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HOUSE BILL 43

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

INTRODUCED BY

Kathleen Cates and Patricia Roybal Caballero

AN ACT

RELATING TO HOUSING; REQUIRING OWNERS TO LIMIT INCOME SCREENING CALCULATIONS TO THE REMAINING RATIO OF INCOME TO RENT PAYMENT AFTER INCOME FROM FEDERAL, STATE, LOCAL OR TRIBAL HOUSING ASSISTANCE IS SUBTRACTED FROM THE TOTAL AMOUNT OF THE RENT PAYMENT.

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

SECTION 1. A new section of the Uniform Owner-Resident Relations Act is enacted to read:

"[NEW MATERIAL] RENTAL DWELLING UNIT APPLICANT INCOME SCREENING.--

A. As used in this section:

(1) "applicant" means a person who makes a request to an owner to rent a dwelling unit and a person who agrees to act as a guarantor or cosigner on a rental agreement;

underscored material = new
[bracketed material] = delete

underscoring material = new
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1 and

2 (2) "income screening" means an evaluation
3 that calculates, examines and validates an applicant's income
4 and ability to reliably make payments of rent to the owner.

5 B. An income screening of an applicant performed by
6 an owner or the owner's agent shall:

7 (1) be limited to a calculation of the
8 remaining ratio of income to rent-payment-due after income from
9 federal, state, local or tribal housing assistance has been
10 subtracted from the total amount of the rent payment; and

11 (2) include as a source of income money
12 derived from a lawful profession, occupation or job; pension;
13 annuity; alimony; child support; or any other recurring, lawful
14 and verifiable monetary consideration; provided that the
15 applicant is able to provide documentation of the income that
16 is used for screening purposes, including information on the
17 length of time for which the applicant is qualified to receive
18 the income."

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