

VIRGINIA TOWNSHIP
JUSTICE COURT

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6 IN THE JUSTICE COURT OF VIRGINIA TOWNSHIP
7 COUNTY OF STOREY, STATE OF NEVADA
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9 IN THE ADMINISTRATIVE MATTER OF:

10 VIRGINIA TOWNSHIP JUSTICE COURT'S RESPONSE

11 TO CORONAVIRUS DISEASE (COVID-19)

ADMINISTRATIVE ORDER 2020-01

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

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

17 WHEREAS, the Judge of the Virginia Township Justice Court has the authority pursuant
18 to NRS 4.157(c) to make administrative decisions pertaining to the business of the Court;

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

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

1 AND GOOD CAUSE BEING SHOWN,

2 IT IS HEREBY ORDERED effective immediately, the Virginia Township Justice Court shall
3 stay the consideration of all eviction and foreclosure matters with the exception of the
4 emergency applications and excluded matters described below.

5 **EVICTION AND FORECLOSURE MATTERS THAT ARE STAYED**

6 The Court hereby stays consideration of the following matters:

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

17 Staying consideration of these matters means that through the end of the stay, the
18 Court will not accept complaints for summary eviction or unlawful detainer, hold hearings,
19 rule upon, or issue dispositive orders or writs of restitution for the matters listed above.

20 Consistent with the Governor's Emergency Directive and the Supreme Court's stay of Rule 5(d)
21 and (e) of the Nevada Justice Court Rules of Civil Procedure, the Court will reject any
22 complaints for summary eviction or unlawful detainer that do not constitute an emergency
23 stemming from threats by a tenant or resident to public health, criminal activity, or significant
24 damage to property, as set forth below. The Court interprets Section 4 of Emergency
25 Directive 008 to require a stay or continuance of any non-emergency matters in progress but

1 not completed as of March 29, 2020.

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

5 **EMERGENCY EVICTION MATTERS TO BE HEARD**

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

15 **TENANT MATTERS TO BE HEARD**

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

- | | | |
|----|--|---|
| 18 | 1. NRS 118A.242 | Motion for Failure to Return Deposit |
| 19 | 2. NRS 118A.390 | Complaint for Expedited Relief for Illegal Lockouts |
| 20 | 3. NRS 118A.390 | Complaint for Failing to Provide Essential Services |
| 21 | 4. NRS 118A.310 & .520 | Motion Contesting Personal Property Lien |
| 22 | 5. NRS 118A.460(3) & 23 NRS 40.253(9) | Motion to Retrieve Essential Items |
| 24 | 6. NRS 118C.210 | Commercial Tenant Complaint for Reentry |

1 **OTHER MATTERS NOT INCLUDED IN STAY**

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

- 4 1. NRS 40.412 Retaking of Possession Due to Housebreaking or Unlawful Occupancy
- 5
- 6 2. NRS 40.414 Complaints for Forcible Entry or Forcible Detainer
- 7 3. NRS 40.416 Verified Complaint for Reentry
- 8 4. NRS 205.081-.082 Unlawful Entry or Occupancy of Vacant Dwelling

9 **COURTHOUSE ACCESS RESTRICTIONS AND FILINGS**

10 The COVID-19 pandemic has led this Court to limit access to the courthouse and
11 prohibit most in-person filings and appearances. Current information about the building
12 restrictions and how to file documents by mail, email, or electronically can be obtained by
13 visiting the Court’s website at storeycounty.org, by email at jp@storeycounty.org , or by
14 calling: 775-847-0962.

15 This Order takes effect immediately. It replaces and extends any eviction and
16 foreclosure stay orders currently in effect. It shall continue until the March 12, 2020,
17 Declaration of Emergency terminates, expires, or Emergency Directive 008 is rescinded by
18 order of the Governor or modified or rescinded by a subsequent order, whichever occurs
19 earlier.

20 IT IS SO ORDERED.

21 Dated this 1st day of April, 2020.

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23 _____
24 E.F. Herrington
25 Justice of the Peace
Virginia Township Justice Court