

AT RISK OF EVICTION?

WHAT DO YOU NEED TO KNOW OR DO?

DOES THE MORATORIUM ON EVICTIONS APPLY?

THERE IS A MORATORIUM FOR TENANTS WHO **ARE UNABLE TO PAY THEIR RENT**. There is a NM moratorium and a federal CDC moratorium. Until the NM Supreme Court rules otherwise, **the protections of the NM Moratorium or the CDC Moratorium may apply to you, depending on your particular circumstances**, to protect you from being evicted for non-payment of rent.

IN ORDER TO BEST PROTECT YOURSELF:

- If you meet all the requirements of the CDC moratorium, complete the Declaration Under penalty

of perjury and give it to your landlord. Keep a copy. Each adult on the lease must complete the form. See below for more information on how to get the CDC Declaration form.

- If your landlord files in court for eviction, **YOU MUST GO TO THE COURT HEARING TO EXPLAIN** that you are currently unable to pay rent.

You will still owe the rent for all months when the moratorium ends. Try negotiating a written agreement with the landlord to repay the rent over time so you can stay in your home when the moratorium is over.

WHAT IS THE REASON FOR THE EVICTION?



LANDLORD IS REQUIRED TO GIVE YOU A 3, 7, OR 30-DAY NOTICE. REMEMBER, YOU CANNOT BE EVICTED WITHOUT A COURT ORDER.

YOU MUST ATTEND THE COURT HEARING to tell your side of the story to avoid eviction. (During the pandemic, the Court hearing is by phone or internet as explained in the Court papers you will receive.)



DID NOT PAY RENT OR LATE WITH RENT (3 DAY NOTICE)

APPLY FOR RENTAL ASSISTANCE.

cabq.gov/help/rental-assistance



For details about the CDC Moratorium and to get the CDC Declaration form, go to:

<https://www.newmexicolegalaid.org/node/249/evictions-halted-order-centers-disease-control>



If the landlord files in court to evict, go to the court hearing and explain you are unable to pay rent.

OR

LEASE VIOLATION, EXCEPT FOR NON-PAYMENT OF RENT (3 DAY OR 7 DAY NOTICE)



THERE IS NO MORATORIUM ON EVICTIONS FOR THESE CASES.

OR

RENTAL AGREEMENT IS ENDING (30 DAY NOTICE)



You have the right to go to court to challenge the eviction. If you do not go to the hearing, you will be evicted.

KNOW YOUR RIGHTS

GET LEGAL ADVICE

Landlord Tenant Hotline:
505-273-5040

LEGAL REPRESENTATION

New Mexico Legal Aid
1-833-454-4357
Senior Citizens Law Office
505-265-2300

RENTER'S GUIDE

lawhelpnewmexico.org/node/9/renters-guide

Consider the pros and cons of challenging an eviction case.

You can choose to leave before going to the court but should notify the landlord. The landlord can still file in court for rent owed. **Decide what is best for you.**