

1 **4-901A. Three (3)-day notice of substantial violation of rental agreement (*Uniform Owner-***  
2 ***Resident Relations Act*).**

3  
4 [Section 47-8-33 NMSA 1978]

5  
6 **THREE (3)-DAY NOTICE OF SUBSTANTIAL VIOLATION**  
7 **OF RENTAL AGREEMENT**  
8 **(*Uniform Owner-Resident Relations Act*)**  
9

To: \_\_\_\_\_  
and all other occupants  
Address: \_\_\_\_\_ Unit: \_\_\_\_\_  
\_\_\_\_\_, New Mexico \_\_\_\_\_

10  
11 You are notified that you, or someone with your consent, has substantially violated the  
12 rental agreement or separate agreement [~~concerning~~] about the premises [~~at~~] at:<sup>1</sup>  
13 \_\_\_\_\_  
14 \_\_\_\_\_, New Mexico \_\_\_\_\_  
15 in that on or about \_\_\_\_\_, \_\_\_\_\_ (*date*), you, or someone with your consent, did  
16 the following:

17 \_\_\_\_\_  
18 \_\_\_\_\_  
19  
20 This conduct occurred on or within [~~300~~] three hundred (300) feet of the premises and  
21 includes (*check all that apply*):

- 22  
23  possession, use, sale, distribution, or manufacture of a controlled substance, other than  
24 misdemeanor possession and use;  
25  
26  unlawful use of a deadly weapon;  
27  
28  unlawful action causing serious physical harm to another person;  
29  
30  sexual assault or sexual molestation of another person;  
31  
32  entry into the dwelling unit or vehicle of another person without that person's permission  
33 and with intent to commit theft or assault;  
34  
35  theft or attempted theft of the property of another person by use or threatened use of force;  
36 or  
37  
38  intentional or reckless damage to property in excess of one thousand dollars (\$1,000.00).  
39

40 As a result of this conduct, the owner of the premises may terminate the rental agreement  
41 [~~shall terminate~~] three (3) days from the date of service set out below. [~~You must vacate the~~

1 ~~premises no later than \_\_\_\_\_ (date). Failure to vacate by this date will result in a legal~~  
2 ~~action against you.]~~

3  
4 You cannot be evicted from your home without a court order. This notice does not mean  
5 that you must leave your home without the opportunity to first go to court to challenge the owner’s  
6 termination of the rental agreement.

7  
8 The owner may file in court to evict you for a substantial violation of the rental agreement.  
9 You have the right to challenge the termination of the rental agreement by going to the court  
10 hearing to respond to the owner’s claims and tell your side of the story. If you do not go to the  
11 court hearing, the court may enter a judgment against you and issue a court order evicting you  
12 from your home.

13  
14 Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

15  
\_\_\_\_\_  
(Owner) (Agent)

16  
17 Service of [~~notice<sup>2</sup>:~~] notice<sup>2</sup>:

- 18  personally delivered to resident  
19  posted and mailed certified mail, return receipt requested  
20  mailed by certified mail, return receipt requested

21  
 Delivered  posted:  Mailed:  
Time: \_\_\_\_\_ Time: \_\_\_\_\_  
Date: \_\_\_\_\_ Date: \_\_\_\_\_  
[~~By<sup>3</sup>:~~] By<sup>3</sup>: \_\_\_\_\_ [~~By<sup>3</sup>:~~] By<sup>3</sup>: \_\_\_\_\_

22  
23 **USE NOTES**

24  
25 1. If the leased premises is an apartment, include the name of the apartments and the  
26 apartment number. This form may also be used for a mobile home park with less than [~~12~~] twelve  
27 (12) units. See [Subsection C of Section 47-10-2 NMSA 1978] NMSA 1978, § 47-10-2(C) (1997).

28  
29 2. If this notice is personally delivered to the resident, mailing or posting is not  
30 required. If posted, mailing by certified mail is also required by this form. A posted notice must  
31 be affixed to a door by taping all sides or placing it in a fixture or receptacle designed for  
32 notices. See [Paragraph D of Section 47-8-13 NMSA 1978] NMSA 1978, § 47-8-13(D) (1995).

33  
34 The party giving notice should retain two (2) copies for possible court action.

35  
36 3. Set forth the name of the person delivering, posting, or mailing the notice.

37  
38 [Adopted, effective September 2, 1997; as amended, effective October 15, 1999; as amended by  
39 Supreme Court Order No. 20-8300-018, effective December 31, 2020.]