

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

- Every dwelling unit shall be provided with cooling facilities.
- Acceptable cooling facilities are fixtures that are permanently attached to the unit, including but not limited to: evaporative ("swamp") coolers, central air conditioning, heat pumps, radiant cooling, window units, and mini-splits.

- Non-acceptable cooling facilities are temporary and/or portable devices such as fans, mobile evaporative coolers, and portable air conditioners, circulating devices such as ceiling fans, and ventilation systems and when used as the sole source of cooling for a unit, do not satisfy the requirements of this Section. These types of cooling facilities may only be used as a sole source of cooling on a temporary basis when the permanent acceptable cooling facility is being repaired or replaced.

Code section: 14-3-3-2

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 a 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: 14-3-3-1

- 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

and 14-3-4-8

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 or 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 who 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.