

ATTENTION HOMEOWNER ASSOCIATIONS

Pursuant to the Homeowner Association Act, every homeowner association in the State of New Mexico is now required to file a “notice of homeowner association” with the county clerk. Visit our website for requirements and deadlines: www.donaanacounty.org/clerk/ha.pdf

HOMEOWNER ASSOCIATION ACT FILING REQUIREMENTS (As per Section 47-7E-4, New Mexico Statutes)

Pursuant to the Homeowner Association Act, every homeowner association in the State of New Mexico is now required to file a “notice of homeowner association” with the county clerk of the county in which the association is located. A “homeowner association” is an incorporated or unincorporated entity consisting of homeowner members responsible for maintenance and operation responsibilities as set forth in the association’s charter or other founding documents.

An association organized prior to July 1, 2013 must file a Notice of Homeowner Association before June 30, 2014. A homeowner association organized after July 1, 2013 must file a Notice of Homeowner Association within 30 days after the date on which the association’s declaration is recorded as required by law.

The Notice of Homeowner Association must contain the following:

1. Name and address of the association.
2. The management company, if any, that prepares and files the Notice.
3. The recording data of the subdivision plat.
4. The declaration governing the lots within the association.
5. The Public Regulation Commission number issued to pre July 1, 2013 associations, or the Entity Number issued by the Secretary of State for post July 1, 2013 associations.

Failure to file a Notice of Homeowner Association suspends the association’s authority to assess a fine or late payment fee for an unpaid assessment or enforce a lien for its collection.

Following is a sample Notice of Homeowner Association form for filing:

NOTICE OF HOMEOWNER ASSOCIATION (Pursuant to the New Mexico Homeowner Association Act of 2013)

1. Name and address of the association:
Acme Homeowner Association, 1234 Road Runner Lane, Desert NM 10000.
2. Name an address of Management Company (if any):
Wiley Coyote , 4321 Cactus Trail, Beep Beep NM 22222.
3. Recording data filed in the office of the Doña Ana County Clerk:
 - A. Plat Record 55, pages 306-310, recorded on (date) (Phase 1, single lots).
 - B. Replat parcels 3 and 4, pages 666-712, recorded on (date), Phase 2, single lots.
4. Recording date for Declaration: Articles of Incorporation filed _____,
Public Regulation Commission or Secretary of State; first amendment filed _____.
5. Public Regulation Commission Number or Secretary of State Entity Number: _____
Dated: ___ day of _____, 2013.
Filed on behalf of the Acme Homeowner Association by:
Name and position

Sworn to before me this ___ day of _____, 20__.

Notary Public

My commission expires on _____.

DOÑA ANA COUNTY
CLERK’S
OFFICE

845 N. Motel Blvd.

575-647-7421

www.DonaAnaCounty.org/Clerk