

<b>LFC Requester:</b>	<b>Emily Hilla</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 2/3/2025 *Check all that apply:*  
**Bill Number:** SB 239 Original  Correction   
 Amendment  Substitute

**Sponsor:** Mimi Stewart **Agency Name** 992 – New Mexico Mortgage  
**Short Title:** HOMEOWNER ASSOC. LOT **and Code** Finance Authority  
OWNER REMEDY **Number:** (Housing New Mexico | MFA)  
**Person Writing** Robyn Powell  
**Phone:** 505-767-2271 **Email** rpowell@housingnm.org

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NA	NA	NA	NA

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NA	NA	NA	NA	NA

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NA	NA	NA	NA	NA	NA

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

SB 239 amends the Homeowner Association (HOA) Act to allow a lot owner with a complaint against another lot owner or the HOA board to file a complaint to the state department of justice, therefore allowing the attorney general to engage in civil action on behalf of the lot owner to enforce bylaws or rules of the HOA applicable to the development.

#### **FISCAL IMPLICATIONS**

SB 239 does not include any appropriation nor would impact the state's operating budget.

#### **SIGNIFICANT ISSUES**

SB 239 aims to address issues related to HOAs by providing an additional remedy for lot owners in disputes with their associations. The bill amends the Homeowner Association Act in a way that strengthens enforcement of covenants and dispute resolution procedures between associations and lot owners.

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

#### **TECHNICAL ISSUES**

#### **OTHER SUBSTANTIVE ISSUES**

#### **ALTERNATIVES**

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

#### **AMENDMENTS**