

# NORTH LAS VEGAS CONSTABLE'S OFFICE

2428 Martin Luther King Boulevard

North Las Vegas, NV 89030

Phone 702-455-7800 Fax 702-399-3099/ www.accessclarkcounty.com

## TYPES OF NOTICES

### 5 DAY PAY OR QUIT

This notice is used for non-payment of rent from tenant. If there is NO grace period, you can go forward with the notice the day AFTER rent is due. If you have a grace period, you must wait until that time has passed. If the tenant offers you the FULL rental amount, you MUST ACCEPT. You can refuse partial payment from tenant. If you should decide to accept partial payment, you can re-file a new notice for the balance of money due. There is NO other notice that follows this notice. When serving this notice, you DO NOT count the day of service. Count 5 business days. The day after the 5th business day return to our office if tenant is home to receive Notice personally. If tenant is not home a copy of the Notice will be posted and a copy will be sent to them via U.S. mail and an additional 3 days will be added to the return time. If tenant does not pay, landlord will file the **24-Hour Order for Summary Eviction**.

### 5 DAY TENANCY AT WILL

This notice is used for a tenant who has no lease and does not pay rent. It can be used for a relative or friend who has overstayed their welcome or a tenant that moved and left someone behind who is not on the lease. Families use this notice to remove problem adult children. If the tenant does not move in **5-8**days, DO NOT count the day of service. Count 5 business days. The day after the 5th business day return to our office if tenant is home to receive Notice personally. If tenant is not home a copy of the Notice will be posted and a copy will be sent to them via U.S. mail and an additional 3 days will be added to the return time. The landlord must follow up with the **5-Day Unlawful Detainer**. If tenant still does not move, landlord must file the **24-Hour Order for Summary Eviction**.

### 5-DAY VIOLATION OF LEASE OR RENTAL AGREEMENT

This notice is used when there is a written lease or rental agreement between the landlord and the tenant that is being violated. After 5-8 days if the tenant does not comply with lease/rental agreement, he must move. If the tenant does not move in **5-8**days, DO NOT count the day of service. Count 5 business days. The day after the 5th business day return to our office if tenant is home to receive Notice personally. If tenant is not home a copy of the Notice will be posted and a copy will be sent to them via U.S. mail and an additional 3 days will be added to the return time.

The landlord must follow up with the **5-Day Unlawful Detainer**. If tenant still does not move, landlord must file the **24-Hour Order for Summary Eviction**.

### **TERMINATION OF TENANCY & THIRTY (30) DAY NOTICE TO QUIT**

This notice is used if a landlord wants to end the relationship of a landlord / tenant. If tenant does not move after the 30 days the landlord must follow up with the **5-Day Unlawful Detainer**. If tenant still does not move, landlord must file the **24-Hour Order for Summary Eviction**.

### **3 DAY NUISANCE NOTICE**

This notice is used if the tenant is harassing other tenants, violent behavior, drug problems, gang related or life threatening situations. It requires a written reason and has absolutely nothing to do with rent money. You do not count the day of service. The defendant has 3 working days to fix the problem. You need to return to this office **after the 3<sup>rd</sup>** day (return must be a business day). If tenant is not home a copy of the Notice will be posted and a copy will be sent to them via U.S. mail and an additional 3 days will be added to the return time. The landlord must follow up with the **5-Day Unlawful Detainer**. If tenant still does not move, landlord must file the **24-Hour Order for Summary Eviction**.

### **TERMINATION OF TENANCY & SEVEN (7) DAY NOTICE TO QUIT**

This notice is used when tenants pay rent on a weekly basis. It requires a written reason. DO NOT count the day of service--it runs consecutive through weekends and holidays. If tenant is not home a copy of the Notice will be posted and a copy will be sent to them via U.S. mail and an additional 3 days will be added to the return time. The landlord must follow up with the **5-Day Unlawful Detainer**. If tenant still does not move, landlord must file the **24-Hour Order for Summary Eviction**.

### **FOURTEEN (14) DAY NOTICE TO PAY RENT OR QUIT**

This is the same as the 5-Day Notice to Pay Rent or Quit. This notice is used only by the HOUSING AUTHORITY.

**ALL NOTICES ARE SERVED SAME BUSINESS DAY.**

### **FEE FOR PRECEDING NOTICES**

\$26.00 + \$2.00 per mile from the Constable's office to the property, paid in advance. A discount is given if more than one notice is filed at the same time for the same property. Payment will be accepted in the form of cash or check for Nevada residents. A money order is required for all out of state residents.

## **5 DAY UNLAWFUL DETAINER**

This is the **SECOND STEP** or the follow-up notice if the tenant does not comply with the original notice.

The following notices are followed by the 5-DAY UNLAWFUL DETAINER:

1. 5-DAY TENANCY AT WILL
2. 5-DAY VIOLATION OF LEASE OR RENTAL AGREEMENT
3. TERMINATION OF TENANCY & THIRTY (30) DAY NOTICE TO QUIT
4. 3-DAY NUISANCE
5. TERMINATION OF TENANCY & SEVEN (7) DAY NOTICE TO QUIT
6. MOBILE HOME PARK NOTICE TO QUIT FIVE (5) DAY NOTICE FOR NUISANCE. There is an additional fee for this notice.

## **TYPES OF NOTICES FOR MANUFACTURED HOMES**

### **5 DAY NUISANCE NOTICE**

This notice is used for nuisance caused by tenant, e.g. anything injurious to health, or indecent and offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. Selling, serving, storing, keeping, manufacturing, using or giving away controlled substance. If tenant does not stop nuisance or move within 5-8 days. You need to return to this office need to follow-up with the **5 DAY UNLAWFUL DETAINER**.

### **10 DAY NOTICE**

This notice is used for non-payment of rent from tenant. If there is NO grace period, you can go forward with the notice the day AFTER rent is due. If you have a grace period, you must wait until that time has passed. If the tenant offers you the FULL rental amount, you MUST ACCEPT. You can refuse partial payment from tenant. If you should decide to accept partial payment, you can re-file a new notice for the balance of money due. There is NO other notice that follows this 10 Day Pay or Quit. When serving this 10 Day Pay or Quit Notice. You return to our office to proceed with the lock out.

### **45 DAY NOTICE**

This notice is used when landlord owns property and renting land space only to someone who owns their own trailer home. Tenant violated lease or landlord wants land space back. If tenant does not move within 45 days, landlord can either proceed with the MHP 10-DAY Notice To Comply or follow up with formal civil suit with landlord's attorney.

## **FEE FOR PRECEDING NOTICES**

\$26.00 + \$2.00 per mile from the Constable's office to the property, paid in advance. A discount is given if more than one notice is filed at the same time for the same property. Payment will be accepted in the form of cash or check for Nevada residents. A money order is required for all out of state residents.

### **What happens next?**

Our office will serve the notice. You will call the number on the top of your receipt to find out when you can come back to continue with the eviction.

When you return to our office, you will be handed the actual notice and instructed to take it to Justice Court to file for the Summary Eviction. Court requires that their paperwork be typed- or printed clearly -Justice Court's filing fee is \$46.00. After filing with the court, you will be handed an Instruction Sheet. You are to bring the Instructions back to the Constable's and will need to pay Lock-Out fees (\$42.00 plus \$4.00/mile). Payment will be accepted in the form of cash or check for Nevada residents. A money order is required for all out of state residents.

If you choose not to continue with eviction (for whatever reason) simply do not return to our office. Notices not picked up within 30 days will be destroyed.

## **24-HOUR ORDER FOR SUMMARY EVICTION**

The landlord must file the 24-Hour Order for Summary Eviction in Justice Court to evict the tenant. This is the **FINAL** step in the eviction process. When the Judge signs the eviction, copies are forwarded to the Constable's office. The Constable / Deputy will serve / post a copy of the Eviction and the next **WORK DAY** will schedule a time with the landlord to complete the eviction. The Constable's office does not do evictions on weekends. At this time the locks on the doors can be changed and the Constable's seal is affixed to the door. If the tenant breaks in after the seals are affixed, the POLICE Department is summoned – not the Constable's Office.

## **FEE FOR 24-HOUR ORDER OF SUMMARY EVICTION**

\$42.00 + \$4.00 per mile from the Constable's office to the property, paid in advance. No discount is given if more than one 24-Hour Order for Summary Eviction. Payment will be accepted in the form of cash or check for Nevada residents. A money order is required for all out of state residents.

