ADKT 0550

FILED
ANITA WHITEHEAD, CLERK
SPARKS JUSTICE COURT
JUL 07 2020
By [signature] DEPUTY CLERK

IN THE JUSTICE COURT OF SPARKS TOWNSHIP

COUNTY OF WASHOE, STATE OF NEVADA

IN THE ADMINISTRATIVE MATTER REGARDING TEMPORARY PROCEDURES IN CIVIL CASES: COLLECTIONS AND EVICTIONS

ADMINISTRATIVE ORDER 2020-7

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

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

WHEREAS, the COVID-19 virus presents concerns regarding public health, and the Court wishes to limit unnecessary in-person contact; and

WHEREAS, the Court has determined that Amended Administrative Order 2020-1 and Administrative Order 2020-3 require modification due to the changes in the Governor's Emergency Directives.

AND GOOD CAUSE BEING SHOWN,

IT IS HEREBY ORDERED that pursuant to Emergency Directive 026, Section 7, terminating Emergency Directive 017, the Governor has lifted the moratorium on writs of executions, garnishment, and collections effective June 30, 2020.

The Sparks Justice Court therefore rescinds Sections I.B. and I.C. of Amended Administrative Order 2020-1 and any other provisions limiting or staying the enforcement and collection of debt. Effective immediately, the Court will accept filings on all collection matters.

Sparks Justice Court

20-25097

The Governor also issued Emergency Declaration 025 establishing a timetable to restart the eviction process. Unless already authorized as an emergency eviction, the Sparks Justice Court will accept the filing of new evictions and the continuance of ongoing evictions pursuant to the Directive 025: Reference Chart as attached Exhibit A.

Any stays of the eviction process pursuant to Sparks Justice Court Administrative Order 2020-3 are lifted and replaced with the timetables set forth in Emergency Directive 025 and the Directive 025: Reference Chart.

Pursuant to the phased-in timetable in Emergency Directive 025, every type of eviction matter will be available by September 1, 2020. As of that date, Sparks Justice Court Administrative Order 2020-3 will be rescinded in its entirety. The Court shall revert to the eviction procedures set out in the Nevada Revised Statutes as of that date, with the possible exception of in-person hearings which are governed by Sparks Justice Court Amended Administrative Order 2020-1.

IT IS SO ORDERED.

Dated this 7th day of July 2020.

Chief Judge Kevin Higgins
Justice of the Peace

Attachment

Directive 025: Reference Chart

Tenancy/Loan Type	Directive	Type of Action	Date Action Allowed
Residential	Section 5	New summary eviction actions based on continued possession after the expiration of the lease term, pursuant to NRS 40.250	August 1, 2020
Residential	Section 5	New summary eviction actions for a tenant at will, pursuant to NRS 40.251(1)(a)(3)	August 1, 2020
Residential	Section 5	New summary eviction actions based on assignment or subletting contrary to lease, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 5	New summary eviction actions based on waste, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 5	New summary eviction actions based on unlawful business, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 5	New summary eviction actions based on nuisance, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 5	New summary eviction actions based on violations of controlled substance laws, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 5	New summary eviction actions based on tenant's failure to perform a lease condition or covenant (excluding failure to pay rent, but including a failure to make a payment under Lease Addendum/Promissory Note), pursuant to NRS 40.2516	August 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on continued possession after the expiration of the lease term, pursuant to NRS 40.250	August 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, for a tenant at will, pursuant to NRS 40.251(1)(a)(3)	August 1, 2020
Residential,	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on assignment or subletting contrary to lease, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on waste, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on unlawful business, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on nuisance, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on violations of controlled substance laws, pursuant to NRS 40.2514	August 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on tenant's failure to perform a lease condition or covenant, pursuant to NRS 40.2516	August 1, 2020
Residential	Section 12	New unlawful detainer actions based on foreclosure/sale, pursuant to NRS 40.255(1)-(4)*	July 1, 2020
Residential	Section 14	Continuation of unlawful detainer actions currently being adjudicated based on foreclosure/sale, pursuant to NRS 40.255(1)-(4)*	July 1, 2020
Residential	Section 12	New unlawful detainer actions seeking possession of the premises or damages pursuant to NRS 40.250, NRS 40.251(1)(a)(3), NRS 40.2514 and NRS 40.2516	August 1, 2020

Residential	Section 14	Continuation of unlawful detainer actions seeking possession of the premises or damages pursuant to NRS 40.250, NRS 40.251(1)(a)(3), NRS 40.2514 and NRS 40.2516	August 1, 2020
Residential	Section 6	Late fees can be charged, but not retroactively (please note landlords cannot ever charge late fees or payments for nonpayment of rent that became due between March 30, 2020 through August 31, 2020)	September 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on "no cause" evictions, pursuant to NRS 40.251*	September 1, 2020
Residential	Section 7	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based on nonpayment of rent that became due prior to March 30, 2020, pursuant to NRS 40.253*	September 1, 2020
Residential	Section 18	New summary eviction actions for nonpayment of rent, pursuant to NRS 40.253*	September 1, 2020
Residential	Section 18	New summary "no cause" evictions, pursuant to NRS 40.251*	September 1, 2020
Transient Lodging	Section 15	Lockouts by places of public accommodations pursuant to NRS Chapter 651 (commonly hotels, motels, boardinghouses, or lodging houses)	June 25, 2020
Commercial	Section 8	Commercial lockouts authorized by NRS 118C.200*	July 1, 2020
Commercial	Section 9	New summary eviction actions based on nonpayment of rent, pursuant to NRS 40.2542*	July 1, 2020
Commercial	Section 9	New unlawful detainer actions, pursuant to NRS 40.290-40.420*	July 1, 2020
Commercial	Section 10	Late fees can be charged, but not retroactively (please note landlords cannot ever charge late fees or payments for nonpayment of rent that became due between March 30, 2020 through June 30, 2020)	July 1, 2020
Commercial	Section 11	Continuation of summary eviction actions currently being adjudicated where tenant's affidavit has been filed, based upon nonpayment of rent, pursuant to NRS 40.2542*	July 1, 2020
Commercial	Section 11	Continuation of unlawful detainer actions currently being adjudicated, pursuant to 40.290-40.420*	July 1, 2020
Manufactured Home Lot	Section 12	New unlawful detainer actions seeking termination of a rental or lease agreement for a manufactured home lot in a manufactured home park based on grounds set forth in NRS 118B.200(1)(b)-(g)	July 1, 2020
Manufactured Home Lot	Section 12	New unlawful detainer actions seeking termination of a rental or lease agreement for a manufactured home lot in a manufactured home park based on grounds set forth in NRS 118B.200(1)(a)	August 1, 2020
Manufactured Home Lot	Section 14	Continuation of unlawful detainer actions seeking termination of a rental or lease agreement for a manufactured home lot in a manufactured home park based on grounds set forth in NRS 118B.200(1)(b)-(g)	July 1, 2020
Manufactured Home Lot	Section 13	Late fees can be charged, but not retroactively (please note landlords cannot ever charge late fees or payments for nonpayment of rent that became due between March 30, 2020 through July 31, 2020)	August 1, 2020
Manufactured Home Lots	Section 14	Continuation of unlawful detainer actions currently being adjudicated based on actions seeking termination of a rental or lease agreement for a manufactured home lot in a manufactured home park based on grounds set forth in NRS 118B.200(1)(a)	August 1, 2020
Foreclosures	Section 9	New commercial foreclosure proceedings*	July 1, 2020
Foreclosures	Section 11	Continuation of commercial foreclosure proceedings*	July 1, 2020
Foreclosures	Section 18	All residential foreclosure proceedings*	September 1, 2020
Note	AI	*Unless otherwise prohibited by federal law	