

4-902. Seven (7)-day notice of noncompliance with rental agreement (other than failure to pay rent) (Uniform Owner-Resident Relations Act).

[Sections 47-8-27.1, 47-8-33, 47-8-37 NMSA 1978]

**SEVEN (7)-DAY NOTICE OF NONCOMPLIANCE
WITH RENTAL AGREEMENT
(OTHER THAN FAILURE TO PAY RENT)¹
(Uniform Owner-Resident Relations Act)**

To: _____

Address: _____
_____, New Mexico _____

You are notified that you are not in compliance with the rental agreement or separate agreement about the premises at:²

_____, New Mexico _____

in that on or about _____, _____ (date), the following noncompliance occurred:

(describe the noncompliance specifically and in detail. Attach additional pages if necessary.)

You cannot be evicted from your home without a court order. This notice does not mean that you must leave your home without the opportunity to first go to court to challenge the termination of the rental agreement.

[] **First notice.** If you, the tenant, correct the noncompliance within seven (7) days from the date of delivery of this notice, the rental agreement will continue and you will be permitted to stay. If you do not correct the noncompliance within seven (7) days from the date of delivery, the owner may terminate the rental agreement and file in court to evict you.

If the owner files in court to evict you, you, the tenant, have the right to challenge the termination of the rental agreement by going to the court hearing to respond and tell your side of the story. If you do not go to the court hearing, the court may enter a judgment against you and issue a court order evicting you from your home.

Even if you correct the noncompliance, if a second material noncompliance with the rental agreement occurs within six (6) months of the first noncompliance, the owner may terminate the rental agreement and file in court to evict you.

[] **Second notice.** You were given previous notice of noncompliance on _____ (date). Therefore, you have been in material noncompliance twice or more within a six (6)-month period. As a result, the owner/agent may terminate

the rental agreement in seven (7) days from the date of delivery of this notice. If you do not voluntarily leave the premises by _____ (*insert date*), the owner may file in court to evict you, and you may receive a summons to appear in court.

You have the right to challenge the termination of the rental agreement. If you want to challenge the termination of the rental agreement, you must go to the court hearing to respond to the owner's claims and tell your side of the story. If you do not go to the court hearing, the court may enter a judgment against you and issue a court order evicting you from the premises.

Dated this _____ day of _____, _____.

(Owner) (Agent) (Resident)

Service of notice

- personally delivered to resident
- posted
- mailed certified mail, return receipt requested

Delivered Posted:

Time: _____

Date: _____

By:³ _____

Mailed:

Time: _____

Date: _____

By:³ _____

USE NOTES

1. The party giving notice should retain two (2) copies for possible court action. If this form is used by the resident some modifications will be necessary.

2. If leased premises is an apartment, include the name of the apartments and the apartment number. This form may also be used for a mobile home park with less than twelve (12) units. See NMSA 1978, § 47-10-2(C) (1997).

3. Include the name of the person delivering, posting, or mailing the notice.

[As amended, effective September 2, 1997; April 6, 1998; as amended by Supreme Court Order No. 20-8300-018, effective December 31, 2020.]