

February 10, 1998

1 4-904

2

3 [Sections 47-8-42 and 47-8-46 NMSA 1978]

4

5 STATE OF NEW MEXICO

6 _____ COURT

No. _____

7 _____ COUNTY

8

9

10 _____, Plaintiff

11

12 v.

13 _____, Defendant

14

15

16

PETITION BY OWNER FOR RESTITUTION
(Uniform Owner-Resident Relations Act)

17

18

The plaintiff, alleges:

19

20

21

1. Plaintiff is lawfully entitled to possession of the premises located at¹:

22

23

24

25

26

_____, New Mexico _____

27

28

29

30

31

2. Defendant entered into possession of the premises under a rental agreement and has breached the terms of the agreement, as follows: _____

32

33

34

35

36

37

38

39

3. Plaintiff gave written notice of
[] termination
[] breach of the rental agreement
to defendant on _____, ____ (date), and
defendant has failed to remedy the breach.
A copy of the written notice is attached as
Exhibit B.

40

(check and complete if applicable)

41

42

43

44

45

46

[] 4. Defendant is indebted to plaintiff in the sum of
\$_____ for unpaid rent, plus
\$_____ rent per day to date of
restitution, plus damages as determined by the
court.

47

48

[] 5. Plaintiff holds \$_____ of defendant as a
damage deposit under the rental agreement.

February 10, 1998

1 [] 6. Plaintiff requests separate trials on the issues
2 of restitution and damages.

3
4 Plaintiff requests judgment against defendant, as follows:
5

6 1. Immediate possession of the premises;
7

8 2. Unpaid rent of \$_____ plus \$_____ per day
9 to date of restitution;

10
11 3. Damages as may be determined by the court;
12

13 4. Costs of this action;
14

15 5. Reasonable attorneys fees;
16

17 (*check only if applicable*)

18 [] 6. A civil penalty as provided by law;
19

20 7. Such other relief as the court may deem reasonable.
21

22 Dated: _____
23
24

25 _____
26 Signed

27 _____
28
29 Name (*print*)

30 _____
31
32 Address (*print*)

33 _____
34
35 City, state and zip code (*print*)

36 _____
37
38 Telephone number
39

40 **USE NOTE**

41
42 1. *If the leased premises is an apartment,*
43 *include the name of the apartments and the*
44 *apartment number.*

45
46 2. *The owner must bring a copy of any written*

February 10, 1998

1 *rental agreement to court for the hearing on*
2 *the petition for restitution.*

3

4 [Former Rule 4-905 SCRA 1986; recompiled as Rule 4-904 and
5 amended, effective September 2, 1997; April 6, 1998.]

6 DBD::DB2::st execute failed: [IBM][CLI Driver][DB2/6000]

7 SQL0530N The insert or update value of the FOREIGN KEY

8 "DBUSER.BILLDETAIL.SQL980508102800170" is not equal to any

9 value of the parent key of the parent table. SQLSTATE=23503

10