

1 HOUSE BILL 442

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Marian Matthews and Cristina Parajón

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10 AN ACT

11 RELATING TO MOBILE HOMES; AMENDING DEFINITIONS; PROVIDING RENT
12 STABILIZATION; REVISING AND EXPANDING PRIVATE REMEDIES;
13 PRESCRIBING CIVIL PENALTIES.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 47-10-2 NMSA 1978 (being Laws 1983,
17 Chapter 122, Section 2, as amended) is amended to read:

18 "47-10-2. DEFINITIONS.--As used in the Mobile Home Park
19 Act:

20 A. "landlord" or "management" means the owner or
21 ~~[any]~~ a person responsible for operating and managing a mobile
22 home park or an agent, employee or representative authorized to
23 act on the management's behalf in connection with matters
24 relating to tenancy in the park;

25 B. "mobile home" means a single-family dwelling

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1 built on a permanent chassis designed for long-term residential
2 occupancy and containing complete electrical, plumbing and
3 sanitary facilities designed to be installed in a permanent or
4 semipermanent manner with or without a permanent foundation,
5 which dwelling is capable of being drawn over public highways
6 as a unit or in sections by special permit, and includes a
7 manufactured home. "Mobile home" does not include a
8 recreational travel trailer or a recreational vehicle, as those
9 terms are defined in Section 66-1-4.15 NMSA 1978;

10 C. "mobile home park", "trailer park", ~~[or]~~ "park"
11 or "manufactured home park" means a parcel of land used for the
12 continuous accommodation of twelve or more occupied mobile
13 homes and operated for the pecuniary benefit of the owner of
14 the parcel of land, ~~[his]~~ the owner's agents, lessees or
15 assignees. "Mobile home park" does not include mobile home
16 subdivisions or property zoned for manufactured home
17 subdivisions;

18 D. "mobile home space", "space", "mobile home lot"
19 or "lot" means a parcel of land within a mobile home park
20 designated by the management to accommodate one mobile home and
21 its accessory buildings and to which the required sewer and
22 utility connections are provided by the mobile home park;

23 E. "premises" means a mobile home park and existing
24 facilities and appurtenances therein, including furniture and
25 utilities where applicable, and grounds, areas and existing

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1 facilities held out for the use of the residents generally or
2 the use of which is promised to the resident;

3 F. "rent" means any money or other consideration to
4 be paid to the management for the right of use, possession and
5 occupation of the premises;

6 G. "rental agreement" means a written agreement,
7 including those conditions implied by law, between the
8 management and the resident establishing the terms and
9 conditions of a tenancy, including reasonable rules and
10 regulations promulgated by the park management. A lease is a
11 rental agreement;

12 H. "resident" means ~~[any]~~ a person or family of
13 ~~[such]~~ the person owning a mobile home that is subject to a
14 tenancy in a mobile home park under a rental agreement;

15 I. "tenancy" means the right of a resident to use a
16 space or lot within a park on which to locate, maintain and
17 occupy a mobile home, lot improvements and accessory structures
18 for human habitation, including the use of services and
19 facilities of the park;

20 J. "utility services" means electric, gas, water or
21 sewer services, but does not include refuse services;

22 K. "first lienholder" means a person or ~~[his]~~ the
23 person's successor in interest who has a security interest in a
24 mobile home, whose interest has been perfected pursuant to the
25 provisions of Section 66-3-201 NMSA 1978 and whose interest is

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1 prior to any other security interest in the mobile home; and

2 L. "abandoned" means absence of the resident from
3 the mobile home, without notice to the landlord, in excess of
4 seven continuous days, providing such absence occurs after the
5 mobile home lot rent is delinquent."

6 SECTION 2. A new section of the Mobile Home Park Act is
7 enacted to read:

8 "[NEW MATERIAL] RENT STABILIZATION.--After July 1, 2025, a
9 landlord may increase a tenant's rent only once within a
10 twelve-month period. The rent from July 1, 2025 to June 30,
11 2026 shall not increase by more than three percent of the prior
12 rent amount. After June 30, 2026, the total annual rent
13 increase shall not exceed five percent."

14 SECTION 3. Section 47-10-23 NMSA 1978 (being Laws 1993,
15 Chapter 147, Section 9) is amended to read:

16 "47-10-23. PRIVATE REMEDIES--CIVIL PENALTIES--
17 ENFORCEMENT.--

18 A. For each violation by a landlord of the
19 provisions of [~~Sections 47-10-19 through 47-10-22 NMSA 1978~~]
20 the Mobile Home Park Act, a landlord may be [~~charged a civil~~
21 ~~penalty not to exceed five hundred dollars (\$500)] liable for
22 two times the amount of the total monthly rent.~~

23 B. The remedies provided in this section are not
24 exclusive and do not limit the rights or remedies that are
25 otherwise available to a resident. [~~under any other law]~~

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C. Each violation by a landlord of Sections 47-10-19 through 47-10-22 NMSA 1978 is an unfair or deceptive trade practice pursuant to the Unfair Practices Act that is actionable pursuant to the Unfair Practices Act."

SECTION 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2025.