

WHAT TO EXPECT AFTER A FAILED INSPECTION

FAILED YOUR LAST INSPECTION?

All violations noted during an inspection **must be corrected immediately**. If your last inspection was not passed, you may receive one of the following:

- **Warning Letter** – No fines, but all violations must be corrected and maintained before future inspections.
- **Settlement Agreement Offer** – An opportunity to resolve violations without a formal Notice of Contemplated Action (NCA).

YOUR OPTIONS:

1. Accept the Settlement Agreement

- You must respond within 10 days of receipt.
 - Sign the agreement and return it to the board office by mail or email.
- Once you comply with all the terms, the case will be closed.

2. Decline the Settlement Agreement

- Notify the board office via email you choose to decline the Settlement Agreement.
- The matter will be referred to the New Mexico Department of Justice (NMDNJ)
- An NCA will be issued, and upon your request, a disciplinary hearing will be scheduled.
- The Board will make a final decision at their next scheduled meeting, which may include higher fines or penalties up to suspension or revocation of a license.
- The board will render a final decision. This may result in higher fines being issued than those listed in the settlement agreement offer.

3. No Response

- If you do not respond within the deadline, the offer is considered declined and referred to NMDNJ for formal action.

Note: A **Notice of Contemplated Action** allows you to request a hearing before the Board to contest violations.



NMRLD

NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

BOARDS AND COMMISSIONS DIVISION

505-476-4622

RLD.NM.GOV/BOARDS-AND-COMMISSIONS