

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
IN THE METROPOLITAN COURT

\_\_\_\_\_,  
Plaintiff,

v. Case No. \_\_\_\_\_

\_\_\_\_\_,  
Defendant.

\_\_\_\_\_, Address  
\_\_\_\_\_, City, State, Zip Code

**COMPLAINT BY RESIDENT FOR RETURN OF DEPOSIT<sup>1</sup>**  
*(Uniform Owner-Resident Relations Act)*

The plaintiff alleges:

1. Plaintiff entered into a rental agreement with Defendant for property located at

\_\_\_\_\_  
\_\_\_\_\_, New Mexico \_\_\_\_\_.

2. As part of the rental agreement, plaintiff delivered to defendant one or more deposits totaling \$\_\_\_\_\_.

3. Plaintiff vacated the above premises on \_\_\_\_\_ (*date*), and defendant retained all of part of plaintiff's deposit.

4. Defendant:

*(check one)*

Mailed written notice to plaintiff of the amounts deducted from plaintiff's deposit within thirty (30) days after the date plaintiff vacated the premises or the date the rental agreement terminated. A copy of the notice is attached as Exhibit A of this complaint.

Did not mail written notice to plaintiff of the amounts deducted from plaintiff's deposit within thirty days of the \_\_\_\_\_ date plaintiff vacated the premises or the date the rental agreement terminated.

5. Defendant kept the following amount of the deposit: \$\_\_\_\_\_.

6. Plaintiff is asking for the return of the following amount: \$\_\_\_\_\_.

*(check if applicable)*

7.  Plaintiff requests a \_\_\_\_\_ language interpreter.

Plaintiff requests judgment against defendant, as follows:

1. Damages as may be determined by the court;
2. Costs of this action;
3. Reasonable attorney's fees;
4. A civil penalty if provided by law<sup>2</sup>;
5. Such other relief as the court may deem reasonable.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Name (*print*)

\_\_\_\_\_  
Address (*print*)

\_\_\_\_\_  
City, state and zip code (*print*)

\_\_\_\_\_  
Telephone number

USE NOTE

1. This form is used for cases in which the resident is claiming a return of deposit. A complaint for return of deposit is not required to be heard within ten (10) days.
2. See Paragraph E of Section 47-8-18 NMSA for civil penalty.