

1 **1-003.3. Commencement of residential foreclosure action; certification of pre-filing notice**  
2 **required; definition.**

3 **A. Commencement of action.** A certification of pre-filing notice, substantially in the  
4 form approved by the Supreme Court as Form 4-227 NMRA, shall be submitted with any  
5 complaint initiating a residential foreclosure action. Notwithstanding the provisions of Rule 1-  
6 005(F) NMRA, the clerk shall not accept for filing any residential foreclosure complaint that is  
7 not submitted with the certification form required under this rule. This rule does not apply to lien  
8 foreclosures.

9 **B. Definition.** As used in this rule, “residential” means a property designed principally  
10 for occupancy by one to four families and that is occupied by the defendant as the defendant’s  
11 principal residence.

12 [Approved by Supreme Court Order No. 21-8300-004, effective for all cases pending or filed on  
13 or after September 7, 2021; as amended by Supreme Court Order No. S-1-RCR-2025-00166,  
14 effective for all cases pending or filed on or after December 31, 2025.]