

COMPLAINT FOR EXPEDITED RELIEF FOR THE REMOVAL OR EXCLUSION OF TENANT OR INTERRUPTION OF ESSENTIAL SERVICES (JUSTICE COURT)

Is this the right form for you?

This form might be right for you if: You're a tenant who rents a residential property, and your landlord has locked you out without going through the eviction process or has terminated your utilities or essential services.

No more than five days have passed since the landlord's bad act: If more than five business days have passed since your landlord's bad act, you cannot use this form.

No eviction case has been filed: If your landlord has filed an eviction case against you, you cannot use this form. But you can file a motion in the eviction case asking for the same relief.

Your utilities weren't shut off because you failed to pay your bill: If your power, gas, or water were shut off because you didn't pay your bill, you cannot use this form.

What you should know before you file:

Filing fee: There is no fee to file this form with the court. But the judge can require the losing party to pay filing fees and costs.

Free Ask-A-Lawyer: The Civil Law Self-Help Center hosts a Landlord/Tenant Ask-A-Lawyer program where you can sign up for a free 15-minute consultation with an attorney. There are two sessions every Wednesday, 10:00 a.m. to 12:00 p.m. and 1:00 p.m. to 3:00 p.m. You should come one hour before the session to sign up. Space is limited.

Filling out your forms:

- Read the entire form BEFORE you start filling it out. This will help you understand what the form is intended to accomplish and what information you'll need to provide.
- Be sure your completed form is clear and easy to read. Type your form or use blue or black ink only. This form is available online and can be filled out on a computer and printed.
- Use your legal name, current address, daytime telephone number, and a valid e-mail address.
- Fill out the form completely and accurately. If something does not apply to you, write "N/A" (meaning "not applicable").
- Sign your forms in each place that requires your signature. You are signing "under penalty of perjury." That means untrue information could lead to civil and criminal penalties.
- Keep a clean copy of the completed form for your records in a safe place.



For information and forms, visit www.CivilLawSelfHelpCenter.org.

Filing With the Court to Start Your Case:

In person: Take your completed form to the justice court for the township where the rental property is located.

- If you're filing your case in the Las Vegas Justice court, you will not need to make copies, but you will need a valid e-mail address. The court clerk will help you electronically file your form. The court will e-mail your filed document to you after processing.
- In all other justice courts (Henderson or North Las Vegas, for example), you'll need to make at least two additional copies of your form. Give the original and all copies to the court clerk for filing. The clerk will return the filed copies to you.

Online: In the Las Vegas Justice Court, you can file electronically at <http://wiznet.wiznet.com/clarknv>. You must register for an account, and you must be able to upload your documents via pdf. There is a \$3.50 fee for each document you upload.

Serving the Other Side:

Have someone personally serve your landlord with the complaint and the notice of hearing:

Timing: Because the court will set your hearing on an expedited basis (within 3 business days), you must serve your landlord with your complaint and the hearing date as quickly as possible. Do not delay.

Who Can Serve: Anyone 18 and older, who is not a party to the case.

How To Serve: The complaint and the notice setting the date and time of the hearing must be hand delivered to the landlord or property manager, a person in charge at the landlord's or property manager's office, or a person who lives at the landlord's home and is at least 14 years old.

File the Affidavit of Service: The person who served the documents must complete an Affidavit of Service. File the Affidavit of Service at the courthouse with the court clerk before your hearing. An Affidavit of Service form is available on the Self-Help Center website.

Attending Your Hearing:

- Be on time. Allow extra time for traffic or other possible delays.
- Dress appropriately and conservatively and conduct yourself properly in the courtroom.
- When you enter the courtroom, check in with the courtroom clerk or the bailiff.
- Listen carefully and talk directly to the judge. Do not speak directly to the other side.
- Be prepared to tell the judge your story and to state your position, how you would like the judge to rule, and why the judge should rule in your favor.

For information and forms, visit www.CivilLawSelfHelpCenter.org.

JUSTICE COURT, TOWNSHIP OF _____
CLARK COUNTY, NEVADA

Tenant's Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
E-Mail: _____

Case No.: _____
Dept. No.: _____

Tenant,
vs.
Landlord's Name: _____
Landlord.

VERIFIED COMPLAINT FOR EXPEDITED RELIEF FOR THE UNLAWFUL REMOVAL OR EXCLUSION OF TENANT OR INTERRUPTION OF ESSENTIAL ITEMS OR SERVICES

Tenant, appearing in proper person, files this Complaint against Landlord pursuant to NRS 118A.390 and alleges as follows:

1. I am filing this Complaint within 5 judicial days of the Landlord's unlawful act. Specifically, my Landlord removed me or excluded me from my dwelling unit, terminated my utilities or essential services, or recovered possession of the dwelling unit in violation of NRS 118A.480 on *(insert date that you were removed or excluded from the property, or the date your landlord shut off your essential services)* _____.
2. The address of the dwelling unit I rented from Landlord is *(insert full address)*:

3. The facts of my rental agreement with Landlord are as follows:
 - a. I entered into a rental agreement with Landlord on or about *(insert date of agreement)*: _____.
 - b. The rental agreement *(check one)* was in writing was not in writing. *(If agreement was in writing, attach a copy.)*
 - c. The amount of rent I pay is *(insert amount of rent)* \$ _____, and I pay *(check one)* weekly monthly or other *(explain)* _____.
 - d. My rent *(check one box)* is current is not current, and I owe this amount in rent *(insert amount owed)*: \$ _____.
 - e. My next rental payment is due on *(insert date)* _____.

4. The factual circumstances surrounding the blocked entry and/or termination of essential items or services are as follows *(Explain. For example, if you were barred from entry, please describe how it was done. If your utilities were turned off, please state which utilities were affected and how it occurred.)*:

Check if attaching continuation pages

1 5. In addition to statutory damages of \$2,500.00, I am seeking compensation for the following items of actual
2 damage I incurred as allowed under NRS 118A.390(1) (insert amount and description):

3 \$ _____ for _____

4 \$ _____ for _____

5 \$ _____ for _____

6 \$ _____ for _____

7 \$ _____ for _____

8 Based on the above, I request that this Court:

- 9 (a) Find that Landlord has violated NRS 118A.390;
- 10 (b) Assess actual and statutory damages against Landlord not to exceed the jurisdictional limit;
- 11 (c) Issue an immediate order restoring me to the premises and/or restoring the utilities or essential items or
services; and
- 12 (d) Enjoin Landlord for violating the provisions of NRS 118A.390 and, if the circumstances so warrant, hold
Landlord in contempt.

13 *NOTE: Nevada law waives the payment of fees and costs for filing this Complaint. After hearing or*
14 *final disposition, the court shall assess the costs and fees against the party that does not prevail, except*
15 *the court may reduce or waive them as justice requires. NRS 118A.390(7).*

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

17 _____
18 (Date)

(Type or Print Name)

(Signature)

19 **VERIFICATION**

20 Under penalties of perjury, I declare that I am the Tenant/Plaintiff named in the foregoing Verified
21 Complaint for Expedited Relief for the Unlawful Removal or Exclusion of Tenant or for the Willful Interruption of
22 Essential Items or Services and know the contents thereof; that the pleading is true of my own knowledge, except as
23 to those matters stated on information and belief, and that as to such matters I believe them to be true.

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

26 _____
27 (Date)

(Type or Print Name)

(Signature)

1 (The following section is to be completed by the Court Clerk only.)
2
3
4
5

6 **NOTICE OF HEARING**

7 **TO: LANDLORD**

8 **PLEASE TAKE NOTICE THAT** the Verified Complaint for the Unlawful Removal or Exclusion of
9 Tenant or for the Willful Interruption of Essential Items or Services filed in this case shall be, and hereby is:

10 Set to be heard on the _____ day of _____, 20_____, at the hour of
11 _____ .M., in Department No. _____, at the Justice Court located at:

12 This hearing date is not later than 3 judicial days after the filing of the Verified Complaint in accordance
13 with NRS 118A.390(6).

14 Other: _____
15 _____

16 You are required to appear at the hearing and bring with you all books, papers, and witnesses needed to
17 establish your defense to Tenant's Complaint. Your failure to appear at the hearing may result in the requested relief
being granted by the Court in your absence. You do not need to appear if you do not wish to contest the Complaint.

18 DATED: _____
19 _____
20 CLERK OF THE COURT

TENANT:

Please take note that it is your responsibility to make sure a copy of this packet (which includes the Notice of Hearing and the related Verified Complaint for Expedited Relief) is served upon Landlord. You will not serve it, but you must find someone else to serve it and complete the Affidavit of Service. In order for the hearing to go forward, you must provide the Affidavit of Service before or at the scheduled hearing. Follow these steps below to make sure that service is proper:

1. Get a copy of the file-stamped packet with the hearing dates filled out by the clerk on page 3, the Notice of Hearing.
2. Have a neutral third party serve the packet pursuant to JCRCP 5(b)(2)(a) by:
 - i. handing it to the Landlord,
 - ii. leaving it at the Landlord's office with a clerk or other person in charge, or if there is no one in charge, leaving it in a conspicuous place in the office,
or
 - iii. if the office is closed or the Landlord has no office, leaving it at the Landlord's dwelling house or usual place of abode with some person of suitable age and discretion residing there.
3. Have the neutral third party fill out the Affidavit of Service.
4. File the Affidavit of Service at the Justice Court Clerk's Office before your hearing or bring it with you to the hearing.

JUSTICE COURT, TOWNSHIP OF <i>(insert township name)</i> _____, Clark County, Nevada	Case No. _____
Name of Plaintiff(s): _____	Department No. _____
VERSUS	AFFIDAVIT OF SERVICE
Name of Defendant(s): _____	

I, *(Insert name of person performing service)* _____, being duly sworn or under penalty of perjury, state that at all times relevant, I was over 18 years of age and not a party to or interested in the above-captioned case; that I received a copy of the Verified Complaint for Expedited Relief for the Unlawful Removal or Exclusion of Tenant or Interruption of Essential Items or Services on *(insert date you received documents)* _____, 20____; and that I served the same on Defendant *(insert Defendant's name)* _____ on *(insert date and time you served documents)* _____, 20____, at the hour of _____ M., by *(complete appropriate paragraph below)*:

- Personal service per JCRCP 4(d)(6):** Delivering and leaving a copy with Defendant at *(insert address at which you served)* _____.
- Substitute service per JCRCP 4(d)(6) (other than Orders for Protection):** Delivering and leaving a copy with *(insert name or physical description of person served)* _____, a person of suitable age and discretion residing at Defendant's dwelling house or usual place of abode, at *(insert Defendant's address)* _____.
- Service by registered or certified mail per JCRCP 91 (if allowed):** Depositing a copy in a mailbox of the United States Post Office, enclosed in a sealed envelope, postage prepaid, certified or registered mail, return receipt requested, addressed to Defendant at *(insert Defendant's address)* _____.
(A copy of the signed return receipt must be attached.)
- Service on a business entity per JCRCP 4(d)(1) or (2):** Delivering and leaving a copy, with *(insert name or physical description of person served)* _____, who is Defendant's *(check one)* president or other head, secretary, cashier, managing agent, resident agent, or other *(specify)* _____, at *(insert address at which you served)* _____.

Date: _____ **Signature:** _____

Residential/ Business Address: _____ Phone: _____

You MUST check one of the following boxes AND have this affidavit notarized *(bottom left)* or sign the unsworn declaration per NRS 53.045 *(bottom right)*:

- I am a licensed process server or an employee of a licensed process server; my license or registration number is *(insert license or registration number)*: _____.
- I am not required to be licensed as a process server. I am either exempt as a peace officer; or I am not engaged in the business of a process server as I am serving without compensation, and on behalf of a litigant who is a natural person and not a business entity, and I am not serving legal process more than three times this calendar year.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____.

NOTARY PUBLIC in and for the
County of _____, State of _____.

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

(Signature): _____

(Date): _____