

RENTER'S RIGHTS: WHAT TENANTS NEED TO KNOW IF THEY CAN'T PAY RENT

WHAT SHOULD I DO IF I CAN'T PAY MY RENT ?

- Talk to the landlord and explain your situation. Try to work out a payment plan before the landlord gives you a 3-day notice or takes you to court. Put it in writing!!
- **Look for rental or utility assistance help as soon as possible:** Go to: <https://www.renthelpnm.org/>
- Get more information by calling 311 or online at: <https://www.cabq.gov/family/services/homeless-services/eviction-prevention>

IS THERE A MORATORIUM ON EVICTIONS IN NEW MEXICO?

- Yes, but only for tenants who can't pay their rent. You must go to court to get this protection.
- The New Mexico Supreme Court entered an Order suspending evictions only for non-payment of rent during the pandemic. It is still in effect as of October 2021.

WILL I STILL OWE RENT AND FEES IF I CAN'T BE EVICTED BECAUSE OF THE MORATORIUM?

- YES. Apply for rental assistance as soon as possible.
- Landlords can evict tenants after the moratorium is over unless the tenant and landlord have come to a payment agreement.
- Make sure you get a receipt for any rent paid.

KNOW YOUR RIGHTS:

- **You cannot be legally evicted without a court order.**
- It is illegal for a landlord to evict a tenant without a court order by doing any of the following:
 - Changing locks
 - Disconnecting electricity, water or gas
 - Being violent
 - Threatening to do these things

A landlord is required to give you a 3, 7 or 30-day notice with the reasons for terminating the lease before the landlord can go to court to evict you.

- But, you can agree to move out voluntarily. You may still owe the rent money to the landlord even if you move out. Decide what is best for you.

WHAT STEPS SHOULD A RENTER TAKE TO PROTECT THEMSELVES FROM EVICTION?

- **Apply for rental assistance as soon as possible if rent money is the issue.**
- **Go to court for the hearing.** During the pandemic some hearings may be over the phone. Missing a hearing could mean you will be evicted and lose your home.
- If your landlord files documents in court to evict you, you can go to court and explain to the judge that you cannot pay rent or dispute other reasons given by the landlord for the eviction.
- **Seek legal help when you know you may face eviction.**

GET LEGAL HELP:

NEW MEXICO LEGAL AID: 833-545-4357
SENIOR CITIZEN'S LAW OFFICE: 505-265-2300

