



SEVEN (7)-DAY NOTICE OF NONCOMPLIANCE WITH RENTAL AGREEMENT

(OTHER THAN FAILURE TO PAY RENT)¹ (Uniform Owner-Resident Relations Act) [Sections 47-8-27.1, 47-8-33, 47-8-37 NMSA 1978]

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:²

_____, New Mexico _____

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

(Describe the noncompliance specifically and in detail. Attach additional pages if necessary.)

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 termination of a rental agreement.

Check only one box below:

First notice. If you, the tenant, correct the noncompliance within seven (7) days from the date of delivery of this notice, the rental agreement will continue, and you will be permitted to stay. If you do not correct the noncompliance within seven (7) days from the date of delivery, the owner may terminate the rental agreement and file in court to evict you.

If the owner files in court to evict you, you, the tenant, have the right to challenge the termination of the rental agreement by going to the court hearing to respond 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.

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

Second notice. You were given previous notice of noncompliance on _____ (date). Therefore, you have been in material noncompliance twice or more with a six (6)-month period. As a result, the owner/agent may terminate the rental agreement in seven (7) days from the date of delivery of this notice. If you do not voluntarily leave the premises by _____ (Insert date), the owner may file in court to evict you, and you may receive a summons to appear in court.

You have the right to challenge the termination of rental agreement. If you want to challenge the termination of the rental agreement, you must go 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 the premises.

Dated this _____ day of _____, _____

By: _____
(Owner)/(Agent)/(Resident)

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

Mailed Delivered or Posted:

Mailed: First Class Mail Certified Mail

Time: _____

Mailed From: _____

Date: _____

Date: _____

By: _____

By: _____

(Person delivering or posting notice)

(Person mailing 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.

INSTRUCTIONS TO PARTY GIVING NOTICE: 1. The party giving notice should retain two (2) copies for possible court action. If this form is used by the resident some modifications will be necessary. 2. If 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).

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: _____