

1 **4-902. Seven (7)-day notice of noncompliance with rental agreement (other than failure to**
2 **pay rent) (*Uniform Owner-Resident Relations Act*).**

3
4 [Sections 47-8-27.1, 47-8-33, 47-8-37 NMSA 1978]

5 **SEVEN (7)-DAY NOTICE OF NONCOMPLIANCE**
6 **WITH RENTAL AGREEMENT**
7 **(OTHER THAN FAILURE TO PAY RENT)¹**
8 **(*Uniform Owner-Resident Relations Act*)**
9

To: _____
Address: _____
_____, New Mexico _____

10
11 You are notified that you are not in compliance with the rental agreement or separate
12 agreement [~~concerning~~] about the premises [~~at~~]:² at:²

13 _____
14 _____
15 _____, New Mexico _____

16 in that on or about _____, _____ (*date*), the following noncompliance
17 occurred:

18 _____
19 _____
20 _____

21 (*describe the noncompliance specifically and in detail. Attach additional pages if necessary.*)

22
23 You cannot be evicted from your home without a court order. This notice does not mean
24 that you must leave your home without the opportunity to first go to court to challenge the
25 termination of the rental agreement.

26
27 [] **First notice.** If [~~this~~] you, the tenant, correct the noncompliance [~~is not corrected~~] within
28 seven (7) days from the date of delivery [~~set out below~~] of this notice, the rental agreement will
29 continue and you will be permitted to stay. If you do not correct the noncompliance within seven
30 (7) days from the date of delivery, the owner may terminate the rental agreement and file in court
31 to evict you [~~shall be terminated and you shall be required to vacate the premises. Regardless of~~
32 whether this noncompliance is corrected, if a second material noncompliance with the rental
33 agreement or any separate agreement occurs within six (6) months of this initial noncompliance,
34 the rental agreement will be terminated].

35
36 If the owner files in court to evict you, you, the tenant, have the right to challenge the
37 termination of the rental agreement by going to the court hearing to respond and tell your side of
38 the story. If you do not go to the court hearing, the court may enter a judgment against you and
39 issue a court order evicting you from your home.
40

1 Even if you correct the noncompliance, if a second material noncompliance with the rental
2 agreement occurs within six (6) months of the first noncompliance, the owner may terminate the
3 rental agreement and file in court to evict you.

4
5 **Second notice.** You were given previous notice of noncompliance on
6 _____ (date). Therefore, you have been in material noncompliance twice or more
7 within a ~~six-month~~ six (6)-month period. As a result, the owner/agent may terminate the rental
8 agreement ~~shall terminate~~ in seven (7) days from the date of delivery ~~set out below~~ of this
9 notice. ~~You must vacate~~ If you do not voluntarily leave the premises ~~no later than~~ by
10 _____ (insert date), the owner may file in court to evict you, and you may receive
11 a summons to appear in court. ~~Failure to vacate by this date will result in a legal action against~~
12 ~~you~~.

13
14 You have the right to challenge the termination of the rental agreement. If you want to
15 challenge the termination of the rental agreement, you must go to the court hearing to respond to
16 the owner's claims and tell your side of the story. If you do not go to the court hearing, the court
17 may enter a judgment against you and issue a court order evicting you from the premises.

18 Dated this _____ day of _____, _____.

19
20

(Owner) (Agent) (Resident)

21
22
23 Service of notice

24 personally delivered to resident

25 posted

26 mailed certified mail, return receipt requested

27 Delivered posted:

Time: _____

Date: _____

~~By:~~ By:³ _____

Mailed:

Time: _____

Date: _____

~~By:~~ By:³ _____

28
29 **USE NOTES**

30
31 1. The party giving notice should retain two (2) copies for possible court action. If this
32 form is used by the resident some modifications will be necessary.

33
34 2. If leased premises is an apartment, include the name of the apartments and the
35 apartment number. This form may also be used for a mobile home park with less than ~~[12]~~ twelve
36 (12) units. ~~See Subsection C of Section 47-10-2 NMSA 1978~~ NMSA 1978, § 47-10-2(C) (1997).

37
38 3. Include the name of the person delivering, posting, or mailing the notice.
39

1 [As amended, effective September 2, 1997; April 6, 1998; as amended by Supreme Court Order
2 No. 20-8300-018, effective December 31, 2020.]