

HB 95 - AS INTRODUCED

2023 SESSION

23-0019

02/05

HOUSE BILL **95**

AN ACT enabling municipalities to adopt rental practice regulations.

SPONSORS: Rep. Read, Rock. 10; Rep. Gallagher, Merr. 20; Rep. Levesque, Straf. 4; Rep. Vogt, Rock. 21; Rep. Pratt, Rock. 4; Rep. Preece, Hills. 17; Rep. Seibert, Hills. 21; Rep. Newell, Ches. 4

COMMITTEE: Municipal and County Government

ANALYSIS

This bill enables municipalities to adopt bylaws to regulate the period of notice required prior to a rent increase on residential property and the permissible amount of such rent increases.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT enabling municipalities to adopt rental practice regulations.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subparagraphs; Power of Towns to Adopt Bylaws Relative to Rental Practices. Amend
2 RSA 31:39, I by inserting after subparagraph (p) the following new subparagraphs:

3 (q) Regulating the period of notice required prior to a rent increase for restricted
4 property, as defined in RSA 540:1-a, II; provided that such notice shall not be less than 30 days.

5 (r) Regulating the maximum amount an owner of restricted property, as defined in RSA
6 540:1-a, II, may increase the rent of residential tenants.

7 2 Termination of Tenancy; Notice and Amount of Rental Increase. Amend RSA 540:2, IV to read
8 as follows:

9 IV. A tenant's refusal to agree to a change in the existing rental agreement calling for an
10 increase in the amount of rent shall constitute good cause for eviction under paragraph II(e) of this
11 section, provided that the landlord provided the tenant with written notice of the amount and
12 effective date of the rent increase at least 30 days prior to the effective date of the increase ***or in***
13 ***accordance with any additional notice required by the municipality pursuant to RSA 31:39,***
14 ***I(q).***

15 ***IV-a. No tenancy shall be terminated for nonpayment of rent if:***

16 (a) ***The municipality has enacted bylaws regulating either or both the period of***
17 ***required notice for rent increase notifications or the permissible annual amount of a***
18 ***rental increase under RSA 31:39, I(q) and (r);***

19 (b) ***The tenant has a pending complaint filed with the municipality challenging***
20 ***their landlord's rent increase as contrary to bylaws established under RSA 31:39, I(q) or***
21 ***(r), or the municipality has found the rent increase to be, in whole or in part, in violation***
22 ***of these bylaws against the landlord; and***

23 (c) ***The tenant has paid all rent that is due to the landlord except for:***

24 (1) ***The amount that the tenant is challenging pursuant to the bylaws***
25 ***enacted by the municipality pursuant to RSA 31:39, I(q) or (r); or***

26 (2) ***The amount that the municipality has found to be in violation of the***
27 ***provisions of the bylaws it has adopted pursuant to RSA 31:39, I(q) or (r).***

28 3 Effective Date. This act shall take effect 60 days after its passage.