



Release Date: 01/01/2021

## **LVL EVICTIONS NEWSLETTER**

# **5-Day Abandonment Notice Process**

**How long will it take to get my property back?**

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**SB 151, Sec-4.1 (a,b,c) {effective 07/01/2019} = NRS 40.280.** Notices **MUST** be served by the **sheriff**, a **constable**, a **licensed process server**, or the **agent of an attorney** licensed in Nevada.

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### **5-Day Abandonment Notice**

**NRS 118A.195**

**Purpose:** Landlord reasonably believes that Tenant has abandoned the property, and the Tenant is in default in the payment of rent.

**Timeline-1 = @ 5 Judicial Days, without weekends and holidays.**

**Timeline-2 : @ 10 Calendar Days, including weekends and holidays.**

1. **09/01/2020 = 5-Day Abandonment notice served.** Service day does NOT count. Notice is normally served on the 1st available Judicial (business) day. {09/01/2020 + 5 Judicial Days = 09/10/2020}

2. **09/10/2020 = Landlord can take repossession of the property, if Tenant has NOT contacted Landlord.**

**NOTE-1:** If the tenant fails, after service of the notice, within 5 judicial days, to:

--- a) Pay the rent due; and

--- b) Provide the landlord with a written notice:

----- (1) Stating the tenant's intention not to abandon the property; and

----- (2) Setting forth an address at which the tenant may be served with legal process,

hence, the property shall be deemed abandoned by the tenant and the rental agreement shall be deemed terminated.

**NOTE-2:** The property shall NOT be deemed abandoned if the tenant pays the rent due AND provides the written notice to Landlord within the prescribed time.

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## **Frequently Asked Questions ( FAQs )**

**Question-1 : How many more notices have to be served after this 5-Day Abandonment notice?**

Answer-1 : Only this notice.

**Question-2 : What happens after this notice period ends?**

Answer-2 : If your Tenant does NOT file an Answer with the Court, at the end of the notice period, you can rekey the locks and retake possession of the property.

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**Question-3 : What happens if my Tenant contacts me BEFORE the 5-Day period ends?**

Answer-3 : If your Tenant has NOT abandoned the property, then you can do nothing, except have a Rent notice served. If your Tenant has abandoned the property then go ahead and change locks.

**Question-4 : What happens if my Tenant contacts me AFTER the 5-Day period ended and I have changed locks?**

Answer-4 : If your Tenant has filed an Answer with the Court, you go to Court and let the Judge render a decision.

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**LVL Evictions [ Las Vegas Landlord ]**

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