

## NOTICE OF OPPOSITION TO MOBILE HOME LIEN (JUSTICE COURT)

### **Is this the right form for you?**

**This form might be right for you if:** You're the owner (or tenant, subtenant, or secured party) of a mobile home, and you have received a Notice of Lien that says someone (maybe your mobile home park or perhaps a contractor who has worked on your home) believes they are owed money and is asserting a lien on your home for the unpaid amount. You disagree with the lien and want to contest it.

**If you have received a Notice of Sale by Auction, no more than five business days have passed since you received it:** If more than five business days have passed since you received the Notice of Sale, you cannot use this form.

### **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.

### **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.
- 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.
- Keep a clean copy of the completed form for your records in a safe place.



### **Filing With the Court to Start Your Case:**

**In person:** Take your completed form to the justice court for the township where the mobile home 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

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your form. The court will e-mail your filed document (along with a notice of your hearing date and time) to you after processing.

- In all other justice courts (Henderson or North Las Vegas, for example), you'll need to make at least three additional copies of your form. Give the original and all copies to the court clerk for filing. The clerk will write the hearing date and time on all the copies and 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 in a pdf format. There is a \$3.50 fee for each document you upload.

### **Serving the Other Side:**

**After you get a hearing date, serve a copy of your opposition on the other side:** After you receive your filed opposition back from the court clerk and have a hearing date scheduled, you must mail (or hand deliver) a copy of the opposition and the notice or order setting the hearing date to the Respondent (the person who asserted the lien on your home). This is called "serving." You MUST serve the Respondent within five business days after the court issues the notice or order setting your hearing. So don't delay – serve your motion and notice of hearing as soon as possible!

**Mail a copy to the Manufactured Housing Division:** In addition to serving the Respondent, you must also mail a copy of the opposition and the notice or order setting the hearing date to the State of Nevada Manufactured Housing Division. The address for the Manufactured Housing Division is on the Certificate of Service (page 4 of the form).

### **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.
- Bring your evidence and have copies of any documents (one for the court and one for the other side) that you believe support your opposition.

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