



March 26, 2025

Chair Miller and Assembly Judiciary Committee Members,

Nevada REALTORS® are opposed to AB283 as drafted. We understand that the current summary eviction process is not perfect, there are times where cases can be duplicated causing issues for the courts and landlords. For example, under the current process when the landlord provides notice to the tenant and the tenant is supposed to file an answer with the court, that answer could be filed under different tenant's name making it hard for the landlord to file a complaint into the correct case or end up with a complaint filed into new and different case number. Those two cases continue independently unless the court identifies them and consolidates the two cases into one. Because the existing law does not require a tenant to serve the landlord with the answering affidavit, it is difficult for landlords to know if the tenant has filed an answer. It also falsely elevates the number of eviction case filings as both the answer case and the complaint case are counted as a new filing. However, the courts are diligent and will often reject the complaint if it is not filed in the answer case. While we have heard complaints about the process, both landlords and tenants are familiar with it, and it works. The process has been in place for nearly 40 years. Turning it on its head is more likely to add to the confusion rather than it is to help in understanding the process.

We fail to see how lengthening the process with more legal paperwork and significantly increasing the burden on the courts and landlords with more document filings, requirements, and tracking of the process would help a tenant or the process. A tenant who fails to heed the notices currently provided is no more likely to heed the unfamiliar language of a summons.

Furthermore, this bill goes too far. If a tenant is violating a lease through a legal or safety issue, by committing drug related offenses, operating an illegal business or subleasing a property so that a landlord does not even know who is in the property, those issues are meant to be addressed in a timely manner. The process proposed by AB 283 would increase the timeline for these types of violations from about 30 days to 55 days. Increasing the length of time for "summary" eviction to be processed increases the likelihood that a landlord would be less willing to give a tenant an opportunity to get caught up if a monthly rental payment is missed, because they know if not addressed, the longer process will leave them with months of delinquency and no recourse to collect the delinquency without raising security deposits. Even in situations where the landlord would have been willing to delay an eviction action to work with a tenant, this longer process proposed in AB 283 leaves them better served to initiate the summary eviction process right away and attempt to resolve the matter during the process. This could result in an increased number of eviction filings that could be avoided with the current timelines in place.

The new proposed process in AB283 does nothing to better the known system in place. It serves only to turn the current system on its head, delay justice in situations where public safety is at issue and discourage a landlord from working with their tenants and find a solution. We understand that while the intent of the legislation may be focused on those who are facing summary eviction for missed payments, that is not the only reason summary evictions are brought forward by a landlord. Ultimately, this could lead to more formal unlawful detainer complaints at more cost to the landlord that will be passed on to the tenant. The summary eviction process only resolves possession of the property. If the summary eviction process is extended, the result would make the formal unlawful detainer process only about 10 days longer, which would allow a landlord to pursue a money judgment for defaulted rent in addition to possession. With the additional burden on the courts, document processing times and scheduling of hearings is likely to increase. We believe that these changes and delays are more likely to cause more unintended consequences and therefore we oppose AB283.