

FIVE-DAY NOTICE TO QUIT FOR UNLAWFUL DETAINER (NRS 40.254)

<i>TO: Name of TENANT(s)</i>
<i>Address:</i>
<i>City, State, ZIP:</i>

<i>FROM: Name of LANDLORD</i>
<i>Address</i>
<i>City, State, ZIP:</i>
<i>Telephone Number:</i>

DATE OF SERVICE: _____

PLEASE TAKE NOTICE that you are hereby required to vacate the premises within five (5) judicial days¹ following the Date of Service of this notice. If posted and mailed, you are allowed (3) additional judicial days¹. Your failure to vacate the premises may result in your landlord applying to the justice court for an eviction order. If the court determines that you are guilty of an unlawful detainer, the court may issue a summary order for your removal or an order providing for your non-admittance, directing the sheriff to post the order in a conspicuous place on the premises not later than 24 hours after the order is received by the sheriff. The sheriff will be required to remove you not earlier than 24 hours but not later than 36 hours after the posting of the order.

Pursuant to NRS 118A.390, you may seek relief if a landlord unlawfully removes you from the premises, or excludes you by blocking or attempting to block your entry upon the premises, or willfully interrupts or causes or permits the interruption of an essential service required by the rental agreement or NRS Chapter 118A.

YOU ARE HEREBY ADVISED OF YOUR RIGHT TO CONTEST THIS NOTICE by filing an Affidavit (or Answer) no later than noon on the fifth judicial day¹ following the Date of Service of this notice with the Virginia Township Justice Court stating that you are not guilty of an unlawful detainer. The Virginia Township Justice Court is located at 26 South B Street, Second Floor, Virginia City, Nevada. You may obtain forms at [our office and at www.storeycounty.org/230/forms](http://www.storeycounty.org/230/forms)

¹Judicial days do not include date of service, Saturdays, Sundays, or certain holidays.

DECLARATION OF SERVICE

<i>TO: Name of TENANT(s)</i>
<i>Address:</i>
<i>City, State, ZIP:</i>
<i>Telephone Number:</i>

<i>FROM: Name of LANDLORD/AGENT</i>
<i>Address</i>
<i>City, State, ZIP:</i>
<i>Telephone Number:</i>

You must attach a copy of the Notice. Check one:

- Non-Payment of Rent No Cause Notice Other: _____
 Breach of Contract Nuisance/Waste Notice

On *(insert date of service)* _____, the landlord or landlord's agent caused to be served this notice in the following manner (check only one):

By delivering a copy to the tenant(s) personally, in the presence of a witness *(server, witness, and tenant must all sign landlord's copy of notice)*.

I attempted personal service in the presence of a witness who signed below, but the tenant(s) was absent from the tenant's place of residence or business or I found the tenant, but the tenant would not sign, so I left a copy with _____ (name), a person of suitable age and discretion and mailed¹ a copy to tenant.

I attempted personal and substituted service above in the presence of a witness who signed below, but because I could not find the tenant at tenant's place of residence or business and could not find a person of suitable age or discretion, I posted a copy in a conspicuous place on the property on the _____ (e.g., front door, etc.) and mailed¹ a copy to the tenant(s).

Because tenant's place of residence or business could not be ascertained, or a person of suitable age or discretion could not be found there, by posting a copy in a conspicuous place on the property, delivering a copy to a person there residing, if the person could be found, AND mailing¹ a copy to the tenant(s) at the place where the property is situated.

(Date) *(Tenant's name - printed)* *(Tenant's Signature)*

(Date) *(Witness' name - printed)* *(Witness' Signature)*

Pursuant to NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

(Date) *(Type or Print Server's Name)* *(Server's Signature)*

¹When notice is mailed, you must file with the court a confirmation of delivery or "certificate of mailing" issued by the US Post Office or confirmation of actual delivery by a private postal service.
When computing the time, you cannot include non-judicial days and you must add an additional three (3) calendar days for mailing [JCRCP 6(a)]. Judicial days do not include the date of service, Saturdays, Sundays, and certain holidays.