

13-1820. Mitigation of damages to property.

In fixing the amount of money which will reasonably and fairly compensate the plaintiff, you are to consider that a person who is damaged must exercise ordinary care to minimize existing damages and to prevent further damages. Plaintiff may not recover for losses which could have been prevented by reasonable efforts on [his] [her] part.

USE NOTES

This instruction is to be used with the applicable instruction on damage to property and is to be inserted following the first paragraph of UJI 13-1802 NMRA.

This mitigation of damages instruction can apply both to personal property and real property situations.

[As amended, effective November 1, 1991.]