

**FIVE-DAY NOTICE OF UNLAWFUL DETAINER  
FOR FAILURE TO VACATE RENTAL UNIT - NRS 40.251  
(No-Cause Termination)  
AND  
NOTICE OF SUMMARY EVICTION - NRS 40.254**

TO: \_\_\_\_\_ (Tenant)  
\_\_\_\_\_  
\_\_\_\_\_

**Date of Service:** \_\_\_\_\_

**PLEASE TAKE NOTICE** that pursuant to NRS 40.251, you are in unlawful detainer for failing to vacate and continuing in possession of the rental unit located at:

\_\_\_\_\_ ,

after having been served the following notice which has now expired:

- \_\_\_\_\_ 1. Seven (7) judicial days<sup>1</sup> notice to vacate and leave the rental unit (because you are a week-to-week tenant). NRS 40.251(1)(a)(1)
- \_\_\_\_\_ 2. Thirty (30) calendar days notice to vacate and leave the rental unit (because you have a periodic tenancy which is not week-to-week). NRS 40.251(1)(a)(2).
- \_\_\_\_\_ 3. Five (5) judicial days notice to vacate and leave the rental unit (because you have a tenancy at will). NRS 40.251(1)(a)(3).

\_\_\_\_\_

<sup>1</sup> "Judicial Days" do not include date of service, weekends or legal holidays.

- \_\_\_\_\_ 4. Seven (7) judicial days notice to vacate and leave the rental unit (because your tenancy is subject to Chapter 118A of the Nevada Revised Statutes and your rental agreement expired or terminated as of \_\_\_\_\_, 20\_\_\_\_). NRS 40.251(1)(b)(1)(I). (Applies to week-to-week tenancies.)
- \_\_\_\_\_ 5. Thirty (30) calendar days notice to vacate and leave the rental unit (because your tenancy is subject to Chapter 118A of the Nevada Revised Statutes and your rental agreement expired or terminated as of \_\_\_\_\_, 20\_\_\_\_). NRS 40.251(1)(b)(1)(II). (Applies to all other periodic tenancies.)
- \_\_\_\_\_ 6. Five (5) judicial days notice to vacate and leave the rental unit (because you have a recreational vehicle lot tenancy, pursuant to NRS 40.215(6), NRS 40.251(1)(d).

**ATTENTION!** If you do not vacate and leave the rental unit within FIVE JUDICIAL DAYS from the date of service of this Notice, I will seek an order of eviction from the Justice Court. If you are evicted, you may legally be locked out of the rental unit the same day.

**ATTENTION!** To contest this notice, you must file a Tenant's Affidavit/Declaration with the Justice Court of \_\_\_\_\_ Township by noon of the FIFTH JUDICIAL DAY from the date of service of this notice. There is a filing fee of \$\_\_\_\_\_. If you are unable to pay the filing fee, you may file a written motion with the court requesting a fee waiver. If the court grants your fee waiver, your Tenant's Affidavit/Declaration will be filed at no charge. You must also deliver a file-stamped copy of your Tenant's Affidavit/Declaration to me. Upon the filing and delivery of your Tenant's Affidavit/Declaration, you are entitled to a court hearing.

**NOTE:** If you are 60 years of age or older, or if you have a physical or mental disability, and your tenancy is not week-to-week, you may make a written request to me to

be allowed to continue in possession of the rental unit for an additional 30 days. You must provide me with proof of your age or disability with your written request. If I reject your request, you have the right to petition the court to continue in possession of the rental unit for an additional 30 days. If the court denies your petition, you will be allowed to continue in possession of the rental unit for five (5) calendar days following the date of entry of the order denying the petition.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Landlord

\_\_\_\_\_  
Address  
\_\_\_\_\_

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Signature of Landlord or Duly Authorized Agent

\_\_\_\_\_  
Print Name of Landlord or Duly Authorized Agent

**AFFIDAVIT/DECLARATION OF SERVICE**

On \_\_\_\_\_, I served the following document:  
(Date)

\_\_\_\_\_  
(Name of Document)

at the following time \_\_\_\_: \_\_\_\_\_ AM / PM and in the following manner:

\_\_\_\_ 1. By delivering a copy to the tenant(s) personally, in the presence of a witness. (Server, Tenant & Witness Must All Sign).

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Signature of Tenant

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Print Name of Server

\_\_\_\_\_  
Print Name of Tenant

\_\_\_\_\_  
Print Name of Witness

\_\_\_\_ 2. Because the tenant(s) were absent from their place of residence or from their usual place of business, by leaving a copy with \_\_\_\_\_, a person of suitable age and discretion, at either place and mailing a copy to the tenant(s) at their place of residence or place of business. (Attach United States Postal Service Certificate of Mailing).

\_\_\_\_ 3. Because the 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 mailing a copy to the tenant(s) at the place where the property is situated. (Attach United States Postal Service Certificate of Mailing).

I swear the above is true. Signature: \_\_\_\_\_

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

NOTARY PUBLIC

OR

DEPUTY CLERK \_\_\_\_\_

**OR**  
**THE FOLLOWING:**

Pursuant to NRS 53.045:

"I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."

Executed on \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name