

NM HOA & Condo Quick Reference

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A board member's plain-English cheat sheet. Lot HOAs: Homeowner Association Act (NMSA 47-16) — does not cover condos. Condos after May 19, 1982: Condominium Act (47-7A–7D). Pre-1982 condos stay under the Building Unit Ownership Act until a majority-owner resolution is recorded. Corporate fill-in: Nonprofit Corporation Act (Chapter 53 Article 8). No statewide roster.

HOA meetings, records, lien, child care

HOA §47-16-17

Annual meeting at least once every 13 months. Owner-meeting notice 10 to 50 days — that clock wins even if the documents say otherwise. Board meetings: 48 hours notice plus drafts of proposed policy resolutions. Lot owners may attend and speak; close a portion only for legal advice, litigation, or an individual's personal, health, or financial information.

HOA §47-16-5

Twelve named record categories within ten business days of a written request. Inspection is free; copies ten cents a page. Miss the deadline and there is a rebuttable presumption of willful non-compliance; the owner gets the greater of actual damages or \$50 per calendar day from the eleventh business day.

HOA §47-16-6 / §47-16-4

Assessment and fine lien from the time due; foreclose like a mortgage; recording the declaration perfects it — no six-month super-priority. Payoff statement in ten business days. If the association never recorded its notice of homeowner association, assessment / late-fine / lien authority is suspended until it does.

HOA §47-16-18

As of July 1, 2026, an association may not prohibit or unreasonably restrict a registered, licensed-family, or licensed-group child care home. Uniform parking, noise, safety, exterior, and common-element rules still apply. Fines and common-area suspensions (not unpaid assessments) need written notice, a chance to dispute, 14 days' hearing notice, and a majority vote.

Condo meetings, lien, insurance, resale

CONDO §47-7C-8 / §47-7C-9

Annual meeting required. Special meeting: president, board majority, or 20 percent of the votes. Notice 10 to 60 days; electronic notice only if the recipient agreed in advance. Owner quorum default 20 percent (in person, proxy, or simultaneous remote). Board quorum default 50 percent.

CONDO §47-7C-16

Unpaid assessments and fines are a lien from the time due. Recording the declaration perfects it. Enforce within three years or it is extinguished. Payoff in ten business days. New Mexico did not adopt a six-month super-priority; the declaration may even make the lien subordinate.

CONDO §47-7C-13 / §47-7C-3

Master property policy at not less than 80 percent of actual cash value. Rebuild unless terminated, illegal, or 80 percent of unit owners vote not to. Budget summary within 30 days; ratification meeting 14 to 30 days later; ratified unless a majority of all unit owners reject it.

CONDO §47-7D-8 / §47-7D-9

Cancel a purchase within seven days of first receiving the disclosure statement unless it was given more than seven days before signing. If none is delivered, rescind within six months of conveyance. Resale certificate from the association in ten working days.

Which act, and what SOS will not do

HOA §47-16-15(C) / CONDO §47-7A-2

The Homeowner Association Act does not apply to a condominium governed by the Condominium Act. Condos created after May 19, 1982 live under 47-7A–7D. Pre-1982 condos stay under the Building Unit Ownership Act until a majority of unit owners approve a recorded resolution opting in.

NP §53-8-14 / §53-8-16

Nonprofit fill-in: member-meeting notice 10 to 50 days; member quorum defaults to 10 percent. 47-16 and 47-7C are stricter for association owner meetings and control where they speak.

HOA vs CONDO records

An HOA owner has a named list, a ten-business-day clock, and a fifty-dollar-a-day penalty (§47-16-5). A condo owner has records “reasonably available” and nothing more (§47-7C-18). That is the reverse of what most people assume.

No roster

New Mexico has no DBPR, no TREC, no DORA, and no downloadable statewide association list. The Secretary of State keeps corporate filings, not a community roster.

Meeting notice & deadlines

HOA owner meeting

Annual at least every 13 months. Notice 10 to 50 days, even if the documents say otherwise (§47-16-17).

HOA board meeting

48-hour notice plus drafts of proposed policy resolutions (§47-16-17).

Condo owner meeting

Annual required. Notice 10 to 60 days. Special meeting: 20 percent (§47-7C-8).

Condo budget

Summary within 30 days; ratification meeting 14 to 30 days later (§47-7C-3).

HOA / condo resale

HOA disclosure certificate 10 business days, \$300 cap (§47-16-12). Condo resale certificate 10 working days (§47-7D-9).

NP member notice

10 to 50 days unless the articles or bylaws say otherwise (§53-8-14). 47-16 and 47-7C are stricter for association owner meetings.

Official records

HOA books

Twelve named categories in 10 business days; \$50/day if refused (§47-16-5).

Condo books

Reasonably available. No list, no deadline, no penalty (§47-7C-18). Resale certificate in 10 working days (§47-7D-9).

Nonprofit inspect

All books and records for a proper purpose at a reasonable time (§53-8-27).

SOS

Corporate filings and an annual report. Not a roster. Not an arbiter.

Quorum & voting

Lot HOA (47-16)

Annual meeting every 13 months; notice 10 to 50 days (§47-16-17)

Declarant control ends 60 days after 75% sold (§47-16-8)

Assessment lien: no super-priority; notice-of-association required (§47-16-4 / §47-16-6)

Records: 10 business days, \$50/day (§47-16-5)

Fine hearing: 14 days (§47-16-18)

Condo + Nonprofit Act

Owner quorum default 20% (§47-7C-9)

Board quorum default 50%

Assessment lien: 3-year clock; no super-priority (§47-7C-16)

NP member quorum default 10% (§53-8-16)

NP board: at least 3; quorum majority with a one-third floor (§53-8-18 / §53-8-20)

Plain-English summary — not legal advice; confirm against the current statute. SoShiny is the all-in-one portal communities use to run documents, voting, violations, a public website and more. Every feature on every plan: \$25/mo base + \$0.33/unit. soshiny.com