

FIVE-DAY NOTICE OF UNLAWFUL DETAINER **(NRS 40.254)**

TO: _____ <i>Tenant(s) Name(s)</i> ☐ All Occupants ☐ Named Tenant(s) Only _____ <i>Address</i> _____ <i>City, State, Zip Code</i>	FROM: _____ <i>Landlord's Name</i> _____ <i>Address</i> _____ <i>City, State, Zip Code</i> _____ <i>Telephone Number</i>
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YOU ARE GUILTY OF AN UNLAWFUL DETAINER. YOU ARE REQUIRED TO QUIT THE PREMISES.

YOU MAY CONTEST THIS NOTICE and state the reasons you are not guilty of an unlawful detainer by filing an Affidavit (or Answer) with the East Fork Justice Court before the court's close of business¹ on the fifth (5th) full judicial day² following the Date of Service of this notice. You can access and fill out the forms at <https://eastforkjusticecourt.com/>. You may complete your forms in-person at the East Fork Justice Court. All forms must be filed with the East Fork Justice Court Clerk's office, located at 1038 Buckeye Road, Minden, NV 89423. At the time of filing, a \$76.00 file fee will be assessed to the tenant. If needed, a request for the waiver of filing fees may be made by filing a Financial Affidavit.

If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your non-admittance, directing the sheriff or constable to post the order in a conspicuous place on the premises not later than 24 hours after the order is received by the sheriff or constable. The sheriff or constable shall then remove you not earlier than 24 hours but not later than 36 hours after the posting of the order. You may request that the court stay the execution of the order for removal or non-admittance for a period of no more than 10 days by stating the reasons why a stay is warranted.

Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises, or excludes you by blocking or attempting to block your entry upon the premises, or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or chapter 118A of the Nevada Revised Statutes.

If rent is in default, rental assistance may be available through Douglas County's Department of Social Services.

They may be contacted by phone at (775) 782-9825 or online at https://communityservices.douglascountynv.gov/social_services. If you have a pending application for rental assistance, or if your landlord has refused to participate in the rental assistance process or has refused to accept rental assistance on your behalf, you have the right to assert those facts as a defense to this eviction at any point in the proceedings. Should you assert this defense to the court, the court will determine if your case is designated as one that may be paused until a determination on your rental assistance application is made or until a hearing is held for you to prove the validity of your claim of the landlord's refusal.

Your landlord ☐ IS NOT ☐ IS requesting an exemption from any pause in this eviction case due to a realistic threat of foreclosure of the rental property if unable to evict you.

Additionally, if the court determines that your case is designated as one mandating mediation, you may receive an order setting a hearing and notification of mediation after you file an affidavit contesting the eviction notice. The eviction case will be paused for not more than 30 days to facilitate mediation.

The East Fork Justice Court has information on its website concerning the availability of mediation, government-sponsored rental assistance, and electronic filing for the Tenant Affidavit, among other matters. A tenant may access this information at <https://eastforkjusticecourt.com/>.

Legal Assistance may be available through (1) Legal Aid Center of Southern Nevada/Civil Law Self Help Center at <http://www.civillawselfhelpcenter.org/self-help/evictions-housing>; (2) Volunteer Attorneys of Rural Nevada at <http://www.varn.org/newsite/>; or (3) Nevada Legal Services at <https://nlslaw.net/>.

¹ East Fork Justice Court closes at 5:00 p.m. on Mondays through Fridays.

² Judicial days do not include the date of service, Fridays, Saturdays, Sundays, or certain legal holidays.

**DECLARATION OF SERVICE OF
FIVE-DAY NOTICE TO QUIT FOR UNLAWFUL DETAINER**

On *(insert date of service)* _____, I served a Five-Day Notice to Quit for Unlawful Detainer to the following address in the following manner *(check only one)*:

- ☐ By delivering a copy to the tenant(s) personally.
- ☐ Because the tenant(s) was absent from tenant's place of residence, by leaving a copy with:
_____,
(insert name or physical description of person served)
a person of suitable age and discretion, AND by mailing a copy to the tenant(s) at the tenant's place of residence.
- ☐ Because neither tenant nor a person of suitable age or discretion could be found there, by posting a copy in a conspicuous place on the property, AND mailing a copy to the tenant(s) at the place where the property is situated.

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

<i>Date</i>	<i>Server's Badge or License #³</i>	<i>Server's Printed Name</i>	<i>Server's Signature</i>
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³A server who does not have a badge or license number may be an agent of an attorney licensed in Nevada. Notices served by agents must also include an attorney declaration as proof of service.