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## Capital Outlay Bureau

### Request for Disposition of Property

Section 13-6-2, NMSA 1978, provides that a school district is empowered to sell or otherwise dispose of real or personal property belonging to the school district.

A disposition is any sale, lease, trade, exchange, and/or gift.

In essence, this means to remove the item from the primary control of the school district.

In accordance with Section 13-6, NMSA 1978, the district must obtain permission from either the Public Education Department (PED), State Board of Finance (SBF), or State Auditor's Office (SAO) on any and all dispositions of property (Lease, Sell, Exchange, or other disposition) depending on the value or terms of the lease.

Approval is needed from the appropriate entity as listed below:

#### SAO

- If the real or personal property is valued at or less than \$5,000 and obsolete or unusable, or the district is wanting to demolish a building, approval is only needed from the SAO. Please contact the SAO for specific procedures at (505) 476-3800. Disposition may be made by:
  - Negotiated sale to any governmental unit of an Indian nation, tribe or pueblo in New Mexico, or by negotiated sale or donation to other state agencies, local public bodies, school districts, state educational institutions or municipalities,
  - Sale at public auction,
  - Destruction,
  - Disposal of hazardous materials in compliance with environmental regulations, and
  - Sale through solicitation of written bids through the state purchasing division.

#### SBF

- State statute provides that any sale, trade or lease of real property for a period of more than five years or
- any sale trade or lease for a consideration of more than \$25,000 shall not be valid unless it is approved prior to its effective date by the SBF. Please contact the SBF for specific procedures at (505) 827-4980.

#### PED

- Approval is needed from PED for all personal property or demolition with a value of more than \$5,000 or
- any sale, trade or lease of real property for a period of less than five years and when consideration is between \$5,000 and \$25,000.

[Disposition of Real and/or Personal Property Checklist](#)

[Request for Approval of Property Disposition \(PED 947\)](#)

[Request for Approval or Property Disposition Flowchart](#)

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