JUSTICE COURT, HENDERSON TOWNSHIP
CLARK COUNTY, NEVADA

2020 APR -2 A 10:55

IN THE ADMINISTRATIVE MATTER OF HENDERSON JUSTICE COURT'S RESONSE TO CORONAVIRUS DISEASE (COVID-19)	**ADMINISTRATIVE ORDER: April 2, 2020**

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

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

WHEREAS, given the severity of the risk posed to the public by COVID-19, pursuant to the requirements of Emergency Directive 008, and at the direction of the Nevada Supreme Court it has been determined that alterations to court procedure are necessary for the protection of the community.

AND GOOD CAUSE BEING SHOWN,

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

EVICTION AND FORECLOSURE MATTERS THAT ARE STAYED

The Court hereby stays consideration of the following matters:

1. NRS 40.250	Possession After Expiration of Term
2. NRS 40.251	No Cause Evictions
3. NRS 40.253	Evictions for Non-Payment of Rent
4. NRS 40.2516	Breach of Contract
5. NRS 40.254	Evictions for Other than Non-Payment of Rent (Except Tied to an Emergency Matter as Set Forth Below)
6. NRS 40.255	Removal of Persons Holding Over

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7. NRS 40.300 Writs of Restitution

8. NRS 118B.190 Mobile Home Notice of Termination

9. NRS 118C.200 Exclusion of Commercial Tenants

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

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

EMERGENCY EVICTION MATTERS TO BE HEARD

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

TENANT MATTER TO BE HEARD

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

1. NRS 118A.242 Motion for Failure to Return Deposit

2.	NRS 118A.390	Complaint for Expedited Relief for Illegal Lockouts
3.	NRS 118A 390	Complaint for Failing to Provide Essential Services
4.	NRS 118A.310 & .520	Motion Contesting Personal Property Lien
5.	NRS 118A.460(3) & NRS 40.253(9)	Motion to Retrieve Essential Items
6.	NRS118C.210	Commercial Tenant Complaint for Reentry

OTHER MATTERS NOT INCLUDED IN STAY

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

1.	NRS 40.412	Retaining of Possession Due to Housebreaking or Unlawful Occupancy
2.	NRS 40.414	Complaints of Forcible Entry or Forcible Detainer
3.	NRS 40.416	Verified Complaint of Reentry
4.	NRS 205.081-.082	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. Information about how to file documents may be obtained via email at hendersonjc@clarkcountynv.gov or by calling: (702) 455-7951.

This Order takes effect immediately. It replaces and extends any eviction and foreclosure stay orders currently in effect and expressly rescinds Administrative Order March 24, 2020. 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 2nd day of April, 2020.

SAM BATEMAN

Sam Bateman,
Chief Justice of the Peace