

**SEVEN-DAY NOTICE OF MATERIAL NONCOMPLIANCE
BY OWNER WITH RENTAL AGREEMENT OR
WITH THE UNIFORM OWNER-RESIDENT RELATIONS ACT**

[47-8-1 to 47-8-51 NMSA 1978]

To: _____

Address: _____

_____, New Mexico _____

You are notified that you are in noncompliance with the rental agreement or Subsection A of 47-8-20 NMSA 1978

materially affecting health and Safety, other than a failure or defect in an amenity, concerning the premises at: _____

_____ Unit: _____

_____, New Mexico _____

in that the following are in need of repair: _____

(Describe specifically and in detail the items in need of repair. Attach additional pages if necessary)

Check only one box below:

TERMINATION. If a reasonable attempt to remedy the above listed items is not made within seven (7) days from the date of delivery set out below, the rental agreement shall be terminated as provided by 47-8-27.1 NMSA 1978 . After resident terminates the rental agreement and restores possession to the owner, the owner shall return the balance, if any, of prepaid rent and deposit to which the resident is entitled pursuant to the rental agreement or Section 47-8-18 NMSA 1978. Additionally, the resident may be entitled to recover damages and obtain injunctive relief for any material non-compliance by the owner with the rental agreement or the provisions of 47-8-20 NMSA 1978.

ABATEMENT. If a reasonable attempt to remedy the above listed items is not made within seven (7) days from the date of delivery set out below, the resident will be entitled to abate rent at the rate of one-third (1/3) the pro-rata daily rent from the date the resident notified the owner of the conditions needing repair, through the day the conditions are remedied if the dwelling is habitable or one-hundred percent (100%) of the rent for each day if the dwelling is uninhabitable, provided that the resident does not inhabit the dwelling, as provided by 47-8-27.2 NMSA 1978. Additionally, for each subsequent rental period that the conditions continue to exist, the resident may either continue the abatement or may terminate the rental agreement and vacate the premises as provided by Subsection B of 47-8-27.2. NMSA 1978 and may be entitled to recover damages.

Dated this _____ day of _____, 20____ By: _____

Resident

Service of Notice: Personally delivered to Owner

Posted **and** Mailed

Mailed

Delivered or Posted:

Mailed: First Class mail Certified mail

Time: _____

Mailed from: _____

Date: _____, _____

Date: _____, _____

By: _____

(person delivering or posting notice)

By:

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(person mailing notice)

SERVICE INSTRUCTIONS: If personal delivery is not accomplished you must mail this notice to the owner. 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. Posting alone does not constitute proper service. The location of the mail box from which notice is mailed is also recommended information.

INSTRUCTIONS TO PARTY GIVING NOTICE: 1. Include the names of all owners who signed the rental agreement. 2. The party giving notice should retain two (2) copies for possible court action. 3. If the premises is an apartment, include the name of the apartments and the apartment number.