## DAVID SPITZER ESQ. Interim Executive Director



NORTHERN NEVADA LEGAL AID Senior Legal Center 1155 E. Ninth Street Building E #25 Reno, NV 89512 775-332-0606

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### WASHOE COUNTY SENIOR ADVISORY BOARD LEGAL SERVICES REPORT September 4th, 2024

#### By the Numbers

- We've opened 456 cases year to date
- In August we opened 67 new files
  - Self Help Data is pending

#### In the News & Good Stories

 Bassell, Taylor Marie, <u>The Writ</u>, Securing Dignity: A call for Legislative Reform to Safeguard Nevada's Vulnerable Adults (August 2024)

NNLA shines a light on Landlord using Protection Order Process to Evict Seniors
NNLA represented 70 yr old disabled Veteran and uncovered a string of protection order filings
by a vexatious Landlord who was improperly using the process to evict people. The attorney
helped the client dissolve the temporary restraining order and regain access to his belongings
after an illegal lockout. In the prior case, Attorney was successful in court and obtained a
time/date for client to enter the premises and get his possessions. Prior to the court ordered time,
the landlord had client's truck towed. Attorney filed for contempt against the landlord for failure
to follow the court order. The attorney appeared at hearing and won the towing fees, back rent
from the lockout, and fees/costs.

NNLA defends Couple with disabilities in multi-hearing Eviction Case

NNLA assisted disabled couple in multiple hearings on a non-payment eviction case, due to improper filings of the landlord. NNLA helped the clients obtain additional time in the unit in order to move and prevent periods of homelessness, negotiated a move out date so there would not be a formal eviction, and achieved a reduction of the storage fees so that they would have an opportunity to retrieve their personal affects after vacating the unit. The clients were incredibly thankful for the help from NNLA which made a hard situation a little bit better and allowed them to transition into affordable housing.

NNLA defends eviction for disabled Senior

NNLA assisted a 65-year-old disabled Reno resident who sought help from our office when an unlawful detainer for nuisance in the middle of her lease. Attorney filed a tenant's affidavit, and received a call from landlord's attorney explaining that client's husband was the real issue, and he was going to be evicted for nuisance against the other tenants. NNLA negotiated with landlord's

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attorney for additional time in the unit, moving expenses, and waiver of past due rent. Client was able to move and received check from the landlord without issue.

#### **Outreach and Community Events**

- We are hosting our "Auctioning for Advocacy" event on October 17<sup>th</sup> in the Hideaway at the Renaissance from 5:00pm-7:00pm.
- o Power of Attorney/Estate Seminars
- Monthly "Ask a Lawyer" events at Washoe County Senior Centers/congregate meal sites in Washoe County
- Senior Fest

# A Call for Legislative Reform to Safeguard Nevada's Vulnerable Adults By, Taylor Marie Bassell Securing Dignity:

are family members,<sup>2</sup> making abuse inside In fact, reports indicate 90% of abusers alarmingly identifies the most common expectations of care, the statistics of abuse Although the belief is founded in rational or caregiver should be relied upon to is the rational belief that a friend, relative, creates a risk of harm to an older adult." an expectation of trust that causes or another person in a relationship involving the home extremely common place. perpetrator as those closest to the victim protect the interests of the older person. (emphasis added).¹ An expectation of trust Control and Prevention, elder ecording to the Centers for Disease

Unfortunately, A.B. 407 failed to

stalking or harassment protective order. grandparent, or grandchildren would be civilly through the narrow category of a to this, they can only seek protection violence restraining order.3 Without access unable to seek judicial telief with a domestic those who experience abuse from a sibling, individuals. Under these current laws laws surrounding seniors and disabled nced for a modification of protective have advocated for years regarding the Those in the Nevada elder law atena

Services Division (ADSD) co-authored individuals who fall through the cracks. the bill, including compelling stories of the Assembly Committee on Judiciary's the gaps in our current system. During a bill, A.B. 407, attempting to remedy Jennifer Richards, and social worker April 1" session, ADSD's Chief Counsel, Tammy Sever explained the necessity of In 2021, the Aging and Disability "Karen Jones was a 45-year-old, mostly

existing legal protective orders, so it was situation did not currently fall within to drugs. Ms. Jones was being verbally to move into the home. Both were addicted very difficult for Karen to get help." issues, transportation was difficult. Her her. Because Ms. Jones had mobility job. The friend then allowed her boyfriend move in with her after the friend lost her bedbound, and she allowed her friend to abused, and they were financially exploiting

> sexual, physical, and mental abuse. remain at risk as victims of financial for this type of exploitation, Nevadans systems to survive, but what happens rely on those closest to them as support vulnerable population are forced to unique. Many of our elderly and them? Without any judicial recourse when that system betrays and fails Karen Jones's story is sadly not

in 2023 as A.B. 254. Both A.B. 407 violence and civil protective orders. filling in the gaps between the domestic and extended the definition of those laws included a built-in move-out order care facilities. Importantly, the proposed nursing home, and a variety of other those receiving care in a long-term facility, physical and mental disabilities, as well as a vulnerable person includes those with abandonment. Under these proposed laws. abuse, neglect, exploitation, isolation, and kind of protective order for older and make it out of committee, but was revived defined as family or a household member, vulnerable persons, shielding them from and A.B. 254 intended to create a new

or Dependent Adult Abuse Restraining is the very first step taken by Adult ourside of the first degree of consanguinity. vulnerable adults often live with caregivers, roommates, or family members who fall is critical in many instances where elder or safety of their property immediately. This By circumventing the often-lengthy to remove the abuser from the residence. Order contains an ex parte move-out order A.B. 254, California's Request for Elder to restrain abusers and shield elder or have some form of protective measure Protective Services when constructing Often, securing the vulnerable person traditional unlawful detainer process, vulnerable victims. Much like proposed and home from additional exploitation physically, but also protects their assets not only protects the vulnerable adult the abuser from contact with the victim and executing their safety plans. Removing victims can secure their safety and the Currently, 15 states and 2 territories

> On the financial side, leading researchers to physical elder abuse is \$5.3 billion. annual cost on our healthcare system due Again, A.B. 254 disappointingly failed to make it out of committee. With jump over 300% when elders face abuse. Although an immediate solution is Library of Medicine, mortality rates to data published from the National startling, however, is the human cost by victims of financial crimes. Most estimate an annual loss of \$2.6 billion startling. It is estimated that the direct remains out of reach, and the effects are our elderly and vulnerable population the fall of both bills, judicial relief for associated with elder abuse. According

When we make a concerted effort to readily available, the advocacy by many in this field repeatedly fails, and the efforts protect our most vulnerable, we all win dignity, and continued compassion demonstrate its commitment to justice adopt elder abuse protections, Nevada can continue to go unnoticed. By choosing to

docs/default-source/ageinglea-infographic-en-jun-18-web.pdfstforsn=6dc7f167\_2. 3 Nev. Rev. Stat. § 33.540 (2019). Minutes/Assembly/JUD/Final/665.pdf.
5 Hall et al., supra at 15. 4 Nevada Legislature, Committee on available at https://cdn.wbo.int/media/ Abuse: The Health Sector Role in https://www.cdc.gov/violenceprevention/ and Prevention, 2016, at 28, available at Injury Prevention, Centers for Disease Control Surveillance, Version 1.0. National Center for Core Data Elements for Use in Elder Abuse Uniform Definitions and Recommended and Finances (March 2009), at Prevention and Response (June 2016). pdf/EA\_Book\_Revised\_2016.pdf www.leg.state.nv.us/Session/81st2021/ 2021), at 31, available at https:// Committee on Judiciary (81st Session, Indiciary, Minutes of the Meeting of the Jeffrey Hull et al., Elder Abuse Surveillance: MesLife Mature Market Institute World Health Organization. Broken Trust: Elders, Family,

> Journal of the American Medical available at http://elderabuselaw.org/ files/METI.IFE%20Financial%20 Association, 2009, at 6, available at https:// Community-Dwelling Population. and Abuse and Mortality Risk in a 7 XinQi Dong et al., Elder Self-neglect Elder % 20Abuse % 20seudy.pdf. PMC2965589/pdfinihms240437.pdf www.ncbi.nlm.nih.gov/pmc/articles/

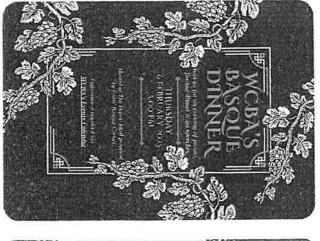
seniors on site at Washoe works directly with Northern Nevada Legal Aid where the Taylor Marie Bassell is an attorney at

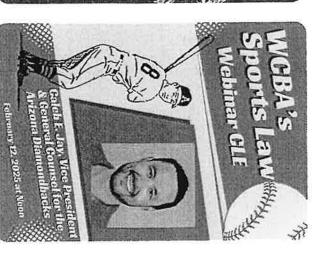
populations, and to best serve her clients community partners working closely with discnfranchised

and improve access to legal services.

She County Senior Services. life to indigent has dedicated







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