

## **Renter's Guide to the Albuquerque Housing Code**

The City's laws about housing safety are in the City of Albuquerque Code of Ordinances Sections 14-3-1-1 through 14-3-5-99. If you think your home may have a violation, you should file a complaint with the City of Albuquerque by calling 311. The City will investigate your complaint and make sure the landlord fixes the problem if it violates the Code.

This guide gives general information about what is required but doesn't cover everything in the Code. If you need more details on the requirements, look up the Code section listed or call 311. The information in this guide does not apply outside Albuquerque city limits and is not legal advice. For FAQ's, skip to the end of the Guide.

### **Utilities**

- Utilities must be connected and working (electrical, gas, water, sewer or septic)  
Code Section: 14-3-4-2

### **Water**

- All plumbing must have cold and hot water of at least 110 degrees.  
Code Sections: 14-3-2-3 (C)(1) and 14-3-1-4 (Definition of "hot water")

### **Heat**

- The unit must have heat to keep the room temperature at least 68° F. at a point of three feet above the floor in all rooms.
- Cooking appliances cannot be used for heat.
- Space heaters are only allowed as the sole source of heating temporarily if the main heating system is being repaired.

Code section: 14-3-3-2

### **Cooling or Air Conditioning**

- The Housing Code does not require landlords to provide cooling or air conditioning.

- If the landlord agreed to provide this in your lease, or if the unit had a working cooler/air conditioner when you moved in, the landlord is required to maintain it by agreement. If the landlord refuses to fix it, go to the [Self-Help Center at Metropolitan Court](#) for help or [call a lawyer](#).

## **Electrical**

### **Electrical Wiring**

- Electrical wiring must be safe: no exposed wires, improper grounding, overloaded circuits, frayed wiring or use of extension cords where there should be permanent wiring.
- Each room must have at least two outlets, or one outlet and one working light fixture.

Code Section: 14-3-4-5

### **Lights**

- Every bathroom, laundry room, furnace room and public hallway must have a working light fixture.

Code Section: 14-3-3-2

## **Bathrooms**

- The housing unit must have a working toilet and either a bathtub or a shower.

Code Section: 14-3-2-3

## **Kitchens**

- In most cases, there must be a kitchen with a sink large enough to wash dishes and cooking stove, range, or oven.

Code Section: 14-3-2-3

## **Structure, Shelter, Weather Resistance**

- There must be adequate protection from the outdoors in all weather.

Code Section: 4-3-3-1

- The building must be structurally sound:
  - No broken windows
  - No broken doors
  - Safe floors, walls and roof

Code Sections: 14-3-3-1, 14-3-4-3

### **Living Space**

- The Housing Code has some minimum room size, ceiling height and other space requirements.

Code Section: 14-3-2-1

- Windows and ventilation are required.

Code Section: 14-3-2-2

- The landlord must keep common areas clean, sanitary and safe

Code Section: 14-3-5-11

### **Safety**

#### **Smoke detectors**

- There must be at least one working smoke detector in each bedroom and in the area leading to the bedroom.

Code Section: 9-13-4 and Fire Code

#### **Carbon Monoxide Detectors**

- There must be a working carbon monoxide detector outside each bedroom.

Fire Code, [Fire Marshal's Office](#)

#### **Fire Extinguishers**

- There must be a fire extinguisher in the unit or no more than 75 feet from the unit.

Fire Code, [Fire Marshal's Office](#)

#### **Escape windows**

- Every bedroom below the fourth floor must have a window that opens for emergency escape.

Code Section: 14-3-3-3

#### Security Doors

- A building should not have unsecured exterior doors

Code Section: 14-3-4-4

#### Bugs, insects, cockroaches, mice, rats, rodents infestations

- Both tenants and landlords are responsible for taking reasonable steps to prevent infestations, like keeping the home clean. If something the landlord does or fails to do causes an infestation, or if multiple units in a building are infested, the landlord must pay for extermination. If something the renter did or failed to do causes an infestation in only their unit, the renter has to pay for extermination.

Code Section: 9-7-6

#### **Trash and Recycling**

- Apartment buildings with 9 or more units must have a large metal dumpster for trash collection.

Code Section: 9-10-1-6

- Mobile home parks with 9 or more lots must have a large metal dumpster for trash collection.

Code Section: 9-10-1-6

- Apartment buildings with 25 or more units must have recycling service.

Code Section: 9-10-1-10

## **Frequently Asked Questions (FAQ's)**

### **1. Will my landlord know if I made a code complaint?**

Generally yes, when you make a complaint it becomes a public record and the City will contact the landlord about the complaint. You can make an anonymous complaint with 311, however, Code Enforcement staff will be unable to follow up to get more information from you.

Under state law, it is illegal for a landlord to retaliate against a tenant for making a code complaint by increasing their rent, decreasing services or threatening to evict them. New Mexico Statutes Section 47-8-39.

### **2. Can I make a code complaint online?**

Yes, you can make a complaint on the [311 webpage](#), via the [ABQ311 app](#), or by calling 311.

### **3. How do I find out if a property has had Code complaints in the past?**

Call 311, email [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov). You may also check the Complaint Search webpage at [LMS Online - Complaint Search \(cabq.gov\)](#) (note that the search function runs slowly and recent complaints may not yet show up in the search).

To request detailed information about complaints, please submit a public records request through [ABQ Records NextRequest](#)

### **4. I made a complaint already and I want to know what was done about it. What can I do?**

If you know the name/contact information of the Investigator that responded to your complaint, contact them directly. If you do not know who the investigator was, call 311 and ask for help with getting information on the complaint you submitted.

Please note that the 311 app/website does not update to reflect the status of a Code Enforcement complaint. For accurate information on the status, please call 311.

### **5. I have a question or problem that isn't covered in this guide. Where can I get more information about my rights as a renter?**

The [Albuquerque Office of Civil Rights](#) helps with discrimination issues like disability accommodation (including handicapped parking) or discrimination based on sex, race, religion, national origin or age.

The [New Mexico Renter's Guide](#) has information about renters' rights.

The [City of Albuquerque Eviction Prevention](#) webpage has information about rental assistance, housing and legal resources for renters.