

Committee Report

REGULAR CALENDAR

March 2, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Judiciary to which
was referred HB 160,**

**AN ACT relative to notice of rent increases in certain
residential rental property. Having considered the
same, report the same with the following resolution:
RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

Rep. Joe Alexander

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Judiciary
Bill Number:	HB 160
Title:	relative to notice of rent increases in certain residential rental property.
Date:	March 2, 2021
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The majority of the Judiciary Committee believes that this bill is a step towards rent control. This bill would extend the amount of time required for landlords to notice to tenants an increase in rent from 30 days to 60 days for a 5% increase and from 30 days to 90 days for an 8% increase. Landlords have been under unprecedented stress during the pandemic and housing crisis in this state. The majority of the Judiciary Committee believes that further regulation on the time and manner in which rent is raised will further place burdens on the property rights of landlords and do little to solve the housing shortage in New Hampshire.

Vote 11-10.

Rep. Joe Alexander
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Judiciary

HB 160, relative to notice of rent increases in certain residential rental property. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joe Alexander for the **Majority** of Judiciary. The majority of the Judiciary Committee believes that this bill is a step towards rent control. This bill would extend the amount of time required for landlords to notice to tenants an increase in rent from 30 days to 60 days for a 5% increase and from 30 days to 90 days for an 8% increase. Landlords have been under unprecedented stress during the pandemic and housing crisis in this state. The majority of the Judiciary Committee believes that further regulation on the time and manner in which rent is raised will further place burdens on the property rights of landlords and do little to solve the housing shortage in New Hampshire. **Vote 11-10.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

March 2, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on Judiciary to which
was referred HB 160,**

**AN ACT relative to notice of rent increases in certain
residential rental property. Having considered the
same, and being unable to agree with the Majority,
report with the recommendation that the bill OUGHT
TO PASS.**

Rep. Cam Kenney

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Judiciary
Bill Number:	HB 160
Title:	relative to notice of rent increases in certain residential rental property.
Date:	March 2, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

In New Hampshire, there is undoubtedly a housing crisis that puts many Granite Staters in stressful situations where affordable housing is hard to find. This bill aims to alleviate some of this stress by requiring landlords to give at least 60 days notice if the rent increase exceeds 5%, or at least 90 days notice if the rent increase exceeds 8%. To be clear, this is in no way rent control, as a landlord could increase rent however they see fit. But this bill would ensure that people have adequate time to either secure funds when rent increases are egregious or find a new place to live. The minority believes we should pass this bill and begin to ease the housing burdens that face many individuals across New Hampshire.

Rep. Cam Kenney
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Judiciary

HB 160, relative to notice of rent increases in certain residential rental property. **OUGHT TO PASS.**

Rep. Cam Kenney for the **Minority** of Judiciary. In New Hampshire, there is undoubtedly a housing crisis that puts many Granite Staters in stressful situations where affordable housing is hard to find. This bill aims to alleviate some of this stress by requiring landlords to give at least 60 days notice if the rent increase exceeds 5%, or at least 90 days notice if the rent increase exceeds 8%. To be clear, this is in no way rent control, as a landlord could increase rent however they see fit. But this bill would ensure that people have adequate time to either secure funds when rent increases are egregious or find a new place to live. The minority believes we should pass this bill and begin to ease the housing burdens that face many individuals across New Hampshire.

Original: House Clerk

Cc: Committee Bill File

Voting Sheets

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:07:24 AM
Roll Call Committee Registers
Report

2021 SESSION

Judiciary

Bill #: **HB 160** Motion: ITL AM #: _____ Exec Session Date: 3/2/2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Gordon, Edward M. Chairman	11		
McLean, Mark Vice Chairman	1		
Sylvia, Michael J.	2		
Wuelper, Kurt F. Clerk	3		
Alexander, Joe H.	4		
Rice, Kimberly A.	5		
Silber, Norman J. Smith, Steven	6		
Greene, Bob J.	7		
Kelley, Diane E.	8		
Tausch, Lindsay	9		
Trottier, Douglas R.	10		
Smith, Marjorie K.		1	
Berch, Paul S.		2	
Horrigan, Timothy O.		3	
DiLorenzo, Charlotte I.		4	
Chase, Wendy		5	
Kenney, Cam E.		6	
Langley, Diane M.		7	
McBeath, Rebecca Susan		8	
Paige, Mark		9	
Simpson, Alexis		10	
TOTAL VOTE:	11	10	

Rep Kurt Wuelper *Kurt Wuelper*

Public Hearing

Chris Norwood NH Assoc of Realtors Policy Change Oppose WE feel it is in landlord's interest to make longer term leases. The solution to housing affordability is to increase inventory. This bill will reduce inventory. WSE feel the answer to rent costs is more apartments and more consolidation this bill would encourage. WE ask you to ITR this bill.

Thibault Southwest Community Service /landlord Support The notice requirement is not onerous but the bill is a good one

*Harrison Kinsler Mount Washington Valley Housing Opposes In Carroll county we have essentially a zero vacancy rate. Our employees are losing housing and too often are forced to leave the area to find new

Pinot NH Youth Movement Support Be kind to renters-give them more time.

PeresNH Youth Movement Support Even 60 days is insufficient to find new housing. Landlords should not need multiple occupants to pay more for needed repairs. Landlords already have protection in the contracts they create. As an \$8/hour worker, any rent increase would have crushed me

Melissa Maargolin Dir Housing Action NH Supports WE view this as a notice bill helping to maintain housing stability. We need notice because of housing market shortage. Notice is just a good policy. Landlords can pass along rent increases as they choose this just asks for longer notice. I doubt that would drive up costs. Housing isn't just another product on the market. If you don't make enough to afford increased rent it is good public policy to give you enough time to make changes.

House Remote Testify

Judiciary Committee Testify List for Bill HB160 on 2021-02-02

Support: 66 Oppose: 30 Neutral: 0 Total to Testify: 11

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Stone, Martha	martha@crossroadshouse.org	A Member of the Public	Cross Roads House	Support	Yes (5m)	No	2/1/2021 5:23 PM
Conley, Casey	caseymconley@gmail.com	An Elected Official	Myself	Support	Yes (4m)	No	2/2/2021 9:25 AM
Norman, Nick	NickNorman@yahoo.com	A Lobbyist	Property Owners, AANH	Oppose	Yes (4m)	No	2/1/2021 9:48 AM
Perez, Erika	Eyzerep@gmail.com	A Lobbyist	New Hampshire Youth Movement	Support	Yes (3m)	No	2/2/2021 8:52 AM
Norwood, Chris	cnorwood@nainorwoodgroup.com	A Member of the Public	NH Association of REALTORS	Oppose	Yes (2m)	No	2/1/2021 4:40 PM
Mortell, Ben	blmortell@gmail.com	A Member of the Public	Myself	Support	Yes (0m)	No	2/1/2021 7:23 AM
Margolin, Elissa	elissa@housingactionnh.org	A Lobbyist	Housing Action NH	Support	Yes (0m)	No	2/2/2021 9:10 AM
Thibault, Keith	kthibault@scshelps.org	A Member of the Public	Southwestern Community Services - Landlord	Support	Yes (0m)	No	1/29/2021 9:38 AM
Berry, Elliott	eberry@nhla.org	A Lobbyist	NH Legal Assistance	Support	Yes (0m)	No	1/29/2021 9:48 AM
Kanzler, Harrison	harrison@mwvhc.org	A Member of the Public	The Mount Washington Valley Housing Coalition	Support	Yes (0m)	No	1/29/2021 10:58 AM
Pinto, Josie	josie@nhyouthmovement.org	A Lobbyist	New Hampshire Youth Movement	Support	Yes (0m)	No	1/29/2021 11:21 AM
Fournier, Spencer	cfournier258@gmail.com	A Member of the Public	Myself	Support	No	No	1/29/2021 12:14 PM
Almy, Susan	susan.almy@comcast.net	An Elected Official	Myself	Support	No	No	1/29/2021 1:48 PM
Cloutier, Rep. John	joelcloutier@comcast.net	An Elected Official	Myself	Support	No	No	1/29/2021 2:24 PM
Stapleton, Walter	waltstapleton@juno.com	An Elected Official	Myself	Support	No	No	1/29/2021 4:21 PM
Brown, Ellie	ejb.615@gmail.com	A Member of the Public	Myself	Support	No	No	1/29/2021 5:01 PM
Harrold, Benjamin	benjaminharrold@gmail.com	A Member of the Public	Myself	Support	No	No	1/29/2021 7:37 PM
Grossi, Anne		A Member of the	Myself	Support	No	No	1/29/2021 9:59 PM

	adgrossi7982@gmail.com	Public					
DiBacco, Aron	aron1208@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2021 11:55 AM
Flockhart, Eileen	hartflock@comcast.net	A Member of the Public	Myself	Support	No	No	1/30/2021 1:12 PM
Gould, REp. Linda	lgouldr@myfairpoint.net	An Elected Official	Myself	Oppose	No	No	1/30/2021 4:06 PM
Moore, Susan	susan.moore.franconia@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2021 4:24 PM
Fordey, Nicole	nikkif610@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2021 8:06 PM
Feder, Marsha	marshafeder@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2021 10:13 AM
Maguire, Jeff	jpmaguire7@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2021 1:27 PM
Telerski, Laura	Laura.Telerski@Leg.State.NH.US	An Elected Official	Hillsborough 35	Support	No	No	1/31/2021 3:05 PM
Oxenham, Lee	leeoxenham@comcast.net	An Elected Official	Sullivan Co., District 1	Support	No	No	1/31/2021 5:33 PM
Mitchell, Katherine	katherinemitchell@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/31/2021 6:00 PM
Tetu, Emile	etetu@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/31/2021 6:27 PM
Makris, Christopher	cmakris@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/31/2021 7:26 PM
Hartford, Mitchell	MitchHartford75@msn.com	A Member of the Public	Myself	Oppose	No	No	1/31/2021 8:04 PM
Garen, June	jzanesgaren@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2021 8:23 PM
Hartford, Jennifer	JenniferHartford@ymail.com	A Member of the Public	Myself	Oppose	No	No	1/31/2021 8:25 PM
Damon, Claudia	cordsdamon@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2021 8:32 PM
Wazir, Safiya	s.wazir@leg.state.nh.us	An Elected Official	My Constituents	Support	No	No	1/31/2021 8:56 PM
Lekas, Tony	Rep.Tony.Lekas@gmail.com	An Elected Official	Myself	Oppose	No	No	1/31/2021 9:08 PM
Spencer, Louise	kentstusa@aol.com	A Member of the Public	Myself	Support	No	No	1/31/2021 10:45 PM
McWilliams, Rebecca	rebecca.mcwilliams@leg.state.nh.us	An Elected Official	Merrimack 27	Support	No	No	1/31/2021 10:48 PM
Podlipny, Ann	apodlipny57@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2021 6:23 AM
Fletcher, Wesley	Casadewes@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 6:25 AM
Savard, Stephanie	ssavard@nhceh.org	A Member of the	NH Coalition to End Homelessness	Support	No	No	1/29/2021 11:17 AM

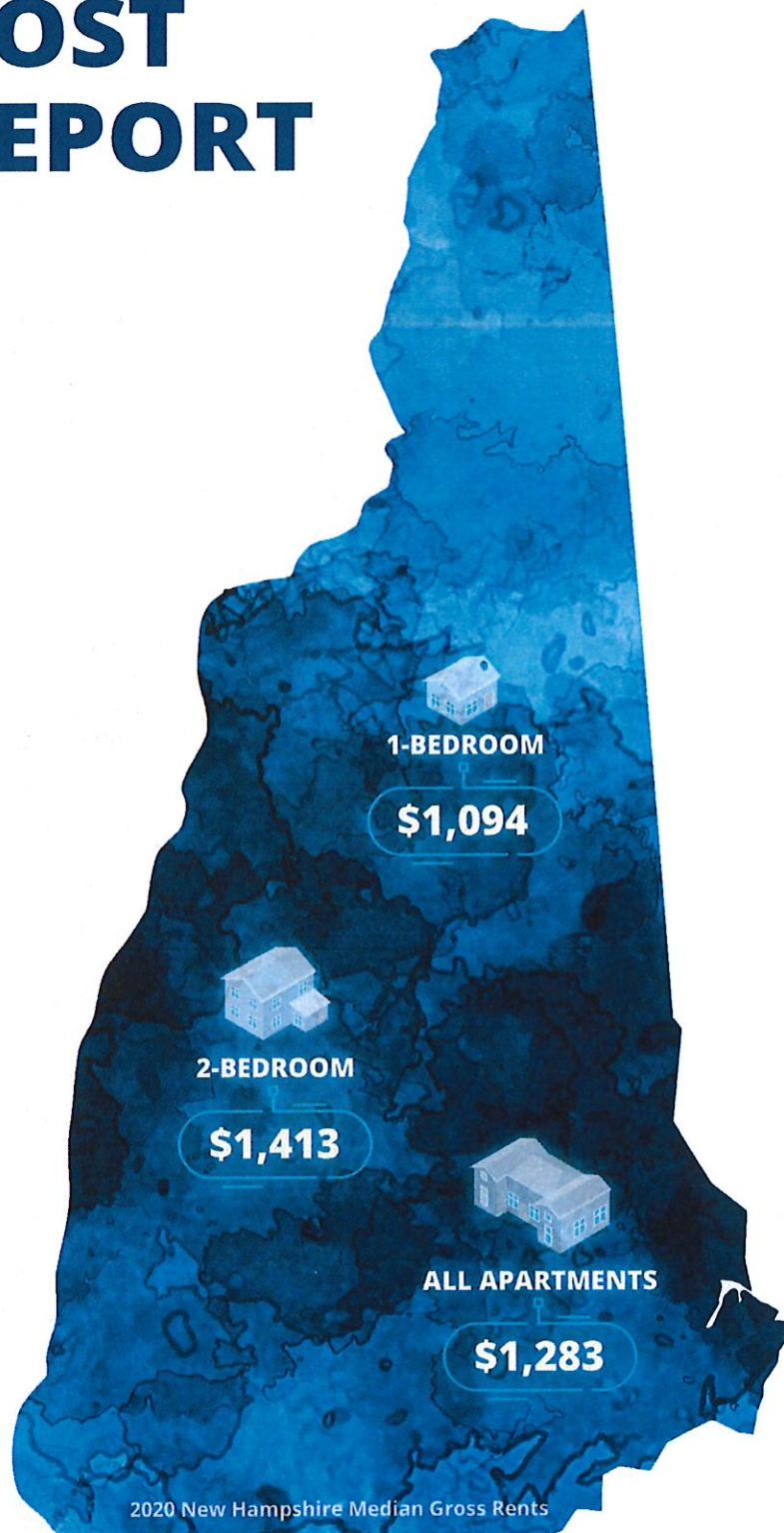
Kiess, Mike	michael@vitalcommunities.org	Public A Member of the Public	Myself	Support	No	No	1/29/2021 10:44 AM
Maynard, Richard	maynardrick@outlook.com	A Member of the Public	Myself	Support	No	No	1/28/2021 1:44 PM
Blais, Vanessa	bessblais@gmail.com	A Member of the Public	Myself	Support	No	No	1/28/2021 2:12 PM
Affeldt, Rosemary	rosemary.affeldt@comcast.net	A Member of the Public	Myself	Support	No	No	1/28/2021 3:56 PM
Harrold, Kristina	kristinalharrold@gmail.com	A Member of the Public	Myself	Support	No	No	1/29/2021 3:42 PM
Gugliucci, Nicole	nicolegugliucci@gmail.com	A Member of the Public	Myself	Support	No	No	1/29/2021 8:07 AM
MaLossi Kerbyson, Liane	fpgcdirector@gmail.com	A Member of the Public	Myself	Support	No	No	1/29/2021 9:10 AM
Makris, Paul	paul.makris@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/1/2021 10:18 AM
Torpey, Jeanne	jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2021 10:26 AM
Beaulieu, Malcolm	malcolm.beaulieu@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 11:20 AM
Berry, Jake	jberry@new-futures.org	A Lobbyist	New Futures	Support	No	No	2/1/2021 11:42 AM
sweet, jennifer	jenniferl.sweet81@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 12:14 PM
Larson, Walter	chipandsarahlarson@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 3:08 PM
Anderson, Keryn	kerynlanderson@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 12:54 PM
Schleyer, Chris	cschleyer@elmgrovecompanies.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 1:14 PM
Frost, Sherry	sherry.frost@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/1/2021 2:31 PM
Lord, Kit	kitlord@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 2:52 PM
Guaraldi, Luke	LUKEJGUARALDI@HOTMAIL.COM	A Member of the Public	Myself	Oppose	No	No	2/1/2021 3:22 PM
Carter, Lilian	lcarter0914@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 3:27 PM
Bliss, Louisa	lbliss791@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 3:38 PM
Hinebauch, Mel	melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 3:40 PM
Klein Knight, Nicole	Nklein@cca.edu	An Elected Official	Myself and Ward 4 Manchester	Support	No	No	2/2/2021 9:22 AM

Elhuni, Asma	Asma@radnh.org	A Lobbyist	Rights and Democracy	Support	No	No	2/2/2021 9:39 AM
Howard Jr., Raymond	brhowardjr@yahoo.com	An Elected Official	Myself	Oppose	No	No	2/2/2021 9:42 AM
Milonas, Abby	abbymilonas123@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 9:46 AM
Osborne, Jason	houstorepoffice@leg.state.nh.us	An Elected Official	House Majority Office	Oppose	No	No	2/2/2021 9:53 AM
Reilly, Caitlyn	Caitlynreilly@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 10:03 AM
Coss, Adrian	adrian.coss@unhlaw.unh.edu	A Member of the Public	Myself	Support	No	No	2/2/2021 10:15 AM
Brennan, Nancy	burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 10:17 AM
Representative, Tony Piemonte for	tony.piemonte@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	2/2/2021 11:22 AM
Yen, Lidia	lyen@afsc.org	A Member of the Public	Myself	Support	No	No	2/2/2021 1:26 PM
Istel, Claudia	claudia@sover.net	A Member of the Public	Myself	Support	No	No	2/2/2021 4:02 PM
Fogarty, Maggie	mfogarty@afsc.org	A Lobbyist	American Friends Service Committee - NH	Support	No	No	2/3/2021 7:24 AM
Fontneau, Tim	Tim.Fontneau@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	2/4/2021 10:06 AM
Lloyd, Sheridan	Sheridan.Lloyd@myfairpoint.net	A Member of the Public	Myself	Oppose	No	No	2/4/2021 11:39 AM
Gould, Marcus	Marcusgouldnh@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/8/2021 9:57 AM
Bean, Harry	Harry.Bean@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	2/1/2021 7:50 AM
Spielman, Kathy	jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2021 8:02 AM
Spielman, James	jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2021 8:03 AM
Farrelly Jr, Joseph	joefarrelly@aol.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 8:26 AM
Corell, Elizabeth	Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 8:33 AM
Kelly, Jon	jonmkelly@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 9:22 AM
Knoy, Sarah Jane	sjk@granitestateinterfaithactionfund.org	A Lobbyist	Granite State Interfaith Action Fund	Support	No	No	2/1/2021 5:49 PM
Cline, David	DClineNH@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2021 7:23 PM
Katusiime, Viola	violakat@granitestateorganizing.org	A Lobbyist	Granite State Organizing Project	Support	No	No	2/1/2021 7:26 PM
Pierog, Jake		A Member of the	Myself	Support	No	No	2/1/2021 8:12 PM

	pierogjake@gmail.com	Public						
See, Alvin	absee@4Liberty.net	A Member of the Public	Myself	Oppose	No	No	2/1/2021 9:11 PM	
Rathbun, Eric	ericsrathbun@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 10:58 PM	
Beene, Holly	holly.beene@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/2/2021 9:09 AM	
Platt, Elizabeth-Anne	lizanneplatt09@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 7:09 AM	
French, Elaine	frenche961@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 7:18 AM	
Rettew, Annie	abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 8:10 AM	
Ellermann, Maureen	ellermannf@aol.com	A Member of the Public	Myself	Support	No	No	2/2/2021 8:19 AM	
Ewart, Cheryl	peakrentals@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/2/2021 8:38 AM	
Staub, Kathy	kstaub@comcast.net	A Member of the Public	Myself	Support	No	No	2/2/2021 8:39 AM	

Testimony

2020 NEW HAMPSHIRE RESIDENTIAL RENTAL COST SURVEY REPORT



THE 2020 RESIDENTIAL RENTAL MARKET: A POSITIVE NOTE IN A TIME OF UNCERTAINTY

Dean J. Christon
Executive Director
New Hampshire Housing
Finance Authority

NHHFA is closely monitoring the impact of the coronavirus and employment on New Hampshire's housing market.

For many years New Hampshire Housing has conducted an annual statewide survey of market-rate apartment rental costs. This year's survey was especially challenging as it was carried out from March - May, amid the sudden emergence and impact of the coronavirus pandemic and Governor Sununu's "stay-at-home" emergency orders.

Our *2020 Residential Rental Cost Survey*, conducted by the University of New Hampshire Survey Center, received responses from the owners and managers of more than 21,600 unsubsidized (market rate) rental housing units around the state (14% of all units statewide). The survey results show that there is still a high demand for apartments, a tight supply, and a low vacancy rate, making it a challenging market for New Hampshire renters.

Rents reflect the demand: this year's statewide median gross rent (including utilities) of \$1,413 for two-bedroom units is up 5% over last year (and up 2% for all units). Rents have increased in each of the past seven years.

Despite the ongoing tightness of the rental market, there is a positive note from the survey: at 1.8%, the vacancy rate for all units is nearly 1% higher than last year (a vacancy rate of 4% to 5% is considered a balanced market for tenants and landlords). In comparison, the U.S. vacancy rate is 6.6% and in the Northeast it is 5.5%.

In the past few years there has been an increase in multi-family building permits, particularly in southern New Hampshire. It is likely that the construction and lease-up of those new units is reflected in the slightly higher vacancy rate this year.

Many of the new units, however, tend to be more expensive. To afford the statewide median cost of a typical two-bedroom apartment with utilities, a New Hampshire renter would have to earn 125% of the estimated statewide median renter income, or over \$56,500 a year.

To sustain New Hampshire's economy, additional housing is needed to support our labor force, as well as those who cannot work because of age or disability. According to a recent study, about 20,000 more housing units are needed to meet current demand and stabilize the market.

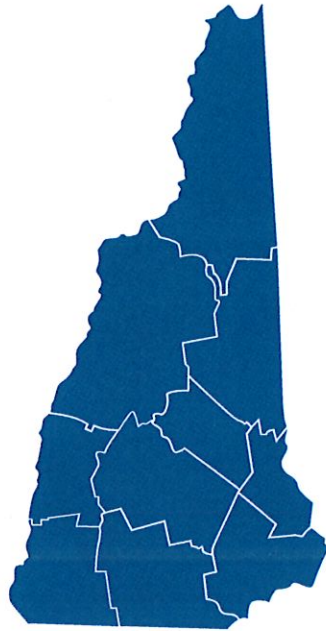
Over the past year, New Hampshire Housing committed financing for more than 2,300 rental units. These will be available to renters within 12 - 18 months. Even so, it is clear that we as a state must continue to encourage and support the development of more housing opportunities throughout New Hampshire.

Meanwhile, we will not know for some time how the coronavirus is impacting the rental market. Many workers have been required or encouraged by their employers to work from home during the pandemic. For certain industry sectors, this flexibility could remain after the pandemic, leaving those employees with substantially greater choice in where to live. However, in some industry sectors – retail and hospitality, for example – there is no such flexibility; workers must be on-site and must live within commuting distance. The benefits of remote working are likely to disproportionately favor those with higher-income jobs and not those renters with lower incomes.

The home buying market remains active and competitive, due in large part to very low interest rates. However, many households that could purchase a home continue to rent because of a scarcity of homes for sale. This lack of for-sale inventory continues to add pressure to rental costs in New Hampshire this year, as it has in the past seven years.

2020 SURVEY RESULTS SUMMARY

STATEWIDE
MONTHLY
MEDIAN GROSS
RENT,
2-BEDROOM
UNITS

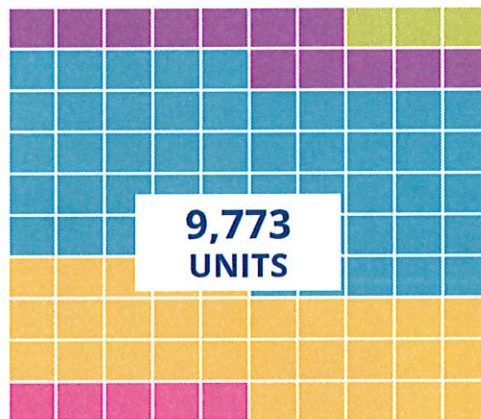


\$1,413
Monthly median gross rent
2-bedroom units

+ 4.9%
Annual change in monthly median
gross rent - 2 bedroom units

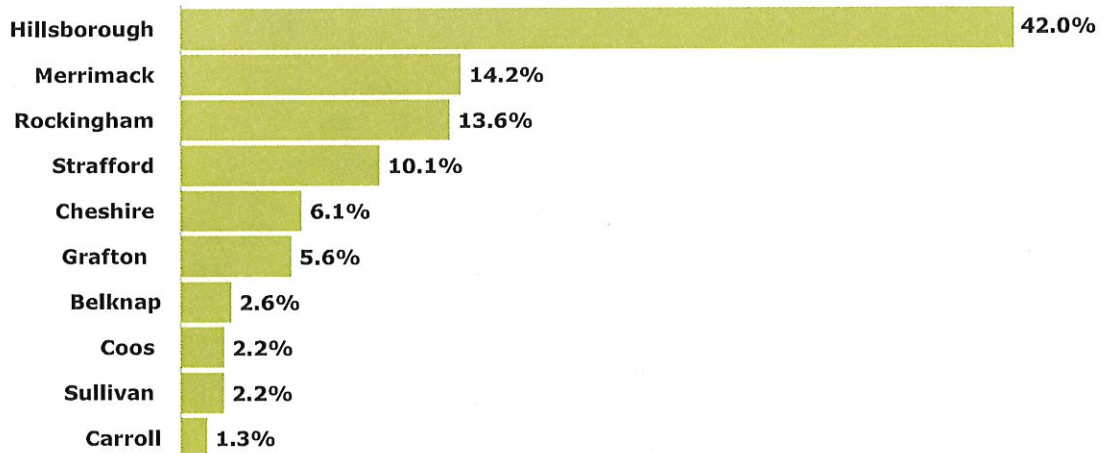
1.75%
Vacancy rate for 2-bedroom units

TOTAL SURVEY
SAMPLE SIZE BY
UNITS (ADJUSTED):



4+Bedrooms
3-Bedroom
2-Bedroom
1-Bedroom
0-Bedroom

SURVEY
SAMPLE SIZE
BY COUNTY

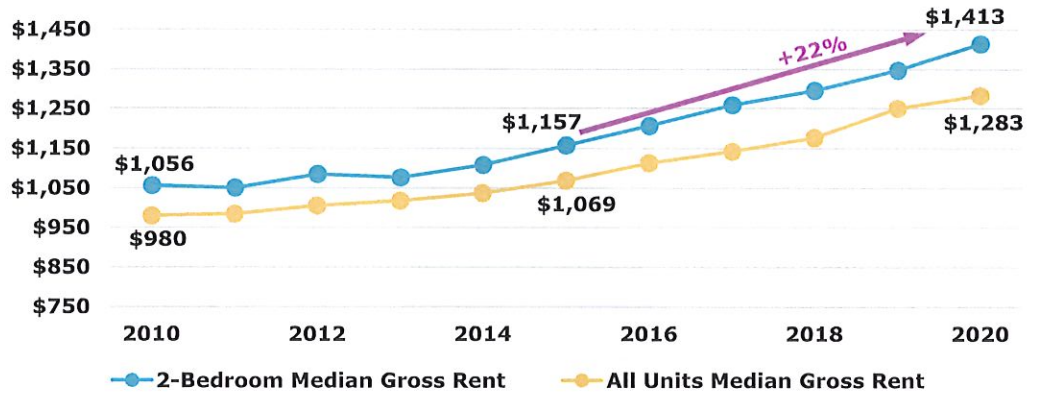


RENTAL COSTS, STATEWIDE

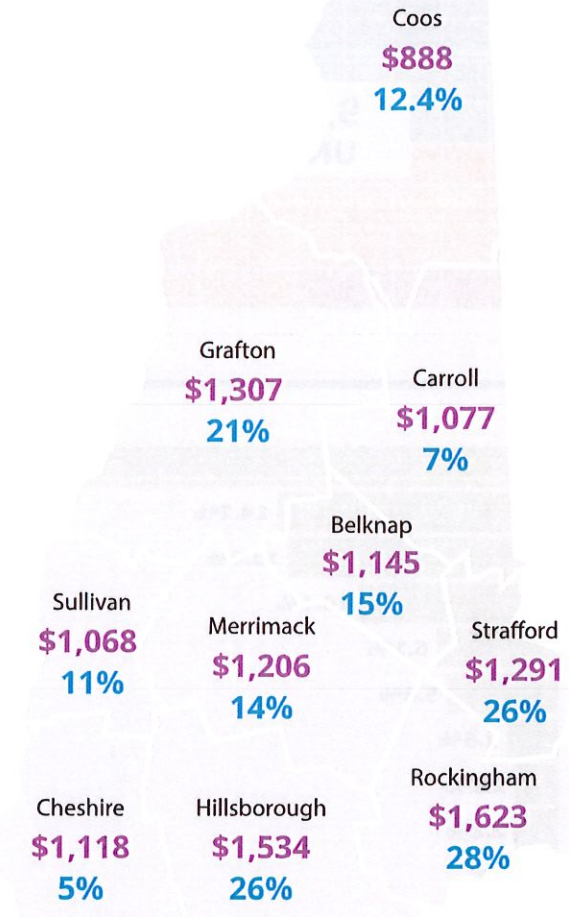
MONTHLY MEDIAN GROSS RENT, 2-BEDROOM & ALL UNITS (STATEWIDE)

Includes utilities

The statewide median gross rent (including utilities) for a 2-bedroom unit has increased over 22% in the past 5 years.



PERCENT CHANGE IN 2-BEDROOM MEDIAN GROSS RENT OVER FIVE YEARS (STATEWIDE, 2015 - 2020)

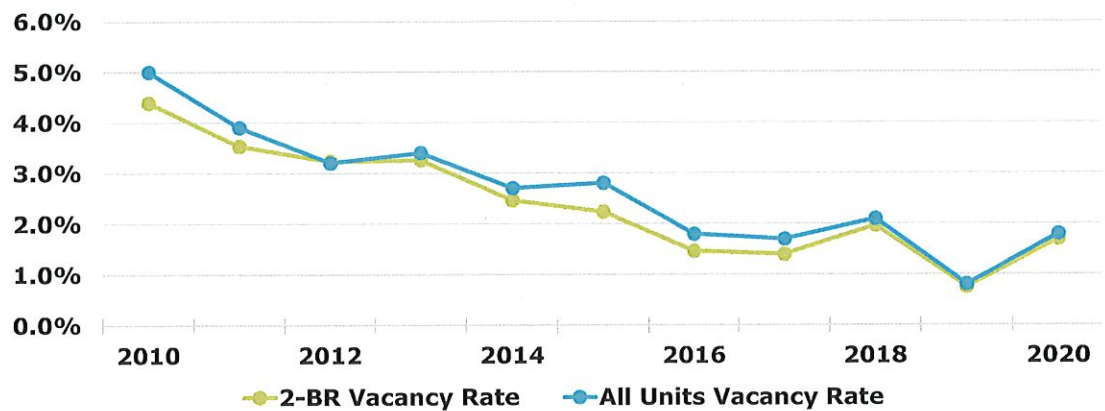


Median Monthly Gross Rental Cost for 2-Bedroom Units

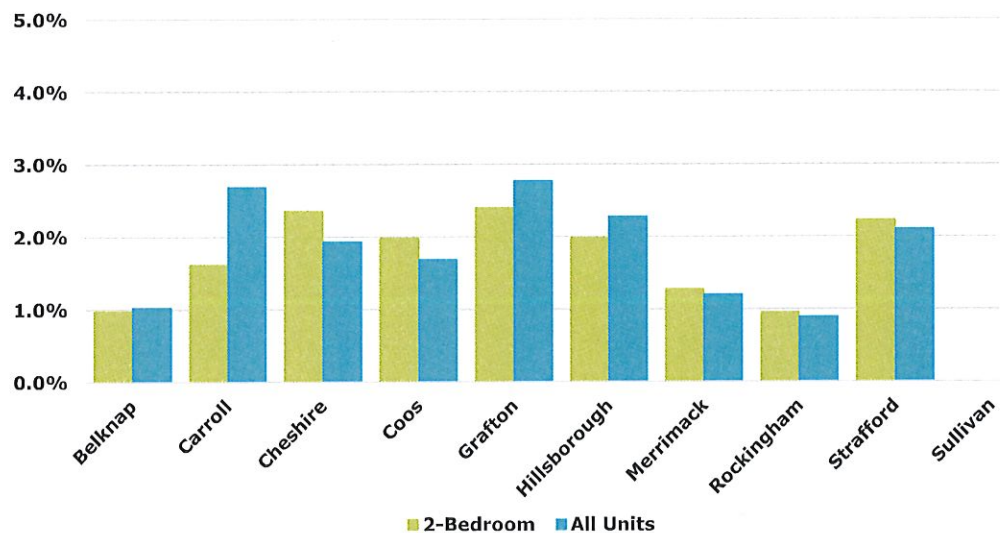
Percent Change in 2-Bedroom Median Gross Rent Over 2015-2020

VACANCY RATES

STATEWIDE VACANCY RATE, 2-BEDROOM & ALL UNITS (2010 - 2020)



VACANCIES BY COUNTY (PERCENT OF 2-BEDROOM UNITS & ALL UNITS)



VACANCY RATE FOR ALL UNITS (STATEWIDE & COUNTY)

The 2020 rental housing vacancy rate remains under 2% for 2-bedroom and all units. New Hampshire's vacancy rate is still below the Northeast region (5.5%) and the U.S. (6.6%). (A balanced rental market is between 4 - 5% vacancy rate.)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
STATEWIDE	4.4%	3.5%	3.2%	3.3%	2.5%	2.2%	1.5%	1.4%	2.0%	0.8%	1.8%
Belknap County	6.4%	8.9%	3.3%	7.5%	5.3%	1.2%	4.9%	4.6%	4.0%	2.0%	1.0%
Carroll County	9.7%	11.3%	5.1%	3.1%	3.6%	3.9%	1.4%	0.0%	*N/A	*N/A	2.7%
Cheshire County	7.4%	6.4%	7.1%	2.5%	3.7%	3.2%	4.5%	1.0%	1.7%	0.9%	1.9%
Coos County	10.6%	15.2%	12.6%	9.5%	7.9%	9.2%	6.9%	10.7%	3.7%	1.0%	1.7%
Grafton County	7.0%	7.6%	7.5%	3.0%	3.9%	2.7%	3.0%	3.0%	3.9%	0.3%	2.8%
Hillsborough County	3.8%	2.2%	2.2%	2.6%	2.1%	2.3%	0.9%	1.2%	1.8%	1.0%	2.3%
Merrimack County	4.9%	4.8%	2.7%	3.3%	2.5%	1.7%	1.2%	1.1%	2.5%	0.5%	1.2%
Rockingham County	3.0%	2.7%	3.2%	3.4%	2.1%	1.9%	1.0%	1.1%	1.0%	0.3%	0.9%
Strafford County	5.7%	3.3%	3.6%	4.9%	2.1%	2.3%	1.4%	1.2%	2.6%	0.8%	2.1%
Sullivan County	6.4%	5.7%	7.4%	7.3%	5.8%	2.7%	6.4%	2.2%	0.9%	0.0%	0.0%



To the Members of the House Judiciary Committee,

The Mount Washington Valley Housing Coalition supports HB160. As a non-profit advocacy group for affordable housing in the Mount Washington Valley we are in regular contact with landlords, tenants, and realtors in our area. Rents have gone far above what HUD determines to be affordable for our area. Currently HUD claims that affordable rental (2 bed 1 bath) at 60% of median income for Carroll County is \$970/mo. including utilities. Unfortunately the current market rate for that same rental in the Mount Washington Valley is around \$1200, not including utilities.

Many employers are having a hard time filling needed openings in all sectors of our local economy; health care, education, and hospitality to name a few. While we have many landlords locally who support the local economy, and who support our local workforce by offering rentals at reasonable rates, those opportunities are too few and far between for most Valley residents. With a growing interest on the Real Estate market in the Mount Washington Valley many investors from outside the State have started to buy up properties and increase rents. Currently the Mount Washington Valley has a LOWER average vacancy rate for long term rentals than the State average; at what we calculate to be 0%. This figure comes from a calculation of the days on market for a long term rental unit. Any long term units listed at or around market rates, are filled in less than 4 weeks. Meaning that from month to month, there are 0 new listings on the market.

As a result, a tenant who has their rents increased beyond their fiscal capacity, will likely not be able to find another housing option within 30 days. Many employers have lost employees to raised monthly rents. This loss is exacerbated by the current instability of the COVID economy. Many of our local industries, especially hospitality; the backbone of the Mount Washington Valley, are having a hard time recruiting new employees for fear of close contact with the public. While this is an understandable concern for would be employees, it means that our local businesses are in an even tighter than usual spot when it comes to losing an existing employee, something that happens all too often due to raised rents.

We believe that with adequate notice tenants will have the opportunity to either adjust their monthly budget to facilitate increased rents, or have a better chance at finding increasingly rare opportunities to live at rates which they can afford here in the Mount Washington Valley. With the current housing crisis comes an economic crisis that must be addressed and we feel that this legislation is a good step towards alleviating some of the concerns facing our local economy.

Thank you for you time,

Harrison Kanzler, Executive Director
Mount Washington Valley Housing Coalition

Dear Committee members,

My name is Paul N. Stewart and I am President of Stewart Property Management Inc., which is based in Bedford, NH. Our company manages 3000 units of rental housing throughout New Hampshire. Our singular focus is the management of both work force and senior housing as well as apartments for persons with disabilities.

Having been operating in this domain for almost 33 years, we would like to offer our views on two bills before the Committee:

1. HB 160: We support this bill because it adds a measure of protection to residents who require additional time to find alternative housing when rents spike substantially, which is particularly important in tight housing markets, and because it does not impose a burden of consequence to property owners. We manage several properties in Vermont and Maine, which require 60 and 45 days respectively for all rent increases, and we simply plan accordingly. There are essentially four reasons for a significant rent increase: increases in energy or property taxes which are the two volatile expenses in an operating budget, sale or refinance of the property which increases debt service, or demand based motivation to increase cash flow. As to the expense items, in our experience we have had only one instance where we were forced to increase rents above 5%, and in that situation we had four months' notice. Relative to increases in debt service resulting from refinancing or acquisition, those activities require a good deal of lead time so fitting a sizeable rent increase which results within the bill's time frames is doable without jeopardizing a transaction.

In summary, the circumstances that result in significant increases in rent are foreseeable and the imposition of the time frames in HB 160 are reasonable and are not a burden to property owners.

January 21, 2021



Representative Edward Gordon, Chair
Judiciary Committee
New Hampshire House of Representatives
107 North Main Street
Concord, NH 03301

RE: HB 160 Rent Increases

Dear Chairman Gordon:

I am writing to express my support for HB 160 relative to notice of rent increases in certain residential rental properties.

NeighborWorks® Southern New Hampshire is a private non-profit, community development organization with a focus on providing affordable housing. Over the past 29 years, we have developed over 500 affordable rental units throughout our region. Each year we examine our operating expenses and determine if our rents need to increase.

When we do increase rents, we typically see no more than 2% to meet rising costs. In instances where we acquire an occupied property, we maintain the existing rents until such time that capital improvements are made and normal rent adjustments can be accommodated as units turn over. In instances where we have sold multi-family properties, we have stipulated in the listing agreement as well as in the purchase and sales contract, that the buyer must not raise rents within six months of the date of sale. We have never found this stipulation to be a deterrent for buyers.

At a time when rental vacancies are below 1%, and the availability of quality rental units is limited, I believe that capping rent increases as described in HB 160 is a reasonable step toward helping address the affordable housing crisis in New Hampshire.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RTourigny'.

Robert Tourigny
Executive Director



/02/2020 at 09:30 AM HB160, 60 & 90 Day Notice of Rent Increase(Beginnings of Rent Control)
Nick Norman
Legislative Initiative Landlord Tenant Law
AANH Government Affairs Chair
NickNorman@yahoo.com
603-432-5549

Property Owner Position: Against, Vote to Kill this bill.

Summary: This bill would require all landlords of restricted property, as defined in RSA 540, to provide tenants of a 60 day notice for rent increased of more than 5%, and a 90 day notice of rent increases of more than 8%.

This bill is an **unnecessary burden and a form of rent control** and should immediately be **killed for the rent control camel's nose under tent reasons alone**. Don't be fooled, this is the beginning of rent control. Rent Control comes in many varieties from small to large. **Any restriction on free enterprise, specifically rents is a form of rent control. Rent control has over and over proven to be a failed policy.** Rent control **warps markets and leads to poorly maintained properties**. These new requirements **do not account for significant expenses a landlord might incur, such as a massive property tax increase or a major capital expense such as an expensive roof or paved driveway or updated heating systems**. We do not want to discourage property owners from making improvements to their properties; **how they recoup those investments should be determined by them, not by legislation**.

Real estate value is determined by income vs. expenses. In a free market it doesn't work to limit income without limiting the expenses. Also, in order to sell a building many buyers look to increase the income from tenants (that know they've been getting a good deal for years) in order to pay for the mortgage. **To limit or stifle the sale of buildings will lead to many problems. Automatic rent increases, deferred maintenance etc.**

If a 60 or 90 day notice is kept for rent increase and tenant's notice of terminating lease is 30 days then entire intention of the bill won't work.

If tenants are looking for apartments 60 to 90 days out but nothing like that is available because present tenants are only giving 30 days notice then **landlords are going to be receiving lots of calls from people looking for apartments while they don't have an inventory of apartments turning over** because most of the potential rentals for the tenant moving are not even on the market yet. So effectively, the **tenant that is moving really only gets the last 30 days of real time finding something**. There will become **waiting lists**. This will naturally **drive prices up and only the best applicants accepted leaving others with out housing**.

If **tenants** are only required to give **30 days** notice **why should 90 days be required on the landlord?** It also makes landlords speculate on what the market will be, especially if the rent increase notice has to be given before the rental season.

In short, this **will further increase demand of a limited supply, which will result in more rent increases**.

When property taxes, water bills, heating bills, and other costs to the landlord increase he needs to be able to **pass these on in a timely manner**.

Rents are increasing in New Hampshire largely because there is a housing shortage. This has occurred for a number of reasons, including that it is very expensive and requires a lot of capital to build housing. Only high end multi-family units or subsidized multi-family housing can be built. **This bill does nothing at all to help address the housing shortage**.

The entire bill is unnecessary, as the **goal can be entirely accomplished by existing contract law**. At any time, a **tenant can seek a fixed lease term from a landlord**. Rent may not be increased during this period, per the lease agreement. If a tenant wants to insure against the shock of a possible rent increase, they

can:

ask for a 3 month notice clause in their lease;

before lease renewal ask for a 3 month extension at an agreed upon price;

ask for a 3 month autorenewing lease either from the beginning or from end of first term;

at any time during their 12 month lease, seek to extend and/or negotiate a lease extension even 12 months at an agreed new rental amount.

These **existing remedies are fair as it also obligates the tenant to abide by whatever notice is required** when the extension or new agreement is reached.

Remember each additional regulation and restriction ultimately further pushes rent prices up and rental supply down which continues to worsen the housing affordability issue.

Please vote Inexpedient to Legislate and Kill this bill.

it may seem reasonable to raise rent if a landlord sees fit. but to allow the whims of someone who makes their living from other peoples need for a home isn't reasonable.

2 bedroom - 1400 a month average. 28% increase in my county in rents.

notice is the very least that NH renters deserve. even 60 days is not enough notice, but it is something that we could settle for.

nh has a minimum wage of 7.25. but we have high rents. lower rent areas may not be the safest or best place to live. landlords take advantage of the fact that there is no better place to go economically.

rep harrigan made a great point earlier. if renters are indeed a business they should take responsibility for their properties and the upkeep so they do not need multiple occupants to fork over more money that they may not have, especially in a pandemic where many people have had their hours cut and seen their savings dwindled.

once you have a strike against your renters history it is incredibly hard to find housing bc people refuse to rent to you despite circumstance. landlords already have protections in their contracts.

renters deserve protection too.

with all due respect, as someone who has lived off \$8 an hour with a rent of \$400 at the time. even a raise of \$20 in rent would've crushed me. when i was already struggling to pay for things like gas or new clothing.

any opposition to this bill is frankly a sign of greed.

Erika Perez

Dear Committee members,

My name is **Paul N. Stewart** and I am President of Stewart Property Management Inc., which is based in Bedford, NH. Our company manages 3000 units of rental housing throughout New Hampshire. Our singular focus is the management of both work force and senior housing as well as apartments for persons with disabilities. Having been operating in this domain for almost 33 years, we would like to offer our views on two bills before the Committee:

1. HB 160: We support this bill because it adds a measure of protection to residents who require additional time to find alternative housing when rents spike substantially, which is particularly important in tight housing markets, and because it does not impose a burden of consequence to property owners. We manage several properties in Vermont and Maine, which require 60 and 45 days respectively for all rent increases, and we simply plan accordingly. There are essentially four reasons for a significant rent increase: increases in energy or property taxes which are the two volatile expenses in an operating budget, sale or refinance of the property which increases debt service, or demand based motivation to increase cash flow. As to the expense items, in our experience we have had only one instance where we were forced to increase rents above 5%, and in that situation we had four months' notice. Relative to increases in debt service resulting from refinancing or acquisition, those activities require a good deal of lead time so fitting a sizeable rent increase which results within the bill's time frames is doable without jeopardizing a transaction. In summary, the circumstances that result in significant increases in rent are foreseeable and the imposition of the time frames in HB 160 are reasonable and are not a burden to property owners.

Paul N. Stewart

House Judiciary Committee
Testimony in Support of HB 160: Relative to notice of rent increases in certain residential rental property
Tuesday, February 2, 2021

Good morning Chairman Gordon and members of the House Judiciary Committee.

My name is Viola Katusiime, representing the Granite State Organizing Project. The Granite State Organizing Project (GSOP) is a grassroots, non-partisan institution bringing faith, labor, and community groups to work towards a more just world.

I am writing to express our support for HB 160: Relative to notice of rent increases in certain residential rental property.

Before the pandemic, New Hampshire had a tight housing supply and high demand, which drove the vacancy rate to nearly 1%, according to the 2020 report by New Hampshire Housing Finance Authority. Although the rate of available units for rent has improved to 1.8%, this is still far from a healthy vacancy rate of 4 to 5%, and affordable housing continues to be a significant issue statewide.

Rents across the state for a two-bedroom apartment including utilities was \$1,413 in 2020. This amount is significant, especially for individuals with fewer resources and low-income renters in low-wage paying industries who may spend more than 30% of their income on housing.

A 2019 U.S. Survey of the federal reserve found that 37% of the U.S. households couldn't come up with \$400 to cover an expected emergency with cash or savings or credit card to be paid in full at the end of the month.

Through our work in community organizing, we have received calls from stressed renters whose rent was drastically increased by \$300-\$400 with less than a month's notice. With many granite staters still unemployed due to the health and economic crisis, HB 160 is a good policy for both renters and landlords. It allows renters to prepare their finances or find alternative housing and landlords time to find another renter if the occupant can't afford the proposed rent.

I would like to urge committee members to support HB 160 and vote Out to Pass. Thank you.

Viola Katusiime
Concord, NH 03301

My name is Ben Mortell. I have signed up to speak on this bill but will submit written testimony instead. I support HB 160 as a member of the Claremont chapter of UVIP/GSOP which is a faith-based community organization concerned about housing issues. This bill is a carefully carved out amendment that does not apply to all rental property such as certain owner-occupied property, mobile home parks, certain vacation or recreational property, and tenants already receiving federal rental assistance. It does give tenants some modest protection in what most of us would see as the standard landlord tenant relationship. Low income tenants need time to adjust their budgets when faced with a rent increase. The rent increase may cause them to have to move which takes time. For the year 2020, according to the 2020 New Hampshire Residential Rental Cost Survey prepared by New Hampshire Housing: the state-wide vacancy rate for all units was 1.8%; 44% of New Hampshire rental household paid more than 30% of their household income for rent; and state-wide only 23% of 2-bedroom units were below affordable rent. These figures describe a housing crisis. Requiring landlords to give tenants a 60-day notice for a 5% rent increase and a 90-day notice for an 8% rent increase will give tenants some invaluable extra time to figure out if they afford the new rent or if they will have to move.

Bennett Mortell [?blmortell@gmail.com](mailto:blmortell@gmail.com)

Dear House Judiciary,

Ref. HB 160: his bill requires notice by a landlord of at least 60 days of a proposed rent increase which exceeds 5 percent or notice of at least 90 days of an increase which exceeds 8 percent.

HB 160 is a terrible bill that would upset the fine-tuned balance between landlord and tenant duties and responsibilities that your legislative process has honed over the years. It ignores market forces and inserts government micro-management where it doesn't belong.

Heavy-handed regulation like this is yet another reason there is a shortage of affordable housing; this misguided legislation is hostile to property rights. Vote ITL.

Mark Warden

Landlord, real estate agent, taxpayer

Manchester, New Hampshire

My name is Lynn Miller. I am a property owner in both Somersworth and Rochester. I own about 40 units. I am urging you to vote to kill HB 160 60 & 90 day Notice of Rent Increase.

I have been a landlord for 22 years. I have seen a lot and been through a lot. I do not see the need to increase the time needed for the notification of rent increase. I do accept the 30 day notice, that is highly reasonable. That is also how much notice the tenant needs to give for a termination of lease. A lot of things can happen in 60 and 90 days. I find this absolutely ridiculous. Do you yourself know what will be happening in your life 90 days from now? It is unreasonable. That is why, again, I am urging you to vote to kill HB 160.

Thank you for your time,

Lynn Miller

Chairman Gordon and Honorable members of the Judiciary Committee,

HB 160 is a bill that would extend the notice period required to increase rent to 60 days. As a rental property owner in New Hampshire, I am against this bill. I see it as unnecessary and "getting into the weeds" of the landlord-tenant relationship.

If I have a tenant who is paying their rent, I don't increase their rent unless they are doing something that is increasing my costs, such as over-using utilities or creating a nuance with animals. Many landlords feel this way. It is much better to have a steady rent payer than risk losing them by asking for a rent increase.

There are many situations where a 30 day notice is justified. What if a property owner substantially improves the property with a more efficient but expensive heating system? What if the tenant has someone move in with them? That increases a property owner's costs. What if the tenant overstays their lease?

HB 160 is a "one size fits all" bill that does not take into account the complexity of a landlord-tenant relationship.

William Peirce

53 Rogers Road

Kittery ME 03904

(207) 451-9171

In NH, property owners pay for nearly all State services and infrastructure via property taxes. Renters pay none; at least not direct to the State. They reimburse owners for property taxes through rent payments. HB 160 and HB550 both reduce property value by diminishing property rights and increase expenses to property owners. Both will increase the cost of rent and create additional barriers to renter access to housing.

When a property is purchased, it is purchased as a bundle including land, fixtures and property rights. The value is in all three. The value is what investors make purchasing decisions on. When property rights are degraded, the value of property decreases. This may not be noticeable at first, but over time more regulation and restrictions pile up and further decrease value to a point where it becomes quite noticeable. At some point, the ability to recoup these losses in rent becomes strained to the point that it is no longer a viable investment, causing investors to look elsewhere. By this time, rents are no longer affordable and investing in new affordable housing is no longer viable (profitable). It would take a major shift in supply and demand to counteract this phenomenon.

Each additional restriction that is put on real estate or investment in general is an additional cost (Tax) to property owners and often not recovered immediately or at all via raised rents (because other costs are always going up too). Invariably, we absorb the cost of regulation on top of paying for State services and infrastructure through high property tax.

If the State is going to continue to put the tax burden on property owners, legislators should do everything they can to ensure our property rights are protected.

Both of these bills put additional burden and cost on property owners. The cost of any given eviction for non payment of rent is approximately \$5200 including vacancy and legal fees. By adding another 30 days to the eviction process, HB550 will increase that to \$6600 for each eviction. That is essentially 157% of the rent collected on a small three family building in a month. Small investors will be most affected by this. If these

bills pass into law, landlords will respond by further increasing rent to offset the additional cost. If evictions become more costly, landlords will respond by increasing resident screening criteria to better ensure they are not renting to people who are a risk for future eviction.

The laws in place are fair and effective and I ask that you vote no on HB160 and HB550.

Chris Schleyer Principal and Head of Property Management

603-821-0077 cschleyer@elmgrovecompanies.com

Greetings.

As a landlord who provides quality and affordable housing for tenants in the Rochester area, I am concerned that some pending legislation will make it very unattractive for us landlords to want to buy, renovate, and rent to potential tenants unless they are all-star candidates with a golden resume.

Most are not such candidates, but still need housing.
If they are held to terms, a win-win relationships are built.
If the 'system' allows tenants to slide, conflict will arise while everything else goes downhill.

If landlords are not able to evict tenants expeditiously based on not paying rent or on breaking lease terms, then those tenants take advantage of the situation making it a nightmare for landlords.

I urge you to vote against
HB 160 and HB 550.

I urge you to vote for
HB 160 and HB 360.

Thank you!
-Herman Ejarque
Rochester, NH
603-834-3717

Dear Sir or Madam:

As a property owner in NH, I urge you to pass HB227, which would provide lease expiration as a grounds for eviction. The purpose of having a lease in many cases is to guarantee that a tenant will be out by a date certain. Imagine a landlord wants to rent his rental property until June 1, because his mother is going to move back up from Florida and begin living there. If the lease expires and the tenant holds over, current NH law provides that as long as the tenant is an otherwise good tenant, they can continue to live there. Please support the right of landlords to contract with their tenants, and put some teeth into that contract by holding that a tenant may be evicted at the end of their lease.

Please also vote against HB 160, a 60 & 90 day notice of rent increase. This is the beginning of rent control, and has no place in NH.

Please also vote against, HB 550, the 30 day eviction extension during the state of emergency. Don't keep supporting the hype. This is not the apocalypse we were promised.

Please also vote in favor of HB 360, regarding shared facilities.

Thank you for your time and consideration.

Very sincerely,

Michael J. Ortlieb, Esq.

Simmons & Ortlieb, PLLC

886 Lafayette Road

Hampton, NH 03842

603.929.9100 ph

603.929.9101 fax

michael@clearvictory.org

www.clearvictory.org

I ask the members of your committee to please SUPPORT these two bills: HB160 and HB550. Many residents of NH have been hard hit by job loss/reduction during the pandemic and at the same time housing costs have been inflated by high demand. Please support these two bills to keep NH residents safely housed.

Diane Root

West Lebanon, NH

Hope is being able to see light despite all of the darkness - Desmond Tutu

Compassion is one of the principal things that make our lives meaningful. It is the source of all lasting happiness and joy. - Dalai Lama

Diane Root

West Lebanon, NH

603-298-7597

Bill as
Introduced

HB 160 - AS INTRODUCED

2021 SESSION

21-0115
10/06

HOUSE BILL **160**

AN ACT relative to notice of rent increases in certain residential rental property.

SPONSORS: Rep. Conley, Straf. 13; Rep. Kenney, Straf. 6; Rep. Schultz, Merr. 18; Rep. Chase, Straf. 18; Rep. Vann, Hills. 24; Rep. Wazir, Merr. 17

COMMITTEE: Judiciary

ANALYSIS

This bill requires notice by a landlord of at least 60 days of a proposed rent increase which exceeds 5 percent or notice of at least 90 days of an increase which exceeds 8 percent.

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

21-0115
10/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to notice of rent increases in certain residential rental property.

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

1 New Section; Actions Against Tenants; Notice of Rent Increase. Amend RSA 540 by inserting after section 2 the following new section:

540:2-a Notice of Rent Increase.

I. This section shall apply to all residential rental property except:

- (a) "Nonrestricted property" as defined in RSA 540:1-a, I.
- (b) Rental units in properties in buildings or apartment complexes containing a total of 4 or fewer dwelling units, provided:
 - (1) The property is owned by a natural person; and
 - (2) The owner does not rent more than 4 dwelling units.
- (c) Occupancies described in RSA 540:1-a, IV.
- (d) Shared facilities as defined in RSA 540-B:1.
- (e) Vacation or recreational rental units as defined in RSA 540-C:1.
- (f) A dwelling unit in which, due to a federal or state rent subsidy based on the tenant's household income, the increase in the contract rent does not affect the amount paid by the tenant as his or her share of the rent.
- (g) Manufactured housing in a manufactured housing park governed by RSA 205-A.

II. Notwithstanding the provisions of RSA 540:2, IV, or any other provision of law:

(a) No increase in a tenant's rent which exceeds 5 percent of the tenant's current rent shall be effective and enforceable unless the tenant has been served with no less than 60 days prior written notice of the amount and effective date of the rent increase. Such notice shall be served in accordance with the provisions of RSA 540:5. If a landlord issues more than one notice of rent increase within a 60-day period, the combined total of which exceeds 5 percent of the rent that was in effect when the first notice was served, the amount of the rent increase which exceeds 5 percent of the rent that was in effect at the time of the first notice of rent increase shall not become effective until 60 days from the date of the most recent notice of rent increase.

(b) No increase in a tenant's rent which exceeds 8 percent of the tenant's current rent shall be effective and enforceable unless the tenant has been served with no less than 90 days prior written notice of the amount and effective date of the rent increase. Such notice shall be served in accordance with the provisions of RSA 540:5. If a landlord issues more than one notice of rent increase within a 90-day period, the combined total of which exceeds 8 percent of the rent that was in effect when the first notice was served, the amount of the rent increase which exceeds 8 percent of the rent that was in effect at the time of the first notice of rent increase, shall not become effective until 90 days from the date of the most recent notice of rent increase.

(c) Nothing in this paragraph shall be construed to permit a landlord to increase a tenant's rent during the term of a lease for a fixed term, unless the lease expressly authorizes such an increase.

(d) This paragraph shall apply to any rent increase that becomes effective upon or after the expiration of the lease, provided however that the landlord may provide the notice of rent increase required by this paragraph during the term of the lease.

(e) This paragraph shall not be construed to limit, in any way, the amount of a rent increase that is implemented in accordance with the notice requirements set forth in this paragraph.

2 Effective Date. This act shall take effect upon its passage.