

IN THE JUSTICE COURT OF SPARKS TOWNSHIP
COUNTY OF WASHOE, STATE OF NEVADA

Landlord Name: _____
Landlord,
v.
Tenant Name: _____
Street Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Tenant.

Case No.: _____
Dept. No.: _____

**TENANT'S AFFIDAVIT IN OPPOSITION
TO SUMMARY EVICTION FOR
NONPAYMENT OF RENT**

Tenant, appearing in proper person, contests this matter pursuant to NRS 40.253 and states as follows:

1. I am the tenant of the rental premises located at *(insert complete address, including city, state, and zip code)*: _____.

2. My rent *(check one box)* ☐ **is** ☐ **is not** subsidized by a public housing authority or governmental agency.

3. I *(check one box)* ☐ **have** ☐ **have not** applied for rental assistance through *(name the entity where you applied)* _____.

4. I received a Notice stating that I owe rent. I assert the following defenses to the Notice *(check all that apply)*:

- a) ☐ I paid my rent in full.
- b) ☐ I tried to pay my rent in full, but Landlord refused to accept it.
- c) ☐ Landlord accepted partial payment of my rent.
- d) ☐ Landlord is charging a late fee that exceeds 5% of the amount of the periodic rent.
- e) ☐ The amount Landlord is demanding in the Notice includes costs or fees that are not periodic rent or late fees.
- f) ☐ Landlord is retaliating against me for having engaged in certain protected acts.

1 g) ☐ I gave Landlord written Notice describing Landlord's failure to maintain my rental unit in a
2 habitable condition. Landlord did not fix, or make a reasonable effort to fix, the habitability problem
3 within 14 days after my Notice. Therefore, I am withholding payment of rent. *(You must deposit your rent*
4 *into the Court's rent escrow account to raise this defense.)*

5 h) ☐ I gave Landlord written Notice of an "essential services" problem at my rental unit (heat, air
6 conditioning, running or hot water, electricity, gas, a working door lock, or other essential item or
7 service). Landlord did not fix, or make a reasonable effort to fix, the problem within 48 hours after my
8 Notice. Therefore, I am withholding payment of rent. *(Your rent must have been current at the time you gave*
9 *written notice to Landlord to raise this defense.)*

10 i) ☐ I corrected a habitability problem at my rental unit and am deducting the cost from my rent
11 after giving Landlord an itemized statement. I gave Landlord written notice of the habitability problem
12 and stated my intention to repair. Landlord did not fix the problem within 14 days after my notice.

13 j) ☐ Landlord's Notice was not served on me as required by law, or the Notice did not in other
14 ways comply with Nevada law.

15 k) ☐ Landlord is discriminating against me in violation of the Federal Fair Housing Act and/or
16 Nevada laws.

17 l) ☐ I am a tenant on property that has been foreclosed upon and sold. The new owner:
18 i. ☐ failed to serve me with the notice of change of ownership required by Nevada law;
19 ii. ☐ violated the law by failing or refusing to give me an additional 60 days in the property;
20 iii. ☐ is using the summary eviction process in violation of the law, which requires the
21 formal unlawful detainer process.

22 m) ☐ Other defense *(explain below)*: _____

23 _____

24 _____

25 _____

26 _____

27 _____

TENANTS: State the facts and circumstances that support the defenses you checked above (*financial hardship*
- *not having the money to pay your rent - is not a defense to a non-payment of rent Notice*): _____

Therefore, I ask that Landlord receive nothing requested in Landlord's Notice to Pay Rent or Quit
and/or Affidavit/Complaint.

I understand that if the filing of this Affidavit is timely,

I will receive a notice of 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.

Dated: _____

Signature: _____

Print name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email Address: _____