

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 2020-02

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, on June 26, 2020, by signing Directive 025, Governor Sisolak issued
18 amendments to Emergency Directive 008;

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

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 the amendments set forth in Directive 025,
23 the Judge of the Virginia Township Justice Court has determined that alteration to court
24 procedures are necessary for the protection of the community.

25 AND GOOD CAUSE BEING SHOWN,

1 IT IS HEREBY ORDERED:

2 Where landlords and tenants have entered into a repayment agreement pursuant to
3 the Governor's Directive 025, such landlords shall cease any eviction proceeding for
4 nonpayment of rent initiated prior to entering into such repayment agreement and/or dismiss
5 any summary eviction complaint for nonpayment of rent filed prior to entering into such
6 repayment agreement.

7 All residential summary eviction notices to vacate served prior to March 30, 2020, in
8 which a tenant has not filed an answering affidavit, shall be deemed stale and void. All
9 summary eviction notices that were served from March 30, 2020, to the effective date of
10 Directive 025 in violation of Directive 008 shall be deemed void. To ensure reasonable notice
11 and an opportunity to respond, all stale and/or void notices to vacate must be re-served in
12 accordance with NRS 40.280.

13 The following residential summary eviction actions may be initiated or re-initiated with
14 new service, effective July 31, 2020, at 11:59 p.m.

- 15 1. Summary eviction actions based on continued possession after the expiration
16 of the lease term, pursuant to NRS 40.250.
- 17 2. Summary eviction actions for a tenant-at-will, pursuant to NRS 40.251(1)(a)(3)
- 18 3. Summary eviction actions based on assigning or subletting contrary to lease;
19 waste, unlawful business; nuisance; and violations of controlled substance
20 laws, pursuant to NRS 40.2514.
- 21 4. Summary eviction actions based on tenant's failure to perform a lease
22 condition or covenant, pursuant to NRS 40.2516

23 The prohibition against residential landlords charging late fees or penalties for any
24 nonpayment under the terms of a lease or rental agreement will terminate on August 31,
25 2020, at 11:59 p.m., for prospective late rental payments only. This shall not be retroactively
26 applied to late rental payments from March 30, 2020, to August 31, 2020.

27 The Court will proceed with a summary eviction hearing under the following timeline.
28 This includes all summary evictions actions in which the tenant has filed an answering

1 affidavit.

2 The following residential summary eviction actions currently being adjudicated by our
3 Court may proceed, effective July 31, 2020, at 11:59 p.m.:

- 4 1. Summary eviction actions based on continued possession after the expiration
5 of the lease term, pursuant to NRS 40.250.
- 6 2. Summary eviction actions for a tenant-at-will, pursuant to NRS 40.251(1)(a)(3).
- 7 3. Summary eviction actions based on assignment or subletting contrary to lease;
8 waste; unlawful business; nuisance; and violations of controlled substance
9 laws, pursuant to NRS 40.2514.
- 10 4. Summary eviction actions based on tenant's failure to perform a lease
11 condition or covenant, pursuant to NRS 40.2516.

12 The following residential summary eviction actions currently being adjudicated by our
13 Court may proceed, effective August 31, 2020, at 11:59 p.m.:

- 14 1. Residential summary eviction actions based upon no cause pursuant to NRS
15 40.251.
- 16 2. Residential summary eviction actions based upon nonpayment or rent pursuant
17 to NRS 40.253.

18 Landlords of commercial premises may proceed as authorized by NRS 118C.200,
19 effective June 30, 2020, at 11:59 p.m.

20 Commercial landlords issuing a notice to vacate, notice to pay or quit or initiating
21 eviction proceedings, or a commercial lender commencing foreclosure proceedings, is
22 amended as follows:

- 23 1. All summary eviction notices to pay or quit pursuant to NRS 40.2542 served
24 prior to March 30, 2020, in which a tenant has not filed an answering affidavit,
25 are deemed stale and void. All summary eviction notices to pay or quit
pursuant to NRS 40.2542 that were served from March 30, 2020, to the
effective date of Directive 025 in violation of Directive 008 are deemed void.
To ensure reasonable notice and an opportunity to respond, all stale and/or
void notices to vacate must be re-served in accordance with NRS 40.280.
2. Landlords of commercial premises may initiate or reinstate summary eviction
notices to pay or quit pursuant to NRS 40.2542, effective June 30, 2020, at
11:59 p.m.

- 1 3. Landlords of commercial premises may initiate unlawful detainer actions
2 pursuant to NRS 40.290-40,420, inclusive, effective June 30, 2020, at 11:59
3 p.m.
- 4 4. Commercial lenders may commence foreclosure proceedings effective June 30,
5 2020, at 11:59 p.m.

6 The prohibition against commercial landlords or lenders from charging any late fees or
7 penalties for any nonpayment under the terms of a lease or rental agreement or mortgage is
8 terminated effective June 30, 2020, at 11:59, for prospective late rental payments only. This
9 shall not be retroactively applied to late rental payments from March 30, 2020, to June 30,
10 2020.

11 The stay on commercial eviction actions or commercial foreclosure actions currently
12 being adjudicated by our Court is amended to allow the Court to proceed with a summary
13 eviction hearing, order to show cause hearing seeking a temporary writ of restitution, or
14 unlawful detainer trial, as applicable, under the following timeline. "Actions currently being
15 adjudicated by the Court" is intended to include all commercial summary eviction actions in
16 which the tenant has filed an answering affidavit and all commercial unlawful detainer actions
17 brought pursuant to NRS 40.290 to 40.420, inclusive, in which a complaint was filed prior to
18 March 30, 2020.

- 19 1. Commercial summary eviction actions currently being adjudicated by our Court
20 based upon nonpayment of rent pursuant to NRS 20.2542 may proceed,
21 effective June 30, 2020, at 11:59 p.m.
- 22 2. Commercial unlawful detainer actions currently being adjudicated by our Court
23 may proceed, effective June 30, 2020, at 11:59 p.m.
- 24 3. Commercial foreclosure actions currently being adjudicated by our Court may
25 proceed effective June 30, 2020, at 11:59 p.m.

Unlawful detainer actions for other than commercial tenancies are authorized as
follows:

1 For all unlawful detainer actions brought pursuant to NRS 40.290 to 40.420, inclusive,
2 in which the complaint was not filed prior to March 30, 2020, previously served notices to
3 vacate or terminate lease agreements are deemed stale and void. All notices to vacate or
4 terminate lease agreements served between March 30, 2020, and the effective date of
5 Directive 025 in violation of Directive 008 shall be deemed void. To ensure reasonable notice
6 and an opportunity to respond, all stale and/or void notices must be re-served in accordance
7 with NRS 40.280.

9 The following unlawful detainer actions may be initiated or re-initiated with new
10 service, effective June 30, 2020, at 11:59 p.m.:

- 11 1. Unlawful detainer actions seeking termination of rental or lease agreement for
12 a manufactured home lot in a manufactured home park based on grounds set
13 forth in NRS 118B.200(1)(b)-(g).
- 14 2. Unlawful detainer actions for possession pursuant to NRS 40.255(1)-(4).

15 The following unlawful detainer actions may be initiated or re-initiated with new
16 service, effective July 31, 2020, at 11:59 p.m.:

- 17 1. Unlawful detainer actions seeking termination of a rental or lease agreement
18 for a manufactured home lot in a manufactured home park based on grounds
19 set forth in NRS 118B.200(1)(a).
- 20 2. Unlawful detainer actions seeking possession of the premises or damages
21 pursuant to NRS 40.250, NRS 40.251(1)(a)(3), NRS 40.2514 and NRS 40.2516.

22 The stay on unlawful detainer actions for other than commercial tenancies currently
23 being adjudicated by our Court is hereby amended to allow the Court to proceed with an
24 order to show causing hearing seeking a temporary writ of restitution or unlawful detainer
25 trial, as applicable, under the following timeline. "Actions currently being adjudicated by our
Court" is intended to include all unlawful detainer actions brought pursuant to NRS 40.290 to
40.420, inclusive, in which a complaint was filed prior to March 30, 2020.

1 The following unlawful detainer actions currently being adjudicated by our Court may
2 proceed, effective June 30, 2020, at 11:59 p.m.:

- 3 1. Unlawful detainer actions for possession pursuant to NRS 40.255(1)-(4).
- 4 2. Unlawful detainer actions seeking termination of a rental or lease agreement
5 for a manufactured home lot in a manufactured home park based on grounds
6 set forth in NRS 118B.200(1)(b)-(g).


7 The following unlawful detainer actions currently being adjudicated by our Court may
8 proceed, effective July 31, 2020, at 11:59 p.m.:

- 9 1. Unlawful detainer actions seeking termination of a rental or lease agreement
10 for a manufactured home lot in a manufactured home park based on grounds
11 set forth in NRS 118B.200(1)(a).
- 12 2. Unlawful detainer actions seeking possession of the premises or damaged
13 pursuant to NRS 40.250, NRS 40.251(1)(a)(3), NRS 40.2514 and NRS 40.2516.

14 The prohibition on lockouts is further amended to terminate any moratorium on
15 actions authorized by places of public accommodations pursuant to Chapter 651 of the
16 Nevada Revised Statutes, effective the date Directive 025 is signed.

17 IT IS SO ORDERED.

18 Dated this 29th day of June, 2020.

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20 _____
21 E.F. Herrington
22 Justice of the Peace
23 Virginia Township Justice Court
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