

1 **13-716. [~~Landowner's~~] Landowner's or [~~tenant's~~] tenant's value testimony.**

2 An [owner] [tenant] may testify to the [fair market value] [fair rental value] of [~~his~~]~~her~~
3 [~~its~~] the property, and that testimony may be considered by you the same as that of any other
4 witness expressing an opinion as to the [fair market value] [fair rental value] of the property.

5 USE NOTES

6 The landowner or the tenant has the right to express an opinion as to the fair market value
7 of the property. Selection of the bracketed material will depend upon whether it is the landowner
8 or the tenant testifying. When either testifies, the instruction is appropriate.

9 [As amended, effective November 1, 1991; as amended by Supreme Court Order No. S-1-RCR-
10 2025-00126, effective for all cases pending or filed on or after December 31, 2025.]

11 **Committee commentary.** — *See City of Albuquerque v. Ackerman*, 1971-NMSC-032, 82 N.M.
12 360, 482 P.2d 63 [~~(1971)~~, ~~and~~]; *State ex rel. State Hwy. [Comm'n] Comm'n v. Chavez*, 1969-
13 NMSC-072, 80 N.M. 394, 456 P.2d 868 [~~(1969)~~. *See also*]; *see also* 20 Am. Jur. Evidence § 892,
14 p. 751.

15 [As amended by Supreme Court Order No. S-1-RCR-2025-00126.]

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