



**User Name:**

**Date and Time:** Friday, February 25, 2022 10:23:00 PM EST

**Job Number:** 165244718

## Results List (includes up to 250)

1. Results list for:short term rental

**Client/Matter:** -None-

**Terms:** [short term rental](#)

**Search Type:** Natural Language

**Narrowed by:**

**Content Type**  
US Cases

**Narrowed by**  
Sources: NM

**Results for: short term rental****Cases**1.  [Estates at Desert Ridge Trails Homeowners' Ass'n v. Vazquez](#)

Court of Appeals of New Mexico | Feb 08, 2013 | 2013-NMCA-051

**Overview:** An economic benefit flowing to defendant from renting his home did not alone constitute an impermissible commercial activity under the residential purposes restrictive covenant. If the association wanted to prevent short-term rentals, this should have been included in the original restrictions, not in association rules adopted years later.

... license for his **rental** activities related to the home. In September 2010, the HOA 's counsel sent Defendant a letter notifying him that the **short-term rentals** of his home violated the CCRs and the Subdivision's rules and ...

... The letter requested that Defendant cease and desist from any further **short-term rental** activity. When Defendant did not stop renting the home, the HOA ...

... and filed a verified complaint for permanent injunctive relief barring Defendant's **short-term rentals** . Following two hearings and supplemental briefing by the parties, the ...

... CCRs did not prohibit Defendant from renting his home on a **short-term** basis and that the ...

... The HOA 's complaint sought to enjoin Defendant from engaging in **short-term rental** activity pursuant to the Supplemental CCRs and alleged various other violations ...

... orders. In its first appeal, the HOA primarily argues that the **short-term rentals** violate the limiting language in the restrictive covenants that lots be ...

... rules and regulations barring certain business activities within the subdivision and **rentals** for less than thirty days. Between the first lawsuit and the ...

2.  [Mason Family Trust v. Devaney](#)

Court of Appeals of New Mexico | Mar 26, 2009 | 146 N.M. 199

**Overview:** Cabin owner's short-term rental of his cabin did not constitute a use of the property for business or commercial purposes, in violation of the deed restrictions. The deed restrictions required that the property be used for dwelling purposes only; there was no requirement that people dwell there for any particular length of time.

... Cabin owner's **short-term rental** of his cabin did not constitute a use of the property ...

... year and had rented it out for 66 days, using a **rental** agent to obtain tenants. The deed restrictions for homes in the ...

... held that while renting the property as a dwelling on a **short-term** basis may have constituted an economic endeavor, to construe that activity ...

... restrictions was unreasonable and strained. The deed restrictions did not forbid **short-term rental** for dwelling purposes. In the context of a residential subdivision, a ...

... or abode, with no requirement of permanency or length of stay. **Rental** for a **short-term** use as a shelter to live in was significantly different from ...

... the deed restrictions precluded Devaney from using the property as a **short-term rental** because this **rental** activity constituted use of the property for business or commercial purposes. ...  
 ... restrictions did not preclude him from using his property as a **short-term rental**, and (3) the quitclaim deed to Devaney extinguished any right ...

3.  [Design v. N.M. Taxation & Revenue Dep't](#)

Court of Appeals of New Mexico | Mar 18, 2019 | 2019 N.M. App. Unpub. LEXIS 99

... assessed Taxpayer for gross receipts tax on Taxpayer's receipts for the **short-term vacation rental** of its homes. The tax's application to receipts for **short-term vacation rentals** of homes harmonizes with Section 7-9-53's statutory scheme of taxing **rentals** of real property based on transient use. ...  
 ... property types listed in that subsection. P18 Homes, when used as **short-term vacation rentals**, fit comfortably into the "similar facilities" classification. A person, perhaps ...  
 ... as is increasingly common, another person's home marketed as a vacation **rental**. P19 Taxpayer's **rental** arrangements share other features common to hotels, motels, rooming houses, campgrounds, ...  
 ... question before us, then, is: Do the particular characteristics of vacation **rental** homes qualify them as "similar facilities" to hotels, motels, rooming houses, ...  
 ... the meaning of Section 7-9-53(B)? P15 Taxpayer asserts that a **short-term vacation rental** home is not a "similar facility" because, in contrast to the other property types listed, a vacation **rental** home is not a multi-unit facility within a single property and does not feature common areas for occupants. Though a **short** - ...

4.  [PDR Dev. Corp. v. City of Santa Fe](#)

Court of Appeals of New Mexico | Jun 16, 1995 | 120 N.M. 224

**Overview:** Where a city effected a temporary taking of a corporation's property by the enactment of a zoning amendment, the correct measure of damages for the taking was the difference in the fair market value of the property with and without the restriction.

... rented the units on a **short-term** basis, including by the day to transients. Unaware that PDR was using the property for **short-term rental**, the City enacted a zoning amendment which prohibited **short-term rentals** in RM-zoned districts. After the amendment, the City received complaints from ...  
 ... on which condominiums were situated and it used the property for **short-term rentals**. Unaware that the corporation so used the property, the city enacted a zoning amendment that prohibited **short-term rentals** in that area. The city then moved for an injunction against ...  
 ... an injunction against the corporation, seeking to prohibit the corporation from **short-term rental** of its condominium units. Where a city effected a temporary taking ...

5.  [Primetime Hospitality, Inc. v. City of Albuquerque](#)

Supreme Court of New Mexico | Feb 20, 2009 | 146 N.M. 1

**Overview:** Where a developer sued the city for inverse condemnation based on waterlines on the developer's property, the court properly awarded the developer damages for lost profits, excess construction costs, and expert costs; rental value was a reasonable way to measure the developer's loss profits under the Takings Clause, N.M. Const. art. II, § 20.

... enacted a zoning rule that would prohibit PDR from making such **short-term rentals** . Id. After receiving complaints about PDR's noncompliance, Santa Fe issued ...