NOTICE TO SURRENDER
(NRS 40)

TO: [NAMES OF OCCUPANTS HERE]
Unlawful/Unauthorized Occupant Name(s)

[INSERT OCCUPANT STREET ADDRESS AND UNIT # HERE]
Street Address of Occupied Dwelling Property

[INSERT OCCUPANT CITY, STATE, AND ZIP CODE HERE]
City, State, Zip Code of Occupied Dwelling Property

FROM: _____
Owner's Name

Verification of property ownership may be obtained through the Clark County Assessor. www.clarkcountynv.gov/assessor.

PLEASE TAKE NOTICE that you are guilty of forcible entry or detainer and you are hereby required to vacate the property within four (4) judicial days[1] following the Date of Service of this Notice. Your failure to vacate the property may result in the Court issuing a summary order for your removal or an order providing for your nonadmittance, directing the sheriff or constable of the county to remove you within twenty-four (24) hours after receipt of the order from the court.

YOU ARE HEREBY ADVISED OF YOUR RIGHTS to (1) surrender the real property to the Owner of the real property or Owner's authorized representative; and/or (2) request that the court stay the execution of a summary order for removal, stating the reasons why a stay is warranted; or (3) contest this Notice by filing an affidavit, no later than the fourth full judicial day[1] following the Date of Service of this Notice, with the Justice Court for the Township of (*insert name of township where property is located*) _____, stating the reasons why you are not guilty of a forcible entry or forcible detainer, and by serving the affidavit by mail upon the issuer of this Notice. The Justice Court is located at (*insert Justice Court's address*):

Owner or Owner's authorized representative shall provide safe storage of any of your personal property remaining on the property for 21 days after your compliance with this Notice or after the execution of the order for removal, whichever comes first. You must pay Owner or Owner's representative for the reasonable and actual costs of inventory, moving and storage of the personal property before the personal property will be released to you. If you dispute these costs, you can file a motion with the court within 14 days after the surrender of the property or after the execution of the order for removal. The Neighborhood Justice Center is a free service in Clark County that may be able to help you resolve disputes regarding the time, place, and manner of the turnover of personal property. For more information, visit www.lasvegasjusticecourt.us/services/neighborhood_justice_center.

YOU CAN OBTAIN AN AFFIDAVIT AND INFORMATION at the Civil Law Self-Help Center, located at the Regional Justice Center in downtown Las Vegas, or at www.CivilLawSelfHelpCenter.org.

DECLARATION OF SERVICE

On *(insert date of service)* _____, I served this Notice in the following manner (***check only one***):

☐ By delivering a copy to the Occupant(s) personally, in the presence of a witness *(server, witness, and occupant must all sign Owner's copy of Notice. If service is made by the sheriff, constable or a licensed process server pursuant to NRS Chapter 648, the presence of a witness is not required)*:

_____ *(Date)* _____ *(Type or print name of witness)* _____ *(Signature of witness)*

_____ *(Occupant's signature)*

— OR —

☐ Because the Occupant(s) was absent from the dwelling, by leaving a copy with *(insert name)* _____, a person of suitable age and discretion, AND mailing[2] a copy to the Occupant(s)[3] at the place where the property is situated;

— OR —

☐ Because Occupant's residence 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[2] a copy to the Occupant(s) [3] at the place where the property is situated.

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

_____ *(Date)* _____ *(Type or print server's name; include badge and/or license #)* _____ *(Server's signature)*

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[1] Judicial days do not include the date of service, weekends, or certain legal holidays.

[2] If this manner of service is used, Owner must file with the court a "certificate of mailing" issued by the United States Post Office per NRS 40.280.

[3] If the occupant is unknown, the notice must be addressed to "Current Occupant."

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