

13-707. Entire taking of leasehold; damages to tenant.

In this case, the taking of the property resulted in the termination of the lease.

The tenant is entitled to recover money damages for the total of the following:

1. The value, at the time of taking, of all improvements and fixtures owned by the tenant which have been taken; and
2. The fair rental value of the remaining term of the lease, less the total rent due the lessor for the same term, discounted to present value, as of the date of taking.

USE NOTES

When this instruction is given, it is not necessary to use UJI 13-703 NMRA.

UJI 13-712 NMRA should be used with this instruction.

[As amended by Supreme Court Order No. S-1-RCR-2025-00126, effective for all cases pending or filed on or after December 31, 2025.]