



Renting a Home

Military Personnel

Renting a Home: Military Personnel

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If you plan to move when the lease expires you must notify the landlord before the lease ends. The number of days required to give notice should be clearly stated in your contract. A one-year lease usually requires a 60-day notice and a three or six-month lease may require a 30-day notice. Similarly, if the landlord does not plan to renew your rental contract, you must be given notice according to the number of days stated in the contract (usually 60 days). If you violate the contract you may be entitled to less notice under New Mexico law.

There are other situations that affect ending a lease. One of these is the special case of military personnel or a person who plans to join the armed forces. You need to be aware of this if you are the roommate of such an individual.

Non-military Personnel

If you have a roommate who plans to enter military service during the period of a joint lease, you need to have a clause in the lease excusing you from his or her portion of the rent. Otherwise you will be held liable for the full amount of the rent. If you want to protect yourself from being liable for a roommate's rent when he or she leaves for military service, ask the landlord to include a clause in your lease such as the following:

“The landlord agrees that if any individual who has signed this lease is called to active military duty, landlord will reduce the total rent due under the contract, for the balance of the term,

by _____% commencing 30 days after receiving notice from the tenant that he/she has received orders to report for active duty.”

Be sure that the landlord signs or places his or her initials next to this clause so that it is properly added to the lease. Remember, what matters is a written agreement not a verbal assurance.

This resource is one in a series on Renting a Home which include:

Deciding to Rent

Advantages and Disadvantages of Renting
Who Will Live There? More About Roommates
What Can You Afford?
What Do You Want?

Finding a Home to Rent

Finding a Rental Unit
Comparing Rental Units
Renting a House
Renting With an Option to Buy

The Rental Process

The Rental Application
Your Right to Fair Housing
Rental Contracts

Legal Aspects of Renting in New Mexico

Regulation of Rental Contracts
New Mexico Rental Law
Military Personnel

Moving Into Your Rented Home

Renters Insurance
Verifying the Condition of the Rental Unit

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