

1 IN THE JUSTICE COURT OF BOULDER TOWNSHIP
2 COUNTY OF CLARK, STATE OF NEVADA

FILED
2020 APR -1 P 12:17

JUSTICE COURT
BOULDER, NEVADA

NS

3
4 IN THE ADMINISTRATIVE MATTER OF:
5 BOULDER TOWNSHIP JUSTICE COURT'S
6 RESPONSE TO CORONAVIRUS DISEASE
7 (COVID-19)

ADMINISTRATIVE ORDER 20-04

8
9 WHEREAS, on March 12, 2020, Governor Steve Sisolak declared a state of emergency
10 in Nevada in response to the recent outbreak of the Coronavirus Disease (COVID-19);

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

13 WHEREAS, the Chief Judge of the Boulder Township Justice Court has the authority
14 pursuant to NRS 4.157(c) to make administrative decisions pertaining to the business of the
15 Court;

16 WHEREAS, the Chief Justice of the Nevada Supreme Court is the administrative head
17 of the court system pursuant to Nev. Const. Art. 6, Sec. 19 and has issued that Court's
18 Administrative Order No. AO-0012;

19 WHEREAS, this court had previously issued Administrative Orders Nos. 20-02 and 20-
20 03 relative to evictions and this Order 04 is to further clarify the topic and to comply with
21 Directive 008; and

22 WHEREAS, given the severity of the risk posed to the public by COVID-19, pursuant
23 to the requirements of Emergency Directive 008, and after consultation with Nevada Supreme
24 Court Chief Justice Kristina Pickering, the Chief Judge of the Boulder Township Justice Court
25

1 has determined that alterations to court procedures are necessary for the protection of the
2 community: .

3 AND GOOD CAUSE BEING SHOWN,

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

7 **EVICTION AND FORECLOSURE MATTERS THAT ARE STAYED**

8 The Court hereby stays consideration of the following matters:

- 9 1. NRS 40.250 Possession After Expiration of Term
- 10 2. NRS 40.251 No Cause Evictions
- 11 3. NRS 40.253 Evictions for Non-Payment of Rent
- 12 4. NRS 40.2516 Breach of Contract
- 13 5. NRS 40.254 Evictions for Other than Non-Payment of Rent Except Tied to an
14 Emergency Matter as Set Forth Below
- 15 6. NRS 40.255 Removal of Persons Holding Over
- 16 7. NRS 40.300 Writs of Restitution
- 17 8. NRS 118B.190 Mobile Home Notice of Termination
- 18 9. NRS 118C.200 Exclusion of Commercial Tenants

19 Staying consideration of these matters means that through the end of the stay, the Court
20 will not accept complaints for summary eviction or unlawful detainer, hold hearings, rule upon,
21 or issue dispositive orders or writs of restitution for the matters listed above. Consistent with
22 the Governor's Emergency Directive and the Supreme Court's stay of Rule 5(d) and (e) of the
23 Nevada Justice Court Rules of Civil Procedure, the Court will reject any complaints for
24 summary eviction or unlawful detainer that do not constitute an emergency stemming from
25 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

1 require a stay or continuance of any non-emergency matters in progress but not completed as of
2 March 29, 2020.

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

6 EMERGENCY EVICTION MATTERS TO BE HEARD

7 During the period of the stay, the Court shall only consider unlawful detainer cases,
8 including summary evictions, stemming from threats by a tenant or resident to the public
9 health, criminal activity, or significant damage to property as set forth in Sections 1 and 5 of
10 Emergency Directive 008. The Court will not consider an action to be a qualifying emergency
11 unless the complaint or other application sets forth specific facts establishing that it falls within
12 those sections of Emergency Directive 008. That an individual has tested positive for COVID-
13 19 or has potentially been exposed to the novel coronavirus that causes COVID-19 does not
14 serve as the basis for establishing that a tenant or a resident seriously endangers the safety of
15 others.

16 TENANT MATTERS TO BE HEARD

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

- 19 1. NRS 118A.242 Motion for Failure to Return Deposit
- 20 2. NRS 118A.390 Complaint for Expedited Relief for Illegal Lockouts
- 21 3. NRS 118A.390 Complaint for Failing to Provide Essential Services
- 22 4. NRS 118A.310 & .520 Motion Contesting Personal Property Lien
- 23 5. NRS 118A.460(3) & Motion to Retrieve Essential Items
24 NRS 40.253(9)
- 25 6. NRS 118C.210 Commercial Tenant Complaint for Reentry

OTHER MATTERS NOT INCLUDED IN STAY

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

- 3 1. NRS 40.412 Retaking of Possession Due to Housebreaking or
4 Unlawful Occupancy
5 2. NRS 40.414 Complaints for Forcible Entry or Forcible Detainer
6 3. NRS 40.416 Verified Complaint for Reentry
7 4. NRS 205.081-.082 Unlawful Entry or Occupancy of Vacant Dwelling

8 **COURTHOUSE ACCESS RESTRICTIONS AND FILINGS**

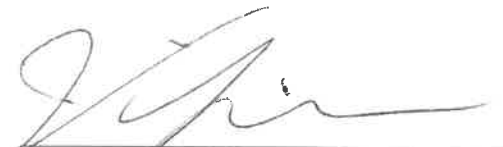
9 The COVID-19 pandemic has led this Court to limit access to the courthouse and
10 prohibit most in-person filings and appearances. Current information about the building
11 restrictions and how to file documents by mail, email, or electronically can be obtained by
12 visiting the Court's website: ClarkCountyNv.gov/Justicecourt/boulder, by email:
13 BoulderCityJCPR@clarkcountynv.gov, or by calling: (702) 455-8000.

14 Legal assistance may be found at; Legal aid of Southern Nevada at (702) 386-0404,
15 Civil Law Self Help Center at (702) 671-3976, or Nevada Legal Services at (702) 386-0404.

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

21 IT IS SO ORDERED.

22 Dated this 1st day of April 2020.

23 

24 Judge Victor Lee Miller
25 Chief Justice of the Peace
Boulder Township Justice Court