



ALBUQUERQUE HOUSING AUTHORITY
Empowering people in our community through affordable housing and self-sufficiency opportunities

BOARD OF HOUSING COMMISSIONERS
RESOLUTION NO. 2020-01

SUPPORT FOR NEW MEXICO HOUSE BILL 20 OF 2020
ON-RECORD METRO COURT APPEALS

WHEREAS, the Albuquerque Housing Authority (“AHA”) Board of Housing of Commissioners (“Board”) supports the swift and sure administration of justice in the state of New Mexico by reducing the amount of unnecessary delays in the resolution of residential landlord-tenant disputes; and

WHEREAS, the current system of appeals for Uniform Owner-Resident Relations Act (UORRA) cases results in extensive delays, when tenants who lose after a trial in Metropolitan Court then file a Notice of Appeal to have the case considered by the Second Judicial District Court, before then filing an additional Notice of Appeal (by right under NM law) in the New Mexico Court of Appeals; and

WHEREAS, the extra layer of appeals by right of law (not: discretionary) results in added expenses and years of delays for the state of NM Judicial Branch and for the landlord and tenant in the case; and

WHEREAS, tenants in New Mexico who have engaged in one or more Substantial Violations of the lease have made use of the multiple level appeals process to avoid swift termination of their lease agreement by court order. The excessively long appeals process has directly impaired the peaceful enjoyment and safety of other persons who live near and/or work near tenants who refuse to move out of the multi-family apartment complex, while the excessive, added layer of appeal is being considered;

WHEREAS, the New Mexico Court of Appeals is a judicial institution that operates exclusively to carefully and quickly consider appeals of Judgments from trial courts and has developed a highly refined system of procedures over many years to process appeals in a highly efficient and effective manner;

WHEREAS, the District Court is a judicial institution that operates as trial court of general jurisdiction and not as a specialty court that is setup to quickly resolve appeals of Metro Court trial verdicts;

WHEREAS, justice delayed is justice denied; and

NOW, THEREFORE, BE IT RESOLVED BY THE AHA BOARD OF HOUSING COMMISSIONERS, the governing body of the AHA that:

1. The AHA supports the swift adoption in 2020 of New Mexico House Bill 20 to allow for On-Record Appeals of Judgments issued by the Bernalillo County Metropolitan Court to be heard directly in the New Mexico Court of Appeals, instead of in the Second Judicial District Court, to allow for swifter resolution of residential Landlord-Tenant law cases in New Mexico courts.
2. The AHA respectfully requests that Governor Michelle Lujan Grisham please issue an Executive Message to declare New Mexico House Bill 20 germane for consideration by the NM State Legislature during the 30 day Regular Legislative Session that starts on January 21, 2020.



/abqha



/HousingABQ



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PASSED and ADOPTED this 15th day of January 2020.
BY A VOTE OF 3 FOR, AND 0 AGAINST.

Members Absent: McHard, Rivera-Wiest
Members voting against: _____

ALBUQUERQUE HOUSING AUTHORITY
BOARD OF HOUSING COMMISSIONERS

By: /s Rebecca Robinson
Rebecca Robinson, Chairperson of the Board

ATTEST:

 /s Linda Bridge
Linda Bridge, Secretary to the Board and Executive Director



/abqha



/HousingABQ



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