IN THE JUSTICE COURT OF	TOWNSHIP
IN AND FOR THE COUNTY OF	, STATE OF NEVADA

Name: Address:			
Phone:	Landlord/Plaintiff		
VS.		CASE NO:	
Name: Address:		DEPT. NO:	
Phone:	Tenant/Defendant		

TENANT'S AFFIDAVIT/DECLARATION (Non-Payment Eviction - Public/Publicly Subsidized Housing)

The undersigned tenant states that:

1.	I am a tenant of a certain re	ntal unit within
	Township,	County, Nevada.

_____2. I am a

_____A. tenant in a public housing facility.

_____ B. tenant whose rent is subsidized by a Public Housing Authority

or other governmental agency (see attached lease/rental 1 of 8

Apartment Tenant Affidavit/Declaration (Non-Payment Eviction-Public/ Publicly subsidized Housing) Form #14 agreement).

- I rented the above unit from the above named landlord on or about _______, 20_____, with rent due monthly or for a shorter period of time.
- 4. I have received a notice from my landlord alleging that I am in default in the payment of rent in the amount of \$_____.
- 5. I have a legal defense in that I am not in default in the payment of rent because of the below checked items.
- 6. I did not get notice as required by law in that:
 - A. I did not get the required 5-day notice period and/or the Notice does not advise me to pay or move. Explain:_____

- B. I have not received a 14-day notice to pay rent as required by 24 CFR 966.4(I)(3)(i)(A) (conventional public housing).
- C. I have received a 14-day notice to pay rent, but the Notice fails to advise me of my right to a grievance procedure to contest the Notice as required by 24 CFR 966.4(I)(3)(ii). A copy of the notice is attached.
- ____7. I paid or attempted to pay my rent as follows:

A.	I paid rent	in the amount of \$	to the
	landlord on t	he, 20	by:
	1.	Check	
	2.	Money Order	
	3.	Cash	
	4.	Other (explain) 2 of 8	
claration (Non Payment E)	viction Public/		

Tenant Affidavit/Declaration (Non-Payment Eviction-Public/ Publicly subsidized Housing) Form #14

Apartment

	B.	I attempted to pay the rent, but the landlord refused to accept it. Explain:
	C.	I attempted to pay the rent, but the landlord refused to accept it because I did not agree to pay unauthorized charges in addition to rent. ¹
	D.	I have made other arrangements with the landlord for the payment of rent. ² These arrangements are (explain in detail):
8.		we the amount which the landlord says I owe because:
		BELOW DEFENSE, #9, IS AVAILABLE ONLY ANTS IN CONVENTIONAL PUBLIC HOUSING

¹A landlord shall not refuse to accept rent offered after a notice simply because the tenant has not paid collection fees, attorney fees or other costs other than rent, a reasonable charge for late payments of rent or dishonored checks, or a security. See NRS 40.253(9). There is a presumption that the tenant does not owe late charges or charges for dishonored checks unless these terms are in a written rental agreement. See NRS 118A.200(3)(c). ² For example, an agreement to pay \$50.00 extra each month until the back rent is

³ of 8 Gaught up.

9.	I live in conventional public housing and the housing authority did not maintain
	the premises and project in a decent, safe and sanitary condition as required
	by my lease and 24 CFR 966.4(e) in that the housing authority:

A.	did not comply with applicable building or housing codes or Hl
	regulations. Explain in detail:
В.	did not make necessary repairs. Explain in detail:
C.	did not keep project buildings, facilities and common areas in
	clean and safe condition. Explain in detail:
D.	failed to maintain in good and safe working order and condit
	electrical, plumbing, sanitary, heating, ventilating, and oth
	facilities and appliances supplied by the housing authori 4 of 8

Apartment Tenant Affidavit/Declaration (Non-Payment Eviction Publicly subsidized Housing) Form #14

	Explain in detail:
E.	did not provide garbage receptacles.
F.	did not supply running water.
G.	did not provide a reasonable amount of heat.
H.	did not provide a reasonable amount of hot water.

THE BELOW DEFENSES, #10 through #13, ARE AVAILABLE TO TENANTS IN PUBLICLY SUBSIDIZED HOUSING OTHER THAN CONVENTIONAL PUBLIC HOUSING

- 10. I have a Section 8 voucher and the housing authority has not paid its portion of the rent due to the landlord under the contract between the housing authority and my landlord, which is not a ground to terminate my tenancy under 24 CFR 982.310(b).
- 11. I am withholding the payment of rent due to the landlord's failure to restore essential services (water, hot water, heat, electricity, etc) or make a good faith effort to do so within 48 hours following a written notice which I delivered to the landlord on ______, 20 ____ under authority of NRS 118A.380(1) (c). Explain: _____

_____12. I am claiming a set-off against any rent owed because the landlord owes me damages for an intentional failure to supply essential services (water, hot 5 of 8

	water, heat, electricity, etc.) under NRS 118A.380 and/or NRS 118A.390. Explain:
13.	I am claiming a set-off against any rent owed because the landlord owes me
	damages as the landlord has failed to maintain the rental unit in a habitable condition (NRS 118A.350 and/or NRS 118A.360). Explain:
Ţ	HE BELOW DEFENSE, #14, IS AVAILABLE TO ALL TENANTS
14.	Other defense or set-off. Explain:
	WHEREFORE, the Tenant/Defendant prays for a hearing in this court pursuant
	oter 40, and that this matter be dismissed at the hearing because I have raised
a legal defer	se to the alleged unlawful detainer.
	Request for a Stay . In the alternative, if the court concludes that I have not raised a legal defense, I request a stay of execution under the authority of
	NRS 70.010(2) of days (up to 10) in order to move. I need the additional time because
Apartment Tenant Affidavit/Declaratio	n (Non-Payment Eviction-Public/
Publicly subsidize Form #14	

Apartment Tenant Affidavit/Declaration (Non-Payment Eviction-Public/ Publicly subsidized Housing) Form #14 7 of 8

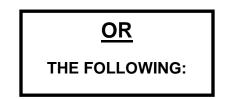
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I swear the above is true	Signature:
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SUBSCRIBED AND SWORN to before me this	day of	
		,

20____.

NOTARY PUBLIC <u>OR</u> DEPUTY CLERK



Pursuant to NRS 53.045:

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

Executed on _____, 20_____

Signature

Print Name

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