



Manufactured Home Resident Know Your Rights

Can my landlord evict me?

Yes, but the law requires good cause. **Good cause is non-payment of rent or utilities, a violation of the lease, or a violation of local ordinances.**

The landlord must give written notice to the tenant prior to eviction.



- If rent or utilities are not paid, the landlord can issue a 3-day notice. If they are paid within 3 days, you can stay in the park.
- Violating the lease for reasons other than non-payment can result in a 30-day notice. But you still have the right to fix the violation and stay in the park.
- If the landlord decides to close the park down, they must provide you with a 6-month notice.

What happens if I violate the lease?

- **The landlord must deliver a written notice** to you, informing you of the violation including specific dates and relevant facts.
- **You then have 7 days to fix the violation** or “cure” it. If you fix the violation in that time, the landlord cannot terminate the lease.
- **However, if you violate the lease again within 6 months** of the first violation, the landlord does not have to let you fix the issue the second time.
- **The landlord may terminate the lease,** BUT must give written notice that includes:
 - the violation, the date it occurred and other relevant facts, AND
 - a description of the property with a mailing address, landlord name, lot number, and county.

What else can my landlord do?

- **Raise the rent** with a written 60-day notice and if the lease agreement does not prohibit it.
- **Change park rules** with a 60-day written notice.
- **Charge you** a maximum late fee of 5%.
- **Keep your deposit** if there is damage, but NOT for normal wear and tear.






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Withholding Rent

An icon of a hand holding a coin with a dollar sign on it.

Your landlord must comply with local ordinances and provide essential services such as water, electricity, and trash removal. If your landlord fails to provide these services or address other health and safety issues, you may have the right to withhold (or “abate”) all or part of your rent. If they fail to do this, you must provide them with a written notice. If they do not fix the issues within 7 days, you can withhold all or a portion of your rent. This is called rent abatement.

Before you abate your rent, you should call an attorney.

Repairs

If your landlord fails to provide safe and healthy living conditions—for example, working water or electricity- you may give them a written notice describing the problem. The landlord **must fix the health or safety violation within 7 days of receiving your notice.**

1. Identify the type of repair
2. Notify the landlord in writing
3. Keep a record of the notice

Resources

New Mexico Legal Aid:

(505) 243-7871

New Mexico Landlord Tenant Hotline:

(505) 930-5666

New Mexico Immigrant Law Center:

(505) 247-1023

Modest Means Helpline

(505) 767-6013

Senior Citizens Law Office

(505) 265-2300

Remember

- Your landlord **MUST** give you a copy of the lease. Read it & keep it.
- Take pictures of your lot before moving in.
- Try to keep all correspondence with your landlord in writing.
- You can request an itemized price breakdown of utilities.
- Your landlord cannot change rules to get rid of your pets or make you physically improve your home.
- Your landlord cannot retaliate against you for exercising your rights.
- Your landlord cannot lock you out or turn off your utilities.



Have more questions? Think your landlord is breaking the law? Call us at 505-255-2840.