

IN THE JUSTICE COURT OF \_\_\_\_\_ TOWNSHIP  
IN AND FOR THE COUNTY OF \_\_\_\_\_, STATE OF NEVADA

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Landlord/Plaintiff

vs.

CASE NO: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Tenant/Defendant

DEPT. NO: \_\_\_\_\_

**TENANT'S AFFIDAVIT/DECLARATION  
(Other than Nonpayment of Rent - Private Housing)**

The undersigned tenant states that:

1. I am a tenant of a certain rental unit within \_\_\_\_\_  
Township, \_\_\_\_\_ County, Nevada.
2. I rented the above unit from the above named landlord on or about  
\_\_\_\_\_, 20\_\_\_\_, with rent due monthly or for a shorter period of  
time.

Apartment  
Tenant  
Affidavit/Declaration (Other than Nonpayment of  
Rent, Private Housing)  
Form #16

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- \_\_\_\_\_ 3. On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ I received a:
- \_\_\_\_\_ A. 30-day No-Cause Termination Notice to Vacate – NRS 40.251(1)(b).
  - \_\_\_\_\_ B. 7-day No-Cause Termination Notice to Vacate – NRS 40.251(1)(a)
  - \_\_\_\_\_ C. 5-day Notice of Termination for Violation of Lease or Rental Agreement – NRS 40.2516.
  - \_\_\_\_\_ D. 3-day Notice of Termination and Notice to Vacate for Wrongful Assignment or Subleasing, Waste, Unlawful Business, nuisance or Violations of Controlled Substances Laws – NRS 40.2514.
- \_\_\_\_\_ 4. I have a written rental agreement which allows me to stay until \_\_\_\_\_, 20 \_\_\_\_.
- \_\_\_\_\_ 5. The notice which I received did not provide me with the statutorily required number of days as specified below:
- \_\_\_\_\_ A. 30 days
  - \_\_\_\_\_ B. 7 days
  - \_\_\_\_\_ C. 5 days
  - \_\_\_\_\_ D. 3 days
- \_\_\_\_\_ 6. I have received a 5-day notice alleging a breach of my lease and I
- \_\_\_\_\_ A. did not breach it, or
  - \_\_\_\_\_ B. did not receive notice of my right to cure the alleged breach within 3 days under NRS 40.2516, or
  - \_\_\_\_\_ C. did not receive notice of my right to cure the alleged breach within 5 days under NRS 118A.430, or
  - \_\_\_\_\_ D. have cured, or used my best efforts to cure, the alleged breach

within \_\_\_\_\_ days after receiving the notice, or

\_\_\_\_\_ E. did not receive a subsequent 5-day notice called an unlawful detainer notice.

\_\_\_\_\_ 7. Even though the terms of my original tenancy expired on \_\_\_\_\_, 20\_\_\_\_, the landlord has renewed my tenancy by either accepting rent for a new rental period and/or entering into a new rental agreement.

\_\_\_\_\_ 8. I have received a 3-day notice alleging that I have illegally subleased the rental unit , carried on an unlawful business or created a nuisance and I deny those allegations.

\_\_\_\_\_ 9. I have received a 3-day notice pursuant to NRS 40.255 alleging that the rental unit has been foreclosed upon or sold. Summary eviction proceedings cannot be utilized following these notices. NRS 40.255 requires the landlord to proceed under NRS 40.290 - NRS 40.420 (formal unlawful detainer). This action should be dismissed.

\_\_\_\_\_ 10. This action is brought in violation of the Federal Fair Housing Act or Nevada laws forbidding discrimination in housing, which provides me with a defense under NRS Chapter 118.115.

\_\_\_\_\_ 11. I received a 30-day notice to vacate and am a tenant who is 60 years of age or older or who has a physical or mental disability. The Notice failed to notify me of my right to request to be allowed to continue in possession for an additional 30 days as required by NRS 40.251(3).

\_\_\_\_\_ 12. The landlord issued the Notice as a retaliatory action in violation of NRS 118A.510 for my:

\_\_\_\_\_ A. having complained of a health or safety violation to a government agency.

\_\_\_\_\_ B. having complained to the landlord of a violation of the Nevada

Landlord Tenant Act.

- \_\_\_\_\_ C. organizing a tenants' union.
- \_\_\_\_\_ D. having complained to the landlord of a violation of a statute imposing a criminal penalty, i.e.,(specify)\_\_\_\_\_
- \_\_\_\_\_ E. having complained to a law enforcement agency of a violation of the Nevada Landlord Tenant Act.
- \_\_\_\_\_ F. having complained to a law enforcement agency of a violation of a statute imposing a criminal penalty, i.e., (specify)\_\_\_\_\_
- \_\_\_\_\_ G. having instituted or defended against a judicial administrative proceeding or arbitration in which I raised an issue of compliance with the legal requirements respecting the habitability of dwelling units.
- \_\_\_\_\_ H. having complained in good faith of a violation of the Federal Fair Housing Act or Nevada laws forbidding discrimination in housing to (specify):
  - \_\_\_\_\_ 1. the landlord
  - \_\_\_\_\_ 2. a government agency
  - \_\_\_\_\_ 3. a fair housing agency
  - \_\_\_\_\_ 4. an attorney
  - \_\_\_\_\_ 5. an appropriate body

\_\_\_\_\_ I. having exercised rights which are guaranteed or protected under the Federal Fair Housing Act or Nevada laws forbidding discrimination in housing.

\_\_\_\_\_ 13. Other (explain): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**WHEREFORE**, the Tenant/Defendant prays for a hearing in this court pursuant to NRS Chapter 40, and that this matter be dismissed at the hearing because I have raised a legal defense to the alleged unlawful detainer

\_\_\_\_\_ Request for a Stay. In the alternative, if the court concludes that I have not raised a legal defense, I request a stay of execution under the authority of NRS 70.010(2) of \_\_\_\_\_ days (up to 10) in order to move. I need the additional time because \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

I swear the above is true. Signature: \_\_\_\_\_

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

NOTARY PUBLIC  
OR  
DEPUTY CLERK \_\_\_\_\_

**OR**  
**THE FOLLOWING:**

Pursuant to NRS 53.045:

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

Executed on \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name