

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 _____
28 _____

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

3 _____
4 _____
5 _____
6 _____
7 _____
8 _____
9 _____
10 _____

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

13 *I understand that if the filing of this Affidavit is timely,*
14 *I will receive a notice of hearing by e-mail and/or regular U.S. Mail.*

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

17 Dated: _____

18 Signature: _____

19 Print name: _____

20 Address: _____

21 City, State, Zip: _____

22 Telephone: _____

23 Email Address: _____
24
25
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27
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