

RESOURCE GUIDE – LANDLORD-TENANT LAW

New Mexico’s laws regarding landlords and tenants, or owner-resident relations, can be found in the Uniform Owner-Resident Relations Act (UORRA) in [Chapter 47, Article 8](#) of the New Mexico Statutes Annotated (NMSA). The Act is meant to encourage owners and residents “to maintain and improve the quality of housing in New Mexico.” NMSA 1978, [§ 47-8-2](#). While the New Mexico Legislature has set statewide standards for owner-resident relations, local ordinances may add extra requirements.

Owner and Resident Obligations

Under the Act, both owners and residents have many legal obligations. Among other things, owners have to keep common areas safe and maintain basic utilities. NMSA 1978, [§ 47-8-20](#). Residents, for example, cannot damage or destroy any part of the rental property. NMSA 1978, [§ 47-8-22](#).

Eviction

Generally, owners have to tell residents in advance and in writing that they are terminating a lease because of unpaid rent. NMSA 1978, [§ 47-8-33\(D\)](#). Within three days of doing so, owners can terminate the lease and residents have to leave the rental property immediately. *Id.* Owners who want to terminate a week-to-week or month-to-month lease for whatever reason still have to tell residents in advance and in writing that they are terminating the lease. NMSA 1978, [§ 47-8-37\(A\)-\(B\)](#).

Owners and residents can find court forms through the [Forms & Files Library](#) on the New Mexico Courts website and the [New Mexico Forms Library](#) on NMOneSource. For convenience, links to court forms on this topic are provided below.

[4-901](#). Three-day notice of nonpayment of rent

[4-901A](#). Three-day notice of substantial violation of rental agreement

[4-902](#). Seven-day notice of noncompliance with rental agreement (other than failure to pay rent)

[4-902A](#). Resident's seven-day notice of abatement or termination of rental agreement
[4-903](#). Thirty-day notice to terminate rental agreement
[4-904](#). Petition by owner for restitution
[4-904A](#). Post-judgment application for writ of restitution and request for hearing
[4-904B](#). Petition by owner for restitution
[4-905](#). Summons and notice of trial on petition for writ of restitution
[4-905A](#). Summons and notice of hearing on post-judgment application for writ of restitution
[4-905B](#). Summons and notice of hearing on petition for restitution or petition for termination of tenancy and judgment of possession
[4-906](#). Petition by resident for relief
[4-906A](#). Complaint by resident for return of deposit
[4-907](#). Answer to petition for restitution
[4-908A](#). Order of referral to facilitation
[4-908B](#). Stipulation of dismissal with prejudice after facilitated settlement agreement
[4-908C](#). Notice of payment
[4-908D](#). Order of dismissal with prejudice
[4-909](#). Judgment for restitution
[4-909A](#). Judgment for restitution
[4-913](#). Writ of restitution (Restitution to owner)
[4-913A](#). Order setting escrow deposit/appeal bond
[4-914](#). Writ of restitution (Restitution to resident)
[4-915](#). Petition for post-judgment writ of replevin
[4-916](#). Post-judgment writ of replevin

Resources

New Mexico Legal Aid has published a [Renter's Guide](#) that summarizes state laws regarding owner-resident relations. The New Mexico Landlord Tenant Hotline, a self-help resource, can be reached at 505-930-5666.

The New Mexico Supreme Court Law Library has numerous books on landlord and tenant law, including:

1. *American Law of Landlord and Tenant* by Robert S. Schoshinski;
2. *Every Landlord's Legal Guide* by Ann O'Connell & Janet Portman;
3. *Every Tenant's Legal Guide* by Ann O'Connell & Janet Portman; and
4. *Landlord and Tenant Law in a Nutshell* by David S. Hill and Carol Necole Brown.