New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES & MANUFACTURED HOUSING DIVISION
2550 Cerrillos Road ▪ Santa Fe, NM 87505 ▪ Ph (505) 476-4700 ▪ Fax (505) 476-4685
http://www.rld.state.nm.us/

INSTRUCTIONS FOR FILING A COMPLAINT

Thank you for contacting The New Mexico Regulation and Licensing Department Construction Industries and Manufactured Housing Division regarding your request for investigation. Enclosed is a complaint form.

When your complaint form is completely filled out, attach copies of any documents necessary to explain or identify the transaction, such as sales receipts, invoices, contracts, advertisements, etc. We recommend that you send copies instead of the originals. Please send photograph that identify areas of concern. Also note that all documents and other materials submitted to our office become property of the State of New Mexico.

Email at Rld-cid-complaints@state.nm.us or mail/hand-deliver CID/MHD P>O> Box 25101 Santa Fe, NM 87504 the complaint form and attachments to our Office. When we receive your completed complaint form and attachments, we will review the information to determine if your complaint falls within the jurisdiction of our Office. If we do not have jurisdiction, we will make every effort to refer your complaint to an agency that may be able to help you. For instance, the CID/MHD Division cannot handle complaints of a financial or contractual dispute (unless a judgment is issues CILA § 60-13-23). A LIST OF COMPLAINTS THAT OUR OFFICE HANDLES AND DOES NOT HANDLE HAS BEEN ATTACHED FOR YOUR CONVENIENCE.

If it is determined that our Office has jurisdiction, the complaint will be reviewed by our Division's staff. Once we have an opportunity to review your complaint and determine the appropriate action, our Division will inform you that an Investigation is open and an investigator will be assigned to your case. Also note that all documents and other materials submitted to our office become property of the State of New Mexico. Once the case is open you become a witness for the state's investigation and the investigator may or may not contact you to collect further information. If you have questions about the status of the case please call 476-4635.

If our Division determines that it is appropriate to begin the investigation process, we will inform the business of the complaint and provide it with copies of the complaint and attachments. The business will be asked to respond to the complaint. The CID/MHD Division cannot act as a private attorney, give you legal advice, or represent you individually in litigation in court. Even in the complaint resolution process, we do not act as the consumer's attorney. Consumer laws in New Mexico allow for the private and individual right of action and anyone can file a consumer claim in court. The CID/MHD initiates legal action on behalf of the Commission/Committee only when there is a violation/s of the licensing Act/s, code, and /or regulations.

LIST OF COMPLAINTS ACCEPTED

New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES & MANUFACTURED HOUSING DIVISION
2550 Cerrillos Road ▪ Santa Fe, NM 87505 ▪ Ph (505) 476-4700 ▪ Fax (505) 476-4685
http://www.rld.state.nm.us/

Before you fill out the attached complaint form, please refer to the list below to determine if your complaint falls under the jurisdiction and authority of the New Mexico Construction Industries/ Manufactured Housing Division. If you have any questions please do not hesitate to contact our Office at 1-505- 476-4700.

The type of complaints our Division handles:

MHD Violations:

- Sales
- Manufactured Housing Install/Set-Up Complaints
- Manufactured Housing Deposit Complaints
- Manufactured Housing Dealers, Sales & Brokers
- Manufactured Housing Repair Complaints

MHD/CID Violations:

- Violation of NM State Building Code
- Failure to Permit
- Failure to Inspect
- Unlicensed Activity
- Aiding and Abetting Unlicensed Activity
- Working without Journeyman Certification (CID only)
- Working beyond the scope of a contractor's license
- Judgments (Division will review for Jurisdiction)
- Red Tagged Work

The type of complaints our Division does NOT handle:

- Contractual or Financial Disputes (without Judgment- CID only)
- Manufactured Housing transportation (Public Regulation Commission http://www.nmprc.state.nm.us/)
- Code violations will be deemed actionable only if they are violations of the State adopted codes. Local enhancements and modifications to the State code will not be considered in evaluating the violation for the purpose of the code bond. CID will coordinate our investigations with a local building department when a claim is within their jurisdiction.
- The code bond disbursements will be limited to complaints received within two years of the completion of construction. Completion shall be determined by the date of the issuance of a Certificate of Occupancy, the date of issuance of the final inspection tag, the permit expiration date or when the contractor stops working on the project, whichever occurs last.
- Code bond disbursement will only be made after the contractor (bond holder) has an opportunity to correct the violation. The duration of this opportunity will be defined by the CID compliance procedure schedule.

New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES & MANUFACTURED HOUSING DIVISION
2550 Cerrillos Road ▪ Santa Fe, NM 87505 ▪ Ph (505) 476-4700 ▪ Fax (505) 476-4685
http://www.rld.state.nm.us/

- If a contractor objects to the claim against the code bond, he will be afforded a hearing before the CIC to explain his case. At the conclusion of that hearing the CIC will render an opinion which will be final. The Notice of Contemplated Action (NCA) / Disciplinary process needs to be reviewed for its consistency with this.
- If the contractor (bond holder) does not request a CIC hearing, CID will send the matter directly to the bond company for payment.
- The bond proceeds must be spent on the correction of the code violation. The claimant will need to submit three bids for the work to the bonding company. The bonding company will write a joint check to the low bidder and the owner after an inspection is performed by CID that verifies that the code violation has been cured. In the event that the correction work costs more than the limits of the code bond, the CID inspector will still attempt to verify that the Bond funds being disbursed have been allocated to the work done in curing the violation.
- The bond company for the contractor that obtained the permit for the work in violation will be responsible for making payment. Only one company can be made to pay per violation. In the case of a general contractor and a subcontractor who pulls his own permit, if the sub's work is in violation, it will be the subcontractor's bond that pays.
- It is possible to have multiple violations on a single project. Each responsible party's bond will be assessed up to $10,000 to correct the violations for which they are responsible. If, for example, there are general code violations, electrical code violations, and mechanical code violations, each in excess of $10,000, then the general contractor's, the electrical contractors, and the mechanical contractor's bonds could all be assessed $10,000.
- Legal fees are not collectable from the code bond disbursements.
- It is not necessary for a specific problem to occur from the code violation, only that the violation is identified and verified by CID.
- Code violations, for the purpose of code bond claims, will not be limited to life safety issues.
- Code violations must be documented by the CID inspector with very specific language that clearly identifies the nature of the violation (by code book date, chapter, and section) and in precisely which locations (or locations) in the structure that they occur.
- **If you are filing a complaint regarding a suspected state code violation please note that any repairs performed by another contractor will result in the closing of this case. Inspectors must be able to visibly inspect violations and photographs will not be accepted for inspection services**

New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES & MANUFACTURED HOUSING DIVISION
2550 Cerrillos Road ▪ Santa Fe, NM 87505 ▪ Ph (505) 476-4700 ▪ Fax (505) 476-4685
http://www.rld.state.nm.us/

If your matter does not fit perfectly into any of these categories, please call us at 505-476-4700 to discuss your problem with one of our Compliant Investigators before you file your complaint. We appreciate your interest and concern in contacting the Construction Industries and Manufactured Housing Division and look forward to hearing from you.

☐ CID ☐ MHD ☐ Unlicensed

☐ Completed Work

☐ Uncompleted Work

PLEASE TELL US ABOUT YOURSELF:

Name
_____

Address
_____

City_____

State_____
Zip_____

Phone

Home/Work_____

Mobile _____

Email:_____

COMPLAINT IS AGAINST:

Business Name
_____

Address

_____

City
_____

State_____

Zip _____

Contact Person/s _____

Phone_____

Contact Person/s _____

Phone_____

Project Address*: _____City: _____State: _____ Zip Code: _____

* Does this address fall outside of city limits: YES: ____ NO: ____

New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES & MANUFACTURED HOUSING DIVISION
2550 Cerrillos Road ▪ Santa Fe, NM 87505 ▪ Ph (505) 476-4700 ▪ Fax (505) 476-4685
http://www.rld.state.nm.us/

If yes specify County_____

Date work completed: _____

Manufacture Home Identification if applicable:

Manufacture:_____

Retailer:_____

Installer:_____

Year/Model:_____ Purchase Date:_____ □ New □ Use

Serial Number: _____ Width:_____ Length:_____

*HUD Label Number:_____ Do you have a title? □ Yes □ No

***How to locate the HUD label number on the Manufactured Home**

Rear of Home | Home | Front of Home (Towbar End)

The Aluminum HUD label is 2” x 4” and should be located on the back end outside of the home in the lower left corner.

Please provide a vicinity map and directions to the location of the home.

North

West East

South

Written directions to the
Address:_____

New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES & MANUFACTURED HOUSING DIVISION
2550 Cerrillos Road ▪ Santa Fe, NM 87505 ▪ Ph (505) 476-4700 ▪ Fax (505) 476-4685
http://www.rld.state.nm.us/

_____

_____

_____

1. First contact between you and the business:

_____

_____

_____

2. Where did the transaction take place?

_____

_____

_____

3. Date(s) of Transaction(s) _____

4. Did you sign a contract? (if Yes please enclose a copy)

_____

_____

5. Amount of payment: $_____ (please enclose a copy of all receipts and checks)

□ Cash □ Credit Card □ Loan □ Check

Date check was cashed (please send copies from bank statement): _____

6. Have you complained to the business? Yes/ No If yes, when _____

What was the business' response?_____

7. Have you filed a complaint with another agency? _____ If so, which agency? _____

What action was taken? _____

Please describe your complaint in detail. (Attach additional sheets if necessary)

_____

_____

_____

_____

New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES & MANUFACTURED HOUSING DIVISION
2550 Cerrillos Road ▪ Santa Fe, NM 87505 ▪ Ph (505) 476-4700 ▪ Fax (505) 476-4685
http://www.rld.state.nm.us/

_____

_____

_____

Will you allow the contractor back on the property to correct any determined code violations? ☐ yes ☐ no

Have you retained an attorney to represent you in this matter? ☐ yes ☐ no

Has a lawsuit been filed? ☐ yes ☐ no

I have read the preceding information and it is true to the best to my knowledge and belief. I understand that a copy of this complaint will be sent to the person or company against whom I am filing this complaint. I understand that if I have knowingly filed false or misleading information, this complaint may be closed by the Construction Industries and Manufactured Housing Division. I further understand that my complaint is a public record and is subject to inspection by members of the public.

Signature _____ Date _____