

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE APPROPRIATE INTERIM COMMITTEE TO STUDY HOMEOWNERS' ASSOCIATIONS.

WHEREAS, the primary purpose of a homeowners' association is to manage a neighborhood's common areas, such as roads, parks and pools; and

WHEREAS, some homeowners' associations have assumed much broader powers; and

WHEREAS, homeowners' associations are distinguished from other community associations, including neighborhood associations, by their ability to assess dues, to impose regulations on things such as a home's appearance and to levy fines on homeowners who violate those regulations; and

WHEREAS, as homeowners' associations become more prevalent in New Mexico, New Mexicans are entitled to fair covenants, conditions and restrictions when they purchase property governed by a homeowners' association;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico legislative council be requested to direct the appropriate interim committee to study homeowners' associations in New Mexico, including the reviewing of state statutes relating to homeowners' associations; reviewing homeowner complaints,

lawsuits or other controversies relating to homeowners' associations in New Mexico; and researching responses to similar problems of homeowners' associations in other states; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the co-chairs of the New Mexico legislative council.