due? (Please copy this
5 information from your eviction notice)

6 _____

7 11. What is your monthly amount of rent per your lease agreement?

8 _____

9 12. Other than the amount of rent currently owed, are you able to pay rent for future months
10 without the use of rental assistance?

☐ No / ☐ Yes

11 13. What is the date the eviction notice was served on you? (Please copy this information from
12 your eviction notice) _____

13 14. How many people live in your household? Total number of adults (over 18) _____ and
14 total number of children (under 18) _____

15 15. What is the total combined monthly income of all adults in your household?

16 \$_____ ("Income" includes money from employment, overtime, and tips; pension and
17 retirement; child and spousal support; government programs like Social Security and unemployment; and all
18 other sources of income.)

19 16. I received a notice stating that I owe rent. I assert the following defenses to that notice
20 (*check all that apply*):

21 a. ☐ I have a pending or will be submitting an application for rental assistance to the
22 following organization:

23 _____

24 b. ☐ Landlord refused to participate in my application process for rental assistance.

25 c. ☐ I was granted rental assistance, but the Landlord refused to accept rental
26 assistance on my behalf.

27 d. ☐ I paid my rent in full.

28 e. ☐ I presented payment of my rent in full, but Landlord refused to accept it.

f. ☐ Landlord accepted partial payment of my rent.

g. ☐ The rent amount demanded in the notice includes costs or fees that are not periodic
rent or late fees.

h. ☐ Landlord is charging an unreasonable late fee, or a late fee exceeding 5% of
periodic rent.

- 1 i. ☐ (To raise this defense you must deposit your rent into the court's rent escrow
2 account.) I gave Landlord written notice describing a habitability problem at my rental
3 unit. Landlord did not fix, or make a reasonable effort to fix, the habitability problem
4 within 14 days. Therefore, I am withholding payment of rent.
- 5 j. ☐ (To raise this defense your rent must have been current at the time you gave
6 written notice to Landlord.) I gave Landlord written notice of an "essential services"
7 problem at my rental unit (heat, air conditioning, running or hot water, electricity, gas, a
8 working door lock, or other essential item or service). Landlord did not fix, or make a
9 reasonable effort to fix, the problem within 48 hours. Therefore, I am withholding
10 payment of rent.
- 11 k. ☐ I corrected a habitability problem at my rental unit and am deducting the cost from
12 my rent after giving Landlord an itemized statement. I gave Landlord written notice of
13 the problem, and Landlord did not fix the problem within 14 days after my notice.
- 14 l. ☐ Landlord's notice was not served on me as required by NRS 40.280, or the notice
15 did not otherwise comply with Nevada law.
- 16 m. ☐ Landlord is discriminating against me in violation of the Federal Fair Housing Act or
17 Nevada law.
- 18 n. ☐ Landlord is retaliating against me for having engaged in certain protected acts, and
19 Landlord is in violation of NRS 118A.510.
- 20 o. ☐ I am a tenant on property that has been foreclosed upon and sold. The new owner:
21 i. ☐ Failed to give the notice of change of ownership required by NRS 40.255(2);
22 ii. ☐ Violated NRS 40.255 by failing or refusing to grant me an additional 60 days
23 on the property;
24 iii. ☐ Is using the summary eviction procedure in violation of NRS 40.255(1), which
25 requires the formal unlawful detainer procedure under NRS 40.290 to 40.420.
- 26 p. ☐ Other defense (*explain below*).

(State the facts and circumstances that support the defenses you checked above:)

THEREFORE, I request that Landlord take nothing requested in Landlord's Affidavit/Complaint,
or alternatively, 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 mediation and/or hearing by e-mail 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.

(Date)

(Print your name)

(Sign your name)