

IN THE JUSTICE COURT OF NEW RIVER TOWNSHIP  
COUNTY OF CHURCHILL, STATE OF NEVADA

2020 APR -1 AM 9:18

CLERK OF COURT  
FALLON, NEVADA

IN THE ADMINISTRATIVE MATTER OF:  
NEW RIVER JUSTICE COURT'S RESPONSE ADMINISTRATIVE ORDER 2020-  
TO CORONAVIRUS DISEASE (COVID-19)

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

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

WHEREAS, the Chief Judge of the NEW RIVER TOWNSHIP Justice Court has the authority pursuant to NRS 4.157(c) to make administrative decisions pertaining to the business of the Court;

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

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

AND GOOD CAUSE BEING SHOWN,

IT IS HEREBY ORDERED effective immediately, the NEW RIVER TOWNSHIP Justice Court shall stay the consideration of all eviction and foreclosure matters with the exception 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

### Verified Complaint for Reentry

### Unlawful Entry or Occupancy of Vacant Dwelling

## COURTHOUSE ACCESS RESTRICTIONS AND FILINGS

The COVID-19 pandemic has led this Court to limit access to the courthouse and prohibit most in-person filings and appearances. Current information about the building restrictions and how to file documents by mail, email, or electronically can be obtained by visiting the Court's website: <http://www.churchillcounty.org/158/Justice-Court> by email: [JUSTICECOURT@CHURCHILLCOUNTY.ORG](mailto:JUSTICECOURT@CHURCHILLCOUNTY.ORG), or by calling: (775) 423-2845

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It shall continue until the March 12, 2020, Declaration of Emergency terminates, expires, or Emergency Directive 008 is rescinded by order of the Governor or modified or rescinded by a subsequent order, whichever occurs earlier.

IT IS SO ORDERED

Dated this 31<sup>st</sup> day of March 2020.

Benjamin L. St.

Judge, Benjamin D. Trotter  
Chief Justice of the Peace  
New River Township Justice Court