

1 **4-712. Plaintiff's certification of absence of [~~loan modification and~~] loss mitigation**
2 **negotiations in foreclosure actions.**

3
4 [For use with District Court Rule 1-054.2 NMRA]

5
6 STATE OF NEW MEXICO
7 COUNTY OF _____
8 _____ JUDICIAL DISTRICT COURT

9
10 _____,

11
12 Plaintiff,

13
14 v.

No. _____

15
16 _____,

17
18 Defendant.

19
20
21 **PLAINTIFF'S CERTIFICATION OF THE ABSENCE OF [~~LOAN~~**
22 **MODIFICATION AND/OR] LOSS MITIGATION NEGOTIATIONS**

23
24 I, _____, duly authorized agent for Plaintiff, certify [~~that~~
25 ~~on _____ Plaintiff provided pre-filing notice to Defendant of the following]~~ the following
26 statements are true and correct as of _____ (date):

27
28 [~~1. — Neither Plaintiff nor any affiliate or agent of Plaintiff is currently engaged in any~~
29 ~~loan modification negotiations with Defendant or Defendant's agents.]~~

30
31 [~~2. — Neither Plaintiff nor any affiliate or agent of Plaintiff is currently engaged in any~~
32 ~~loss mitigation negotiations with Defendant or Defendant's their agents.]~~

33
34 [~~3.]~~ 1. Plaintiff or [~~its~~] Plaintiff's affiliate or agent has solicited and attempted to engage
35 Defendant homeowner in loss mitigation negotiations. [~~loan modification negotiations pre-~~
36 ~~foreclosure.]~~

37
38 2. Neither Plaintiff nor Plaintiff's affiliate or agent is currently engaged in any loss
39 mitigation negotiations with Defendant or Defendant's agents.

40
41 [~~Plaintiff or its affiliate or agent has solicited and attempted to engage Defendant homeowner in~~
42 ~~loss mitigation negotiations pre-foreclosure.]~~

43
44 _____
45 Company Name
46 _____

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Signature

Printed Name

Title

Address

[Adopted by Supreme Court Order No. 21-8300-004, effective for all cases pending or filed on or after September 7, 2021; as amended by Supreme Court Order No. 22-8300-010, effective for all cases pending or filed on or after May 23, 2022.]