

FORM 4-904. PETITION BY OWNER FOR RESTITUTION

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ COURT

No. \_\_\_\_\_

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

v.

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

**PETITION BY OWNER FOR RESTITUTION**

*(Uniform Owner-Resident Relations Act)*

The plaintiff alleges:

1. Plaintiff is lawfully entitled to possession of the premises located at:

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

2. Defendant entered into possession of the premises under a rental agreement and has breached the terms of the agreement, as follows:

\_\_\_\_\_  
\_\_\_\_\_

3. Plaintiff gave written notice of

termination

breach of the rental agreement

to defendant on \_\_\_\_\_, \_\_\_\_\_ (*date*), and defendant has failed to remedy the breach.

A copy of the written notice is attached as Exhibit A.

*(check and complete if applicable)*

4. Defendant is indebted to plaintiff in the sum of \$\_\_\_\_\_ for unpaid rent, plus \$\_\_\_\_\_ rent per day to date of restitution, plus damages as determined by the court.

5. Plaintiff holds \$\_\_\_\_\_ of defendant as a damage deposit under the rental agreement.

6. Plaintiff requests separate trials on the issues of restitution and damages.

Plaintiff requests judgment against defendant, as follows:

1. Immediate possession of the premises;
2. Unpaid rent of \$ \_\_\_\_\_ plus \$ \_\_\_\_\_ per day to date of restitution;
3. Damages as may be determined by the court;
4. Costs of this action;
5. Reasonable attorneys fees;
6. A civil penalty as provided by law;
7. Such other relief as the court may deem reasonable.

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

\_\_\_\_\_  
Signed

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

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State and Zip Code

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