
ASSEMBLY BILL NO. 201—ASSEMBLYMEMBER ROTH

PREFILED FEBRUARY 3, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the sealing of records for summary evictions. (BDR 3-843)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to evictions; requiring the automatic sealing of certain eviction case court files under certain circumstances; revising the circumstances under which a court is authorized to seal certain eviction case court files; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides for the automatic sealing of certain eviction case court
2 files relating to an action for summary eviction. (NRS 40.2545) **Section 1** of this
3 bill expands the circumstances under which an eviction case court file related to an
4 action for summary eviction is sealed automatically by providing for the automatic
5 sealing of any such file: (1) upon motion of the tenant, if the court finds that the
6 landlord does not oppose the motion; or (2) if an appeal taken by a party to the
7 action is resolved in certain ways.

8 Existing law authorizes a court to seal an eviction case court file under certain
9 circumstances, including, without limitation, upon motion by the tenant, if the court
10 finds that sealing the eviction case court file is in the interests of justice and those
11 interests are not outweighed by the public’s interest in knowing about the contents
12 of the eviction case court file. (NRS 40.2545) **Section 1** provides that the filing of a
13 motion to seal an eviction case court file more than 1 year after the date on which
14 the eviction order is entered creates a rebuttable presumption that sealing the
15 eviction case court file is in the interests of justice.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 40.2545 is hereby amended to read as follows:

2 40.2545 1. If a court grants an action for summary eviction
3 pursuant to NRS 40.253 during the COVID-19 emergency, the court
4 shall automatically seal the eviction case court file.

5 2. In addition to the provisions for the automatic sealing of an
6 eviction case court file pursuant to subsection 1, in any action for
7 summary eviction pursuant to NRS 40.253, 40.254 or 40.2542, the
8 eviction case court file is sealed automatically and not open to
9 inspection:

10 (a) Upon the entry of a court order which dismisses the action
11 for summary eviction;

12 (b) *Upon motion of the tenant and decision by the court if the*
13 *court finds that the landlord does not oppose the motion;*

14 (c) Ten judicial days after the entry of a court order which
15 denies the action for summary eviction; ~~for~~

16 ~~—(e)~~ (d) Thirty-one days after the tenant has filed an affidavit
17 described in subsection 3 of NRS 40.253 or subsection 3 of NRS
18 40.2542, if the landlord has failed to file an affidavit of complaint
19 pursuant to subsection 5 of NRS 40.253 or subsection 5 of NRS
20 40.2542 within 30 days after the tenant filed the affidavit ~~for~~; or

21 (e) *If an appeal is taken, upon a district court, the Court of*
22 *Appeals or the Supreme Court of Nevada, whichever has*
23 *jurisdiction over the matter, rendering a decision that:*

24 (1) *Upholds an order which dismisses an action for*
25 *summary eviction;*

26 (2) *Upholds an order which denies an action for summary*
27 *eviction; or*

28 (3) *Remands the case to the court from which the appeal*
29 *was taken for the entry of an order which:*

30 (I) *Dismisses an action for summary eviction; or*

31 (II) *Denies an action for summary eviction.*

32 3. In addition to the provisions for the automatic sealing of an
33 eviction case court file pursuant to subsections 1 and 2, the court
34 may order the sealing of an eviction case court file for an action for
35 summary eviction pursuant to NRS 40.253, 40.254 or 40.2542:

36 (a) Upon the filing of a written stipulation by the landlord and
37 the tenant to set aside the order of eviction and seal the eviction case
38 court file; or

39 (b) Upon motion of the tenant and decision by the court if the
40 court finds that:

41 (1) The eviction should be set aside pursuant to Rule 60 of
42 the Justice Court Rules of Civil Procedure; or



1 (2) Sealing the eviction case court file is in the interests of
2 justice and those interests are not outweighed by the public's
3 interest in knowing about the contents of the eviction case court file,
4 after considering, without limitation, the following factors:

5 (I) Circumstances beyond the control of the tenant that
6 led to the eviction;

7 (II) Other extenuating circumstances under which the
8 order of eviction was granted; and

9 (III) The amount of time that has elapsed between the
10 granting of the order of eviction and the filing of the motion to seal
11 the eviction case court file. *For the purposes of this subparagraph,*
12 *if the filing of the motion to seal the eviction case court file occurs*
13 *more than 1 year after the date on which the eviction order is*
14 *entered, there is a presumption that sealing the eviction case court*
15 *file is in the interests of justice and those interests are not*
16 *outweighed by the public's interest in knowing about the contents*
17 *of the eviction case court file unless the presumption is rebutted by*
18 *clear and convincing evidence to the contrary.*

19 4. If the court orders the eviction case court file sealed pursuant
20 to this section, all proceedings recounted in the eviction case court
21 file shall be deemed never to have occurred.

22 5. Except as otherwise provided in this subsection, a notice to
23 surrender must not be made available for public inspection by any
24 person or governmental entity, including, without limitation, by a
25 sheriff or constable. This subsection does not:

26 (a) Apply to a notice to surrender which has been filed with a
27 court and which is part of an eviction case court file that has not
28 been sealed pursuant to this section.

29 (b) Prohibit the service of a notice to surrender pursuant to NRS
30 40.280, and such service of a notice to surrender shall be deemed
31 not to constitute making the notice to surrender available for public
32 inspection as described in this subsection.

33 6. As used in this section:

34 (a) "COVID-19 emergency" means the period of time:

35 (1) Beginning on March 12, 2020, the date on which the
36 Governor issued the Declaration of Emergency for COVID-19; and

37 (2) Ending on the date on which the Governor terminates the
38 emergency described in the Declaration [May 20, 2022].

39 (b) "Eviction case court file" means all records relating to an
40 action for summary eviction which are maintained by the court,
41 including, without limitation, the affidavit of complaint and any
42 other pleadings, proof of service, findings of the court, any order
43 made on motion as provided in Nevada Rules of Civil Procedure,
44 Justice Court Rules of Civil Procedure and local rules of practice



1 and all other papers, records, proceedings and evidence, including
2 exhibits and transcript of the testimony.

3 **Sec. 2.** The amendatory provisions of section 1 of this act
4 apply to any action for summary eviction filed before, on or after
5 July 1, 2025.

6 **Sec. 3.** This act becomes effective on July 1, 2025.

