



March 26, 2021

New Mexico Real Estate Commission
5500 San Antonio Dr. NE, Suite B
Albuquerque, NM 87109

Re: Petition to Repeal "Property Manager" and "Property Management" substantive rule change adopted November 16, 2020

Dear Commissioners:

We would like to thank you and your staff for the opportunity to speak with you at your March 15th meeting. We appreciated time granted to share our concerns regarding the substantive rules changes specific to the definition of "property management" and "property manager" adopted by the Commission November 16, 2020. As we testified, we feel strongly that those changes will be unnecessarily disruptive to our industry as well as our clients and will create confusion impacting the Commission's ability to accurately interpret and enforce these changes.

As a follow up to our testimony and evidence presented at the March 15 meeting as to why community association managers are not property managers, we respectfully submit this formal petition, under authority granted in Section 61-1-32 NMSA 1978, that the Commission repeal the changes to the definitions of "property management" and "property manager." Repealing these changes restores the precedent in New Mexico (consistent in every other state) recognizing the distinction between property managers and community association managers.

The substantive changes to the definition of "property management" and "property manager" have the effect of suppressing competition by requiring licensed brokers in order to provide community management services. Further, this action will require community associations that need qualified and competent professional managers to hire a real estate broker to oversee management of their affairs. The NM real estate broker examination (and current coursework) do not measure competency for community association management because it is a completely different profession requiring substantively different knowledge, skills, and abilities.

Again, for these reasons and those stated at the March 15 meeting, we respectfully petition the Commission to repeal the November 16 rule changes referenced above. Should you require additional information from this group to respond to this petition, please contact us anytime.

Thank you for your consideration.

Sincerely,

See second page for signatures

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Signature Page



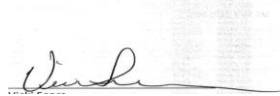
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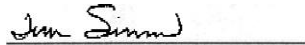
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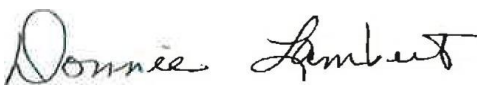
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