



Information for Property Managers regarding the Lease and COVID-19

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The COVID-19 pandemic is causing unprecedented impact and uncertainty for both landlords and tenants alike. In order to address these uncertainties, Nevada REALTORS® is answering a few of your most frequently asked questions.

Does the tenant still need to pay rent during the COVID-19 pandemic?

Yes. There have been no laws passed that freeze or abate rental payments. Tenants are still obligated pursuant to their contract to make rent payments according to the terms of the lease.

If a tenant is unable to pay rent during this time what should they do?

A tenant should communicate with the landlord or property manager as soon as possible. The landlord or property manager may be able to set up a payment plan for those tenants facing financial difficulties during this time. Although it may be difficult to determine when the tenant will actually be able to pay – a landlord or property manager should discuss a timeline that is realistic. For example, if a tenant knows they won't be expecting an unemployment check for 4 weeks they shouldn't agree to a payment plan where money would be due prior to that. Keep in mind - although the Governor suggested that landlords figure out a payment plan with tenants - it is not required. A tenant would still be expected to pay eventually once the eviction moratorium has been lifted.

Can a tenant terminate an executed lease due to COVID-19?

No. A residential lease provides that a tenant is not entitled to early termination. However, landlords and tenants can work with each other at any time during a lease period to come up with a plan that works for them - if they both agree. For example, if the tenant KNOWS that they can move back in with their parents and they WON'T have any money coming in soon, a landlord may agree to let them out of the lease. Typically, a landlord would be able to find another tenant, however during this pandemic it is unclear if a landlord would be able to fill any vacancy. All of this can be negotiated between the parties if they so choose.



Can a tenant be evicted for failure to pay rent?

As you may be aware of now, the Governor put in place an eviction moratorium. This means that for the duration of the Governor's order, tenants cannot be evicted. However, once the moratorium has been lifted, failure to comply with the payment plan agreement entered into with a landlord (if one was entered into) could mean that the landlord could give the tenant a 7-day to pay rent or quit. In the meantime, Courts are only processing emergency complaints and if the Court deems it to be an emergency, they will hear it telephonically. If an eviction was not filed before March 12, then the courts are not "acting on the complaint" but accepting and setting the hearing date for after the directive has been lifted.

Please keep following Nevada REALTORS® updates through our facebook page, e-news and on our website under our COVID-19 tab. We will be updating articles as updates come available. We are continuing to work on issues that impact our members and their clients.

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