

**PETITION FOR AUTHORITY
TO LIST AND SELL REAL
PROPERTY**

(Sale of Real Property Part A)

**GA-12
(Part A)**

Resource Center
1 South Sierra St., Third Floor
Reno, NV 89501
775-325-6731
www.washoecourts.com

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**Petition for Authority to List
and Sell Real Property**

(Sale of Real Property Part A)

PACKET GA-12 (Part A)

**USE THIS GUARDIANSHIP PETITION ONLY IF ALL
OF THE FOLLOWING STATEMENTS ARE TRUE:**

- You have been appointed as guardian of a protected person's Estate in Washoe County.
- You wish to sell some or all of the protected person's real property.
- You have had the real property appraised within the last year.

GENERAL INFORMATION FOR FILING DOCUMENTS

Electronic filing is **MANDATORY** for all cases. If you need help with electronic filing, contact the Resource Center or Law Library.

This packet does not include everything you will need to sell the real property of the protected person. There are two parts to selling real property in a guardianship case. This packet has all the forms needed to complete Part A.

The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00. N.R.S. §199.145.

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INSTRUCTIONS FOR COMPLETING FORMS

CAREFULLY READ ALL INSTRUCTIONS BEFORE STARTING TO FILL OUT ANY OF THE FORMS.

Use black or blue ink only. Neatly print the information requested.

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

1. Petition for Authority to List and Sell Real Property
2. Notice of Hearing
3. Certificate of Service
4. Notice of Sale
5. Certificate of Service
6. Proof of Publication (Sale of Real Property)
7. Certificate of Service

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INSTRUCTIONS: STEP 1

Complete the Petition as Shown:

You must attach a copy of the proposed listing as an Exhibit to this petition as shown in INSTRUCTIONS: STEP 2.

1) Print your name, address, telephone number, and email address.

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

3) Complete pages 1-5, following the instructions on each page.

COURT CODE: 3645
Your Name: _____
Address: _____
City, State, Zip _____
Telephone: _____
Email Address: _____
Self-Represented

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

In the Matter of the Guardianship of the:

Estate
 Person and Estate

CASE NO.: _____
DEPT: _____

of: _____
(name of person who has a guardian)
A Protected Person.

PETITION FOR AUTHORITY TO LIST AND SELL REAL PROPERTY

Guardian(s), *(first Guardian's name)* _____ and
(second Guardian's name or "n/a" if only one Guardian) _____,
respectfully represent the following to this Honorable Court:

- This Court previously appointed the Petitioner(s) as Guardian(s) of the above-named Protected Person's estate.
- The Guardian(s) wish to list and sell real property belonging to *(name of Protected Person)* _____, who is *(age)* _____ years of age and presently resides at *(protected person's address)* _____.
- Estate Value.** The Protected Person's estate consists of assets that are valued at *(total value of the estate assets)* \$ _____ according to the last (check one)
 Accounting Inventory.

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INSTRUCTIONS: STEP 2

If you have Exhibits, Complete the Index of Exhibits and the Exhibit Cover Page as Shown:

You will need to attach the proposed listing to your petition.

Write in the number of pages your listing is.

You do not need to write anything else on these pages, unless you are attaching additional exhibits.

INDEX OF EXHIBITS

Exhibit Number <u>1</u>	Number of Pages <u>2</u>
Exhibit Description <u>Proposed Listing</u>	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	

Exhibit Cover Page

EXHIBIT NUMBER 1

The documents should be in the following order:

- The Petition
- The Index of Exhibits
- The Exhibit Cover Page
- The Proposed Listing
- The Exhibit Cover Page
- The exhibit, and so on.

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INSTRUCTIONS: STEP 3

Electronically Filing the Documents

You will need to upload the original petition to eFlex. EFlex is available online at <https://wcefex.washoecourts.com/>, and in the Law Library and the Resource Center.

To do this, you will need to sign into eFlex using the account you have previously created, or if you are a new e-filer, create an eFlex account.

EFile the petition and any exhibits.

Make sure to keep the original copy of any documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available in the Law Library and the Resource Center.

There may be a filing fee charged when the documents are filed. Fee information is available at the Resource Center and online at: www.washoecourts.com.

FILING FEE WAIVERS

If you cannot afford the filing fee, you may apply to have your filing fee waived. To apply, you must fill out and file the **Application for Waiver of Fees and Costs packet**, which you can get at:

- Resource Center, 1 South Sierra Street, Reno, NV, Third Floor
- Law Library, 75 Court Street, Reno, NV, First Floor
- Online at: www.washoecourts.com (select the “Forms & Packets” tab on the top right hand side of the home screen)

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INSTRUCTIONS: STEP 4

Complete the Notice of Hearing as Shown:

You must contact the Court to set your petition for hearing. You may do this by: 1) emailing the Notice to adultguardianship@washocourts.us, or 2) calling the guardianship court clerk at 775-328-3135. If you have any questions about getting the Notice, call 775-328-3135.

1) Print your name, address, telephone number, and email.

COURT CODE: 2550
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

In the Matter of the Guardianship of the:

- Person
 Estate
 Person and Estate

CASE NO.: _____

DEPT: _____

of:

(name of adult who has a guardian)
A Protected Person.

3) Print your name and the second petitioner's name, if any.

NOTICE OF HEARING
PLEASE TAKE NOTICE that (petitioner's name) _____
and (second petitioner's name or "n/a") _____, filed in the

4) Leave this part blank. A court employee will fill this out.

above-entitled Court a Petition for Sell of Real Property; that a hearing on these matters has been set for the (court clerk will insert details) _____ day of _____, 20____, at _____ a.m. / p.m., at the Second Judicial District Court at 75 Court Street, Reno, Nevada 89501. **IMPORTANT NOTICE: due to the ongoing COVID-19 pandemic, this hearing will occur using Zoom. The Zoom link will be posted on <https://www.washocourts.com/OnlineHearings/GeneralJurisdiction> and may also be obtained by contacting AdultGuardianship@washocourts.us.**

5) Date, sign, and print your name.

Further details concerning these matters can be obtained by reviewing the documents on file at the office of the Clerk of Court. You may appear at the hearing date above.

This document does not contain the personal information of any person as defined by NRS 603A.040.

DATED (month) _____ (day) _____, 20____.

Submitted By: (your signature) _____

(print your name) _____

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INSTRUCTIONS: STEP 5

Serving the Documents

You must serve the following member of the protected person's family:

- Mother
- Father
- Children (over the age of 14)
- Grandparents
- Siblings (over the age of 14)
- Spouse
- Grandchildren (over the age of 14)

You will also need to serve:

- The Protected Person's attorney.
- The Director of the Department of Health and Human Service if the Protected Person has received or is receiving benefits from Medicaid.
- The Department of Veteran Affairs if the Protected Person is receiving benefits from the VA.
- Anyone else who is listed under NRS 159.034.

They must be served by regular mail, certified mail, registered mail, or personal service at least 10 days before the date set for the hearing. **PERSONAL SERVICE CANNOT BE COMPLETED BY YOU.**

If you serve by certified mail, keep the white slips and green cards to attach to your Certificate of Service (*see INSTRUCTIONS: STEP 6*).

If you serve by personal service, service may be completed by:

- The Civil Division of the Sheriff's Office in the County in which the person you are serving resides or works; or
- A responsible adult over the age of 18 years (such as a friend or relative); or
- A private process service.

The Declaration of Service must be completed by the person who served the documents. You can print the Declaration of Service online at www.washoecourts.com or purchase a copy at the Second Judicial District Court.

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INSTRUCTIONS: STEP 6

Complete the Certificate of Service for all Persons Served by Mail as Shown:

1) Print your name, address, telephone number, and email address.

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

3) Complete the information on pages 1-2, following the instructions on each page.

4) List the names and addresses of the people served by mail, if any, in these spaces. If more room is needed, attach additional sheets.

COURT CODE: 1360
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented _____

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

In the Matter of the Guardianship of the:
 Person
 Estate
 Person and Estate
of:

(name of person who has a guardian)
A Protected Person.

CASE NO.: _____
DEPT.: _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am over the age of 18 and I served the (check all that apply)

Petition
 Notice of Hearing
 Other: _____

in the following manner:

BY MAIL
I certify that I deposited copies the foregoing documents in the U.S. mail in (city) _____ Nevada, addressed to the persons listed below on (date) _____ by (check one) Regular, Certified or Registered, return receipt requested:

Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____

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Page 1 of 2 – Certificate of Service (Generic Guardianship)

Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____

ELECTRONIC
I served the following persons pursuant to the court's electronic service rules on (date) _____:

Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

This document does not contain the personal information of any person as defined by NRS 603A.040.

DATED (month) _____ (day) _____, 20 ____.

(Your Signature)

(Printed Name)

Page 2 of 2 – Certificate of Service (Generic Guardianship)

5) Date, sign, and print your name.

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INSTRUCTIONS: STEP 7

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wceflex.washoecourts.com/>, and in the Law Library and the Resource Center.

Sign into your eFlex account using the username and password you created and electronically file the:

- Certificate of Mailing

Make sure to keep the original copy of any documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available in the Law Library and the Resource Center.

Once the Certificate of Mailing has been filed, you will need to mail a file-stamped copy to all of the parties served who are not electronic filers.

INSTRUCTIONS: STEP 8

The Hearing

Your hearing will be virtual. The Court will send you log in instructions prior to the hearing. Log in approximately 15 minutes prior to your scheduled time for the hearing.

The Judge may have questions for you and the protected person. If the Petition is granted, the Judge will issue an Order.

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INSTRUCTIONS: STEP 9

Complete the Notice of Sale as Shown:

1) Print your name, address, telephone number, and email address.

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

3) Complete the information on pages 1-2, following the instructions on each page.

COURT CODE: 2581
Your Name: _____
Address: _____
City, State, Zip _____
Telephone: _____
Email Address: _____
Self-Represented _____

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

In the Matter of the Guardianship of the:

Estate
 Person and Estate

CASE NO.: _____
DEPT: _____

of:

(name of person who has a guardian)
A Protected Person.

NOTICE OF SALE

PLEASE TAKE NOTICE that (first Guardian's name) _____
and (second Guardian's name or "n/a" if none) _____, as
Guardian(s) of the above-named Protected Person, will sell the Protected Person's real property
at private sale to the highest and best bidder, within one year of the date stated in this Notice of
Sale.

The real property for sale is located at (street/city/state/zip)

The legal description of the property is as follows:

The Assessor's Parcel Number (APN) is: _____

Offers will be accepted starting at (time) _____ a.m. p.m. on (month)
_____ (day) _____ 20____.

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Page 1 of 2 – Notice of Sale

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INSTRUCTIONS: STEP 10

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wceflex.washoecourts.com/>, and in the Law Library and the Resource Center.

Sign into your eFlex account using the username and password you created and electronically file the:

- Notice of Sale

Make sure to keep the original copy of any documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available in the Law Library and the Resource Center.

Once the Notice of Sale is electronically filed, you will need to serve the Notice of Sale on all persons served prior.

Service can be made by regular mail, certified mail, registered mail, or personal service.

If you serve by certified mail, keep the white slips and green cards to attach to your Certificate of Service (*see INSTRUCTIONS: STEP 11*).

If you serve by personal service, service may be completed by:

- The Civil Division of the Sheriff's Office in the County in which the person you are serving resides or works;
- A responsible adult over the age of 18 years (such as a friend or relative); or
- A private process service.

The Declaration of Service must be completed by the person who served the documents. You can print the Declaration of Service online at www.washoecourts.com or purchase a copy at the Second Judicial District Court.

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INSTRUCTIONS: STEP 11

Complete the Certificate of Service for all Persons Served by Mail as Shown:

1) Print your name, address, telephone number, and email address.

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

3) Complete the information on pages 1-2, following the instructions on each page.

4) List the names and addresses of the people served by mail, if any, in these spaces. If more room is needed, attach additional sheets.

COURT CODE: 1360
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented _____

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

In the Matter of the Guardianship of the:
 Person
 Estate
 Person and Estate

CASE NO.: _____
DEPT.: _____

of:

(name of person who has a guardian)
A Protected Person

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am over the age of 18 and I served the (check all that apply)

Notice of Sale
 Other: _____

in the following manner:

BY MAIL
I certify that I deposited copies the foregoing documents in the U.S. mail in (city) _____ Nevada, addressed to the persons listed below on (date) _____ by (check one) Regular, Certified or Registered, return receipt requested:

Name: _____ Address: _____
Name: _____ Address: _____

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Page 1 of 2 – Certificate of Service (Generic Guardianship)

Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____

ELECTRONIC
I served the following persons pursuant to the court's electronic service rules on (date) _____:

Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

This document does not contain the personal information of any person as defined by NRS 603A.040.

DATED (month) _____ (day) _____, 20 ____.

(Your Signature)

(Printed Name)

Page 2 of 2 – Certificate of Service (Generic Guardianship)

5) Date, sign, and print your name.

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INSTRUCTIONS: STEP 12

Publishing the Notice of Sale

The Notice of Sale must be published. There are several ways to publish depending on the amount of the real property being sold. The court order will tell you how to publish the Notice of Sale. Make sure you follow that order.

INSTRUCTIONS: STEP 13

Complete the Proof of Publication (Sale of Real Property)

If you are required to publish in the newspaper, you must attach a copy of the published affidavit as an exhibit to this form as shown in INSTRUCTIONS: STEP 2.

1) Print your name, address, telephone number, and email address.

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

3) Complete the information on pages 1-2 following the instructions on each page.

COURT CODE: 3715 Your Name: _____ Address: _____ City, State, Zip _____ Telephone: _____ Email Address: _____ Self-Represented	
IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE	
In the Matter of the Guardianship of the: <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate of: _____	CASE NO.: _____ DEPT: _____
<i>(name of person who has a guardian)</i> A Protected Person.	
PROOF OF PUBLICATION (SALE OF REAL PROPERTY)	
I HEREBY CERTIFY that publication of the Notice of Sale was accomplished in the following way: (<input checked="" type="checkbox"/> check one)	
<input type="checkbox"/> In the <i>(name of newspaper)</i> _____ for no less than three times before the date on which the sale was made, over a period of 14 days and seven days apart as ordered by the court. The dates published were <i>(list the dates the Notice of Sale was published)</i> _____.	
<input type="checkbox"/> On a public property listing service for 30 days as ordered by the court. The name of the public property listing service is <i>(public property listing service's name)</i> _____. The postings were placed on <i>(date posted)</i> _____ and remained there until <i>(date removed)</i> _____.	
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INSTRUCTIONS: STEP 14

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wceflex.washoecourts.com/>, and in the Law Library and the Resource Center.

Sign into your eFlex account using the username and password you created and electronically file the:

- Proof of Publication

Make sure to keep the original copy of any documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available in the Law Library and the Resource Center.

Once the Notice of Sale is electronically filed, you will need to serve the Notice of Sale on all persons served prior.

Service can be made by regular mail, certified mail, registered mail, or personal service.

If you serve by certified mail, keep the white slips and green cards to attach to your Certificate of Service (*see INSTRUCTIONS: STEP 15*).

If you serve by personal service, service may be completed by:

- The Civil Division of the Sheriff's Office in the County in which the person you are serving resides or works;
- A responsible adult over the age of 18 years (such as a friend or relative); or
- A private process service.

The Declaration of Service must be completed by the person who served the documents. You can print the Declaration of Service online at www.washoecourts.com or purchase a copy at the Second Judicial District Court.

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INSTRUCTIONS: STEP 15

Complete the Certificate of Service for all Persons Served by Mail as Shown:

1) Print your name, address, telephone number, and email address.

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

3) Complete the information on pages 1-2, following the instructions on each page.

4) List the names and addresses of the people served by mail, if any, in these spaces. If more room is needed, attach additional sheets.

COURT CODE: 1360
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented _____

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

In the Matter of the Guardianship of the:
 Person
 Estate
 Person and Estate

CASE NO.: _____
DEPT.: _____

of: _____
(name of person who has a guardian)
A Protected Person

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am over the age of 18 and I served the (☑ check all that apply)

Proof of Publication
 Other: _____

in the following manner:

BY MAIL
I certify that I deposited copies the foregoing documents in the U.S. mail in (city) _____ Nevada, addressed to the persons listed below on (date) _____ by (☑ check one) Regular, Certified or Registered, return receipt requested:

Name: _____ Name: _____
Address: _____ Address: _____

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Page 1 of 2 - Certificate of Service (Generic Guardianship)

Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____

ELECTRONIC
I served the following persons pursuant to the court's electronic service rules on (date) _____:

Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

This document does not contain the personal information of any person as defined by NRS 603A.040.

DATED (month) _____ (day) _____, 20 ____.

(Your Signature)

(Printed Name)

Page 2 of 2 - Certificate of Service (Generic Guardianship)

5) Date, sign, and print your name.

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INSTRUCTIONS: STEP 16

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wceflex.washoecourts.com/>, and in the Law Library and the Resource Center.

Sign into your eFlex account using the username and password you created and electronically file the:

- Certificate of Mailing

Make sure to keep the original copy of any documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available in the Law Library and the Resource Center.

Once the Certificate of Mailing have been filed, you will need to mail a file-stamped copy to all of the parties served who are not electronic filers.

NOW WHAT HAPPENS?

You are now ready to find a potential buyer for the real property.

Make sure you follow all of the guidelines set forth in the order when finding a potential buyer.

Once a potential buyer is found, continue with GA-12 (Part B).

Legal Assistance Information

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY

Sign up on our website:

<https://www.washoecourts.com/LawLibrary/LawyerInLibrary>

For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501

775-284-3491 – leave a message, if
necessary

<https://nevadalegalservices.org>

NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1st Floor
Reno, NV 89501

775-321-2062 – leave a message, if
necessary

<https://nnlegalaid.org>