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**IN THE JUSTICE COURT OF  
IN AND FOR THE COUNTY OF**

**TOWNSHIP  
, STATE OF NEVADA**

Name: _____,
Address: _____
_____
Phone: _____
_____
Landlord/Plaintiff,
vs.
Name: _____,
Address: _____
_____
Phone: _____
_____
Tenant/Defendant.

Case No.  
Dept. No.

**TENANT’S AFFIDAVIT IN OPPOSITION TO SUMMARY EVICTION  
(Three Day Notice – After Sale/Transfer of the Property)**

The undersigned tenant, appearing in proper person, states that:

- I am the tenant of the dwelling unit located at *(insert complete address of rental unit)* \_\_\_\_\_.
- I rented the above unit from Landlord on or about \_\_\_\_\_ with rent due monthly or for a shorter period of time.
- Landlord *(check one)* is / is not / or I am unsure if landlord is or is not federally backed.

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

3           5.     I     received /     did not receive a 3-day Notice to Quit on \_\_\_\_\_.

4           6.     I then received a 5-day Notice of Unlawful Detainer NRS 40.254 on  
5 \_\_\_\_\_ invoking the summary eviction process.

6  
7           7.     I have a legal defense to the eviction: (CHECK ONLY THOSE SECTIONS  
8 THAT APPLY)

9           I did not receive the 3 Day Notice to Quit allegedly issued to me in this matter.

10          The Court lacks jurisdiction over this eviction action because:

11                   The 3 Day Notice to Quit was not served on me as required by NRS 40.280;

12                   I am a tenant of property that was sold at a foreclosure sale and the new owner:

13                               Failed to serve me with the notice of change of ownership required by NRS  
14                               40.255(2);

15                               Is violating NRS 40.255 by failing or refusing to grant me an additional 60  
16                               days in the property;

17                               Is attempting to use summary eviction procedure in violation of NRS  
18                               40.255(1), which requires the new owner to use the formal unlawful detainer  
19                               procedure under NRS 40.290 to 40.420.

20                   I am a tenant of property that was sold by my landlord and the new owner:

21                               Is not abiding by my current lease agreement. My lease agreement does  
22                               not expire until \_\_\_\_\_ (date).

23                               Did not provide me with notice that the new owner purchased the property  
24                               within 30 days of the sale.

1                   Is attempting to use summary eviction procedure in violation of NRS  
2                   40.255(1), which requires the new owner to use the formal unlawful detainer  
3                   procedure under NRS 40.290 to 40.420.  
4

5                   8.       Explain any of the defenses above or other legal defense to the eviction:  
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12                   9.       Pursuant to NRS 40.253(6), if an affidavit is filed in response to a Notice of  
13 Unlawful Detainer and “the court determines that there is a legal defense as to the alleged  
14 unlawful detainer, the court shall refuse to grant either party any relief, and...shall require that  
15 any further proceedings be conducted pursuant to NRS 40.290 to 40.420, inclusive.”  
16 Accordingly, if the affidavit raises a legal defense to the unlawful detainer, the Court is required  
17 to dismiss the summary eviction.  
18

19                   WHEREFORE, the Tenant/Defendant prays for hearing in this court pursuant to NRS  
20 Chapter 40, and that this matter be dismissed at the hearing because I have raised a legal defense  
21 to the alleged unlawful detainer.  
22

23                   **Request for a Stay.** In the alternative, if the court concludes that I have not raised  
24 a legal defense at the hearing held pursuant to this affidavit/declaration, I request a stay of  
25 execution under the authority of NRS 70.010(2) of 10 days in order to move. I need the additional  
26 time because:  
27  
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