

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

(Sale of Real Property Part A)

**GA-12
(Part A)**

Self Help Center
1 South Sierra St., First 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 Filing Office, Self Help 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
of: _____
CASE NO.: _____
DEPT: _____

(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:

1. This Court previously appointed the Petitioner(s) as Guardian(s) of the above-named Protected Person's estate.
2. 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) _____.
3. **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

SAMPLE

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 at the Second Judicial District Court.

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 at the Second Judicial District Court.

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

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INSTRUCTIONS: STEP 4

Complete the Notice of Hearing as Shown:

Take this notice to the third floor window at 1 South Sierra Street, Reno, Nevada, 89501, to get a hearing date set for this petition.

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 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 courthouse of the Second Judicial District Court, located at 1 South Sierra Street, Reno, Nevada 89501, -or- 75 Court Street, Reno, Nevada 89501 in the department _____ courtroom.

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

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____.

5) Date, sign, and print your name.

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://wcefex.washoecourts.com/>, and at the Second Judicial District Court.

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 at the Second Judicial District Court.

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

Arrive approximately 15 minutes prior to your scheduled time for the hearing. Go to the location listed on the Notice of Hearing.

Bring copies of your documents to the hearing.

When your case is called, enter the courtroom and follow the directions given by the bailiff on where to sit.

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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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 at the Second Judicial District Court.

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 at the Second Judicial District Court.

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:

- You;
- 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
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

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: _____

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:

Estate
 Person and Estate

CASE NO.: _____
DEPT: _____

of: _____
(name of person who has a guardian)
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: (check one)

In the *(name of newspaper)* _____
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 *(list the dates the Notice of Sale was published)* _____.

On a public property listing service for 30 days as ordered by the court. The name of the public property listing service is *(public property listing service's name)* _____. The postings were placed on *(date posted)* _____ and remained there until *(date removed)* _____.

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Page 1 of 2 – Proof of Publication (Guardianship Sale of Real Property)

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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://wcefex.washoecourts.com/>, and at the Second Judicial District Court.

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 at the Second Judicial District Court.

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:

- You;
- 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 of 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: _____ Name: _____
Email Address: _____ Email Address: _____
Name: _____ Name: _____
Email Address: _____ Email Address: _____
Name: _____ Name: _____
Email Address: _____ Email Address: _____
Name: _____ Name: _____
Email Address: _____ 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://wcefex.washoecourts.com/>, and at the Second Judicial District Court.

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 at the Second Judicial District Court.

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).