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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: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Tenant/Defendant

DEPT. NO: \_\_\_\_\_

**STATEMENT WHY TEMPORARY WRIT OF RESTITUTION  
SHOULD NOT ISSUE**

NOW COMES Tenant/Defendant and hereby states why a temporary writ of  
restitution should not issue in this case.

\_\_\_\_\_ 1. \_\_\_\_\_ A. Defendant **has** answered the Complaint and reasserts  
such answer and affirmative defenses as a partial  
response to why a temporary writ should not issue.

\_\_\_\_\_ B. Defendant **has not** yet answered.

\_\_\_\_\_ 1. Time to answer **has not** yet run.

\_\_\_\_\_ 2. Time to answer **has** run and Defendant  
was not able to file an answer.

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\_\_\_\_3. Defendant intends to file an answer but needs more time to do so. Explain:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

\_\_\_\_2. The show cause hearing is set for\_\_\_\_\_. I was served with a summons and complaint on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_A. If the show cause hearing is scheduled less than 11 calendar days after the date I received the Summons and Complaint, I:

\_\_\_\_1. **do not object** to the date of the Show Cause hearing.

\_\_\_\_2. **do object** to the date of the show cause hearing and request a continuance.

\_\_\_\_3. I dispute the facts alleged by the Landlord in the Landlord's Application for a Temporary Writ of Restitution, specifically:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_4. Hearing date

\_\_\_\_A. That a final hearing date in this case **has not** been set.

\_\_\_\_B A final hearing date **has** been set for\_\_\_\_\_, 20\_\_\_\_\_.

**EQUITABLE ISSUES**

(If the Landlord's Complaint includes a claim that Tenant has not paid rent, answer Numbers 5 through 9.)

\_\_\_\_5. The Landlord's Complaint claims that I owe the Landlord rent.

\_\_\_\_6. The Landlord \_\_\_\_\_ made any claims in his complaint or **(has or has not)**

Application for a Temporary Writ of Restitution that I am causing safety or health problems for the other tenants of this park or for the management of the park.

\_\_\_\_7. The Landlord has instituted a mobile home lien process against my mobile home for the rent that the landlord alleges that I owe.

\_\_\_\_A. No sale date has been set for such lien.

\_\_\_\_B. A notice of lien sale has been issued for \_\_\_\_\_m. on \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_8. That I \_\_\_\_\_ that I owe the amount of the rent that the **(agree or disagree)** landlord claims. If you disagree, explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_9. I agree that I owe some rent but believe I will be able to catch up by \_\_\_\_\_, 20 \_\_\_\_.

Explain \_\_\_\_\_

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(If the Landlord's Complaint is for issues other than non-payment of rent, or in addition to non-payment of rent, answer Numbers 10 through 12.)

\_\_\_\_ 10. That the landlord is terminating my lease for

\_\_\_\_ A. Breach of contract

\_\_\_\_ B. Nuisance

\_\_\_\_ C. Other \_\_\_\_\_

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\_\_\_\_ 11. The Landlord has alleged that I am causing a problem in the park that:

\_\_\_\_ A. **does not** interfere with management or the rights of other tenants

\_\_\_\_ B. **does** interfere with management or the rights of other tenants

\_\_\_\_ 12. I deny that I am causing the problems that the park management is accusing me of because \_\_\_\_\_

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**PROBABLE LOSS THAT TENANT WILL EXPERIENCE  
IF TEMPORARY WRIT OF RESTITUTION DOES ISSUE**

\_\_\_\_ 13. \_\_\_\_ A. I **have** a site to which I could move my mobile home.

**OR**

\_\_\_\_ B. I **do not have** a site to which I could move my mobile home.

\_\_\_\_ 14. If I do have a site to which I could move my mobile home:

\_\_\_\_ A. I **do not** have the \$ \_\_\_\_\_ it will cost me to move it there.

Explain \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

\_\_\_\_ B. I **do** have the \$ \_\_\_\_\_ it will cost me to move it there.

\_\_\_\_ C. If this temporary writ is issued, I want to be able to take my mobile home with me.

\_\_\_\_ 15. My mobile home is worth \$ \_\_\_\_\_.

\_\_\_\_ A. I own my mobile home free and clear.

\_\_\_\_ B. I owe \$ \_\_\_\_\_ to \_\_\_\_\_  
which is financing my purchase of my mobile home.

1 \_\_\_\_\_ 16. If a temporary writ is issued, additional harm that I will experience is:  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_.

6 \_\_\_\_\_ 17. \_\_\_\_\_ A. I **have** alternative housing available to me.

7 **OR**

8 \_\_\_\_\_ B. I **do not have** alternative housing available to me.

9 \_\_\_\_\_ 18. If I do have a alternative housing available to me:

10 \_\_\_\_\_ A. I **do not** have the \$ \_\_\_\_\_ it requires to move into  
11 such housing. Explain \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 \_\_\_\_\_.

16 \_\_\_\_\_ B. I **do** have the \$ \_\_\_\_\_ it requires to move into  
17 such housing.

18 \_\_\_\_\_ 19. My household members include me and

19 \_\_\_\_\_ A. \_\_\_\_\_, aged \_\_\_\_\_;

20 \_\_\_\_\_ B. \_\_\_\_\_, aged \_\_\_\_\_;

21 \_\_\_\_\_ C. \_\_\_\_\_, aged \_\_\_\_\_;

22 \_\_\_\_\_ D. \_\_\_\_\_, aged \_\_\_\_\_, and

23 \_\_\_\_\_ E. \_\_\_\_\_, aged \_\_\_\_\_.

24 \_\_\_\_\_ 20. That the combined household income of the household is  
25 \$ \_\_\_\_\_ from:

26 \_\_\_\_\_ A. Employment

27 \_\_\_\_\_ B. Government source such as Social security

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- \_\_\_\_ C. Pension
- \_\_\_\_ D. Other; describe\_\_\_\_\_

\_\_\_\_ 21. That if I am forced to leave my mobile home or mobile home lot, my family and I will be negatively affected as follows.

- \_\_\_\_ A. We will likely to lose my home.
  - \_\_\_\_ B. We will be homeless for a period of \_\_\_\_\_ days
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_.

\_\_\_\_ 22. That if I cannot move my mobile home, the landlord will experience no benefit if a temporary writ is issued since he will not be able to re-rent the space my mobile home currently occupies.

\_\_\_\_ 23. That the Landlord will experience no harm. Explain:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

WHEREFORE, Defendant respectfully requests that the Court not issue a Temporary Writ of Restitution.

Submitted by,

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Tenant/Defendant

\_\_\_\_\_  
Print Name of Tenant/Defendant

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b) and JCRCP 5(b), I hereby certify that I am a non-party over the age of 18 years, and that on \_\_\_\_\_, 20\_\_\_\_, I served a true and correct copy of the foregoing \_\_\_\_\_,

(Name of document that was served)

addressed to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BY U.S. MAIL: I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document at \_\_\_\_\_ (City and State), in the ordinary course of business.

BY FACSIMILE TO: \_\_\_\_\_ (FAX number).

BY PERSONAL SERVICE: I personally hand delivered the above-identified document to the address/offices of the person named above.

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Print Name of Server