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Ask an Attorney

Landlord/Tenant Law

Q: *The tenant renting my house is behind in rent and I'm afraid he's going to destroy the house. What can I do to protect my property?*

A: Although Nevada law prohibits tenants from damaging property, residents facing eviction commonly take their anger out on the home. The best way to protect yourself is to carefully select your tenant and get the maximum legally allowed security deposit. If your tenant falls behind in rent, try to work out a solution where the tenant leaves peacefully rather than face an eviction hearing, saving both of you time and court costs. You may need to forego collection of a portion of the rent obligations in order to get the tenant to agree.

You can also inspect the property upon at least 24 hours' notice to the tenant. If damage has already occurred, you may go to court to terminate the rental agreement, obtain an injunction against further damage, and/or obtain a money judgment for the damage incurred.

Finally, you can initiate the summary eviction by serving the tenant with a 5-day notice to pay rent or quit. The tenant can either pay the amount owed or file an affidavit with the Justice Court requesting an eviction hearing. If the tenant does nothing, you can apply to the Justice Court for a lock-out order. The judge cannot enter a monetary judgment in a summary eviction, so you may wish to consult an attorney to explore your options regarding collecting the money owed to you.