

1 ~~[4-228. Defendant's motion for Homeowner Assistance Fund stay.~~

2
3 STATE OF NEW MEXICO
4 COUNTY OF _____
5 _____ JUDICIAL DISTRICT COURT

6
7 _____,
8
9 _____ Plaintiff,

10
11 v. _____ No. _____

12
13 _____,
14
15 _____ Defendant.

16
17
18 **DEFENDANT'S MOTION FOR HOMEOWNER ASSISTANCE FUND STAY¹**

19
20 I request that the Court enter an order staying the litigation in this case for ninety (90) days
21 so that I may seek financial assistance from the New Mexico Homeowner Assistance Fund (HAF)
22 program. I state upon my oath or affirmation that all of the following statements are true:

23
24 The address of the property involved in this foreclosure case is (street address, city, state,
25 zip code): _____.

26
27 I hereby provide the Court with the following information about me, the home in
28 foreclosure, and the loan (*check all that apply*):

29
30 I am a borrower on the loan on the property involved in this case.

31
32 I own and live in the property involved in this foreclosure case and it is my main
33 home.

34
35 The property involved in this foreclosure case is a single family home or has one
36 (1) to four (4) residential units.

37
38 I applied or intend to apply to the HAF program to pay past due mortgage loan
39 payments.

40
41 I experienced financial hardship after January 21, 2020, associated with the
42 COVID-19 pandemic.

43
44 I believe I meet the income eligibility criteria for the HAF program.
45

1 ~~_____ [] I believe my loan meets the loan-eligibility criteria for the HAF program.~~

2
3 ~~[] I agree to notify the Court, Plaintiff's attorney, and any other named parties in this~~
4 ~~case of the results of my HAF application within seventy-two (72) hours of my~~
5 ~~receipt of the results. My notification will disclose whether my HAF application~~
6 ~~was approved or denied.~~

7
8 ~~[] I understand that stay of the foreclosure litigation does not prevent a referral to or~~
9 ~~participation in any court-ordered mediation or settlement facilitation.~~

10
11
12 _____
13 _____ Signature

14
15 _____
16 _____ Printed Name

17
18 _____
19 _____ Street Address

20
21 _____
22 _____ City/State/Zip Code

23
24 _____
25 _____ Phone

26
27 **CERTIFICATE OF SERVICE**

28
29 ~~_____ I certify that I mailed a copy of this pleading to Plaintiff's counsel on the _____ day of~~
30 ~~_____, 20____.~~

31
32
33 _____
34 ~~Signature~~

35
36 _____
37 ~~Printed Name~~

38
39 **USE NOTES**

40
41
42 ~~1. This form shall expire and be withdrawn on September 30, 2025, or upon~~
43 ~~notification to the Supreme Court of exhaustion of the New Mexico Homeowner Assistance Fund~~
44 ~~(HAF) program funds, whichever is earlier.]~~

45

CIVIL FORMS
4-228
[WITHDRAWN]

Supreme Court Approved
November 1, 2024

- 1 [Adopted by Supreme Court Order No. 22-8300-010, effective for all cases pending or filed on or
- 2 after May 23, 2022; withdrawn by Supreme Court Order No. S-1-RCR-2024-00080, effective for
- 3 all cases pending or filed on or after December 31, 2024.]