



APARTMENT ASSOCIATION  
OF NEW MEXICO

# TEN-DAY NOTICE OF SUBSTANTIAL VIOLATION OF RENTAL AGREEMENT

(Uniform Owner- Resident Relations Act)

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

You are notified that you, or someone with your consent, has substantially violated the rental agreement or separate agreement about the premises at:<sup>1</sup>

\_\_\_\_\_  
\_\_\_\_\_, New Mexico \_\_\_\_\_  
Unit: \_\_\_\_\_

in that on or about \_\_\_\_\_, \_\_\_\_\_, (date) you, or someone with your consent did the following:

\_\_\_\_\_  
\_\_\_\_\_

(Describe the violation specifically and in detail. Attach additional page(s) if necessary)

This conduct occurred on or within 300 feet of the premises and includes (check all that apply):

- possession, use, sale, distribution or manufacture of a controlled substance, other than misdemeanor possession and use;
- unlawful use of a deadly weapon;
- unlawful action causing serious physical harm to another person;
- sexual assault or sexual molestation of another person;
- entry into the dwelling unit or vehicle of another person without that person's permission and with intent to commit theft or assault;
- theft or attempted theft of the property of another person by use or threatened use of force; or intentional or reckless damage to property in excess of one thousand dollars (\$1,000).

As a result of this conduct, the owner of the premises may terminate the rental agreement three (3) days from the date of service set out below. You cannot be evicted from your home without a court order. This notice does not mean that you must leave your home without the opportunity to first go to court to challenge the owner's termination of the rental agreement.

The owner may file in court to evict you for a substantial violation of the rental agreement. You have the right to challenge the termination of the rental agreement by going to the court hearing to respond to the owner's claims and tell your side of the story. If you do not go to the court hearing, the court may enter a judgment against you and issue a court order evicting you from your home at which time you may present a defense. You have 10 days within which to discuss termination of tenancy with the owner/agent. Persons with disabilities have the right to request reasonable accommodations to participate in the hearing process.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

By: \_\_\_\_\_

Owner  Agent

Service of Notice:  Personally delivered to Resident and Mailed  Posted and Mailed

Delivered and Posted:

Mailed:  First Class Mail

Time: \_\_\_\_\_

Mailed From: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

(person delivering or posting notice)

(person mailing notice)

**INSTRUCTIONS TO PARTY GIVING NOTICE:** 1. If the leased premises is an apartment, include the name of the apartments and the apartment number. This form may also be used for a mobile home park with less than twelve (12) units. See NMSA 1978, § 47-10-2(C) (1997). 2. The notice must be served by: Sending a letter by first class mail, properly stamped and addressed and including a return address, to the tenant at the unit address; AND Delivering a copy of the notice to any adult person answering the door at the unit. If no adult answers the door, the person serving the notice may place it under or through the door or affix it to the door. A posted notice must be affixed to a door by taping all sides or placing it in a fixture or receptacle designed for notices NMSA 1978, § 47-8-13(D) (1995). The party giving notice should retain two (2) copies for possible court action. 3. Set forth the name of the person delivering, posting, or mailing the notice.

**SERVICE INSTRUCTIONS:** Mailing is not required if personal delivery is accomplished or if notice is posted. If mailed, posting is not required, but recommended in addition to mailing. A posted notice must be affixed to a door by taping all sides or placed in a fixture or receptacle designed for notices. The location of the mailbox from which notice is mailed is also recommended information.

**504 STATEMENT:** This apartment community does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988).

504 Coordinator Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone-Voice: \_\_\_\_\_ Telephone-TTY: \_\_\_\_\_