

FILED

1 IN THE JUSTICE COURT OF CARSON TOWNSHIP

2020 APR -1 PM 2: 27

2 IN AND FOR CARSON CITY, STATE OF NEVADA

JUSTICE OF THE PEACE

BY

CLERK

3  
4 IN THE MATTER OF THE  
5 ADMINISTRATIVE ORDER RE:  
6 STAYING OF EVICTION AND  
7 FORECLOSURE MATTERS UNDER THE  
8 EXIGENT CIRCUMSTANCES CREATED BY  
9 COVID-19 AND RELATED CORONAVIRUS

**ADMINISTRATIVE ORDER**

8 WHEREAS, on March 12, 2020, Governor Steve Sisolak declared a state of emergency  
9 in Nevada in response to the recent outbreak of the Coronavirus Disease (COVID-19);

10 WHEREAS, on March 29, 2020, Governor Sisolak issued Emergency Directive 008  
11 staying certain evictions and lockouts;

12 WHEREAS, the Chief Judge of the Justice Court of Carson Township has the authority  
13 pursuant to NRS 4.157(c) to make administrative decisions pertaining to the business of the  
14 Court;

15 WHEREAS, the Chief Justice of the Nevada Supreme Court is the administrative head  
16 of the court system pursuant to Nev. Const. Art. 6, Sec. 19; and

17 WHEREAS, given the severity of the risk posed to the public by COVID-19, pursuant  
18 to the requirements of Emergency Directive 008, and after consultation with Nevada Supreme  
19 Court Chief Justice Kristina Pickering, the Chief Judge of the Justice Court of Carson  
20 Township has determined that alterations to court procedures are necessary for the protection of  
21 the community.

22 AND GOOD CAUSE BEING SHOWN,

23 IT IS HEREBY ORDERED effective immediately, the Justice Court of Carson  
24 Township shall stay the consideration of all eviction and foreclosure matters with the exception  
25 of the emergency applications and excluded matters described below.

1                                   **EVICTIION AND FORECLOSURE MATTERS THAT ARE STAYED**

2       The Court hereby stays consideration of the following matters:

- 3           1. NRS 40.250        Possession After Expiration of Term
- 4           2. NRS 40.251        No Cause Evictions
- 5           3. NRS 40.253        Evictions for Non-Payment of Rent
- 6           4. NRS 40.2516        Breach of Contract
- 7           5. NRS 40.254        Evictions for Other than Non-Payment of Rent Except Tied to an  
8                                   Emergency Matter as Set Forth Below
- 9           6. NRS 40.255        Removal of Persons Holding Over
- 10          7. NRS 40.300        Writs of Restitution
- 11          8. NRS 118B.190       Mobile Home Notice of Termination
- 12          9. NRS 118C.200       Exclusion of Commercial Tenants

13           Staying consideration of these matters means that through the end of the stay, the Court  
14 will not accept complaints for summary eviction or unlawful detainer, hold hearings, rule upon,  
15 or issue dispositive orders or writs of restitution for the matters listed above. Consistent with  
16 the Governor’s Emergency Directive and the Supreme Court’s stay of Rule 5(d) and (e) of the  
17 Nevada Justice Court Rules of Civil Procedure, the Court will reject any complaints for  
18 summary eviction or unlawful detainer that do not constitute an emergency stemming from  
19 threats by a tenant or resident to public health, criminal activity, or significant damage to  
20 property, as set forth below. The Court interprets Section 4 of Emergency Directive 008 to  
21 require a stay or continuance of any non-emergency matters in progress but not completed as of  
22 March 29, 2020.

23           Consistent with the Governor’s Directive and Guidance, nothing in this Order shall  
24 prevent a tenant who is able to pay all or some of the rent due from paying that rent in a timely  
25 manner or relieve a tenant of liability for unpaid rent.

1 **EMERGENCY EVICTION MATTERS TO BE HEARD**

2 During the period of the stay, the Court shall only consider unlawful detainer cases,  
3 including summary evictions, stemming from threats by a tenant or resident to the public  
4 health, criminal activity, or significant damage to property as set forth in Sections 1 and 5 of  
5 Emergency Directive 008. The Court will not consider an action to be a qualifying emergency  
6 unless the complaint or other application sets forth specific facts establishing that it falls within  
7 those sections of Emergency Directive 008. That an individual has tested positive for COVID-  
8 19 or has potentially been exposed to the novel coronavirus that causes COVID-19 does not  
9 serve as the basis for establishing that a tenant or a resident seriously endangers the safety of  
10 others.

11 **TENANT MATTERS TO BE HEARD**

12 Tenants shall continue to be able to file complaints and motions concerning the status  
13 and conditions of their tenancy. Those include but are not limited to:

- 14 1. NRS 118A.242 Motion for Failure to Return Deposit
- 15 2. NRS 118A.390 Complaint for Expedited Relief for Illegal Lockouts
- 16 3. NRS 118A.390 Complaint for Failing to Provide Essential Services
- 17 4. NRS 118A.310 & .520 Motion Contesting Personal Property Lien
- 18 5. NRS 118A.460(3) & Motion to Retrieve Essential Items  
19 NRS 40.253(9)
- 20 6. NRS 118C.210 Commercial Tenant Complaint for Reentry

21 **OTHER MATTERS NOT INCLUDED IN STAY**

22 This Order does not otherwise limit or affect proceedings that are the consequence of a  
23 tenant or occupant’s criminal conduct causing their removal from the premises including:

- 24 1. NRS 40.412 Retaking of Possession Due to Housebreaking or  
Unlawful Occupancy
- 25 2. NRS 40.414 Complaints for Forcible Entry or Forcible Detainer

