

REGULAR CALENDAR

April 14, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Judiciary to which
was referred SB 217,**

**AN ACT relative to eviction notices. Having considered
the same, report the same with the following resolution:**

RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Michael Sylvia

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

| | |
|-------------------|--------------------------------------|
| Committee: | Judiciary |
| Bill Number: | SB 217 |
| Title: | relative to eviction notices. |
| Date: | April 14, 2022 |
| Consent Calendar: | REGULAR |
| Recommendation: | INEXPEDIENT TO LEGISLATE |

STATEMENT OF INTENT

This bill would double the time for notice of eviction in some circumstances from 30 days to 60 days. The increase in notice would apply in cases where the rental unit would be renovated or sold. While it might seem to be helpful to some tenants, it would cause trouble in the rental market in general. There is an insufficient supply of rental housing in the state and this bill would create no new housing. In fact, the majority of the committee believes that it stands to reduce the supply of rental units by increasing already excessive burdens on property owners. The notice of eviction is not the eviction itself, but merely the beginning of a process. An owner of a property might not regain control of his or her property for 90 days after filing the eviction. One can easily imagine a building owner preferring to remove their property from the rental segment and turn the property into condominiums, possibly combining small units into fewer larger condos. This results in less housing and increased pressure on rental availability, and even higher rents. The path to more housing is through less regulation.

Vote 11-10.

Rep. Michael Sylvia
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Judiciary

SB 217, relative to eviction notices. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Sylvia for the **Majority** of Judiciary. This bill would double the time for notice of eviction in some circumstances from 30 days to 60 days. The increase in notice would apply in cases where the rental unit would be renovated or sold. While it might seem to be helpful to some tenants, it would cause trouble in the rental market in general. There is an insufficient supply of rental housing in the state and this bill would create no new housing. In fact, the majority of the committee believes that it stands to reduce the supply of rental units by increasing already excessive burdens on property owners. The notice of eviction is not the eviction itself, but merely the beginning of a process. An owner of a property might not regain control of his or her property for 90 days after filing the eviction. One can easily imagine a building owner preferring to remove their property from the rental segment and turn the property into condominiums, possibly combining small units into fewer larger condos. This results in less housing and increased pressure on rental availability, and even higher rents. The path to more housing is through less regulation. **Vote 11-10.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

April 14, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on Judiciary to which
was referred SB 217,**

**AN ACT relative to eviction notices. Having considered
the same, and being unable to agree with the Majority,
report with the recommendation that the bill OUGHT
TO PASS.**

Rep. Charlotte DiLorenzo

FOR THE MINORITY OF THE COMMITTEE

MINORITY COMMITTEE REPORT

| | |
|-------------------|--------------------------------------|
| Committee: | Judiciary |
| Bill Number: | SB 217 |
| Title: | relative to eviction notices. |
| Date: | April 14, 2022 |
| Consent Calendar: | REGULAR |
| Recommendation: | OUGHT TO PASS |

STATEMENT OF INTENT

This bill aims to amend current statute and require a landlord to give tenants a 60-day eviction notice when eviction occurs before the end of the lease due to the following circumstances: (1) the landlord desires to perform repairs to the dwelling unit which cannot safely be done while the tenant resides in the premises, or (2) the landlord desires to perform minor or substantial rehabilitation, or (3) the landlord desires to sell, upgrade, or convert the property to condominium conversion. There is an exception: only a 30-day notice is required when a “vacate the premises” order has been issued by an official board, agency, or authority with jurisdiction because the premises have been ruled unfit for human habitation and must be vacated. The minority disagrees this bill would serve to decrease the rental housing stock in New Hampshire. This bill provides a temporary safety net for tenants, giving them 60 days’ notice to find a new home because the owner plans to temporarily remove the apartment from the housing market due to minor or substantial renovation, condominium conversion, or the sale of a property. Once completed, the apartment would return to the housing market most likely with a higher rent.

Rep. Charlotte DiLorenzo
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Judiciary

SB 217, relative to eviction notices. **OUGHT TO PASS.**

Rep. Charlotte DiLorenzo for the **Minority** of Judiciary. This bill aims to amend current statute and require a landlord to give tenants a 60-day eviction notice when eviction occurs before the end of the lease due to the following circumstances: (1) the landlord desires to perform repairs to the dwelling unit which cannot safely be done while the tenant resides in the premises, or (2) the landlord desires to perform minor or substantial rehabilitation, or (3) the landlord desires to sell, upgrade, or convert the property to condominium conversion. There is an exception: only a 30-day notice is required when a “vacate the premises” order has been issued by an official board, agency, or authority with jurisdiction because the premises have been ruled unfit for human habitation and must be vacated. The minority disagrees this bill would serve to decrease the rental housing stock in New Hampshire. This bill provides a temporary safety net for tenants, giving them 60 days’ notice to find a new home because the owner plans to temporarily remove the apartment from the housing market due to minor or substantial renovation, condominium conversion, or the sale of a property. Once completed, the apartment would return to the housing market most likely with a higher rent.

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on SB 217

BILL TITLE: relative to eviction notices.

DATE: April 14, 2022

LOB ROOM: 206-208

MOTIONS: **INEXPEDIENT TO LEGISLATE**

Moved by Rep. Sylvia

Seconded by Rep. Alexander Jr.

Vote: 11-10

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Kurt Wuelper, Clerk

OFFICE OF THE HOUSE CLERK



9/28/2021 10:41:09 AM
Roll Call Committee Registers
Report

2021 SESSION

Judiciary

Bill #: SB217 Motion: ITL AM #: _____ Exec Session Date: 4-14-22

| <u>Members</u> | <u>YEAS</u> | <u>Nays</u> | <u>NV</u> |
|--------------------------------------|-------------|-------------|-----------|
| Gordon, Edward M. Chairman | ✓ | | |
| McLean, Mark Vice Chairman | ✓ | | |
| Sylvia, Michael J. | ✓ | | |
| Wuelper, Kurt F. Clerk | ✓ | | |
| Alexander, Joe H. | ✓ | | |
| Greene, Bob J. <i>Laseille, Rich</i> | ✓ | | |
| Notter, Jeanine M. | ✓ | | |
| Merner, Troy E. | ✓ | | |
| Kelley, Diane E. | ✓ | | |
| Trottier, Douglas R. | ✓ | | |
| Andrus, Louise | ✓ | | |
| Smith, Marjorie K. | | ✓ | |
| Berch, Paul S. <i>Woods, Gary</i> | | ✓ | |
| Horrigan, Timothy O. | | ✓ | |
| DiLorenzo, Charlotte I. | | ✓ | |
| Chase, Wendy | | ✓ | |
| Kenney, Cam E. <i>Meuse, David</i> | | ✓ | |
| Langley, Diane M. | | ✓ | |
| McBeath, Rebecca Susan | | ✓ | |
| Paige, Mark | | ✓ | |
| Simpson, Alexis | | ✓ | |

Kurt Wuelper

11

10

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON SB 217

BILL TITLE: relative to eviction notices.

DATE: 4/06//2022

LOB ROOM: 206-208

Time Public Hearing Called to Order:
Time Adjourned:

Committee Members: ~~Reps. Gordon, McLean, Wuelper, Sylvia, Alexander Jr., Notter, Merner, Greene, D. Kelley, Andrus, Trottier, M. Smith, Borch, Horrigan, DiLorenzo, Chase, Kenney, Langley, McBeath, Paige and Simpson~~

Bill Sponsors: Sen. Perkins Kwoka, Dist 21; Sen. Whitley, Dist 15; Sen. Watters, Dist 4; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Sen. Sherman, Dist 24; Rep. Vann, Hills. 24; Rep. DiLorenzo, Rock. 17; Rep. Espitia, Hills. 31

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

***Sen. Perkins Kwoka Sponsor Support**

The bill expands the minimum notice required for an eviction notice from 30 days to 60 days. The bill provides some protection for tenants to find another place to live, which in our market is quite difficult.

Q Smith: These evictions deal only with special circumstances?

Ans: Yes. We are inserting a section only for when the landlord wants to make repairs or sell the unit.

Elliot Berry NH Legal Assistance Support

We have about the worst rental market in the last 40 years. We've seen a major jump in cases where the landlord wants to renovate or sell the unit. Many tenants have lived in these apartments for years and years. The tenant usually has no place to go. I want to stress this is not about bad landlords. It is simply to give tenants a little more time and keeping them from homelessness. This bill does not affect small landlords or foreclosed property. The bill just says the notice, when the eviction is for sale or renovation, is increased from 30 days to 60 days. There is no question it will extend the time it takes to renovate or rehab their property. We must, however, balance the harms. Investors short delay against the potential for homelessness. Stewart property manages 2500 properties, and they support the bill. I have a couple of more that he hands out. Some landlords evict ostensibly for these reasons but never do any changes.

Q McLean: Do people evicted under these circumstances have the same rights as others?

Ans: Yes. The problem is simply finding new housing.

Q Horrigan: Are these non-profits?

Ans: Stewart is for profit; Lakes Region is a non-profit.

Q Smith: Doesn't a lease continue?

Ans: Yes, but most tenants have no lease.

Q Kenney: Lines 20 use the terms "health and safety" without definition?

Ans: Bad people can abuse any language.

Q Gordon: Judges have the discretion to allow 7-90 days to move. Isn't that adequate?

Ans: It's all over the map. Especially in cases of sale or rehab, my impression is the typical time is only 30 days. This won't solve the problem, but it will make it a little bit easier.

Q Notter: Can landlords offer longer than 30 days now?

Ans: Yes, the law is the minimum and the most common Notice.

Chris Norwood NH Association of Realtors Opposed

I agree about the shortage of rental housing. On line 7 of the bill, "Sell the Property", we find it very infrequent that a landlord would empty the building to sell the property. The tenant can continue to have a lease despite the fact that most do not and become 'tenants at will'.

Elissa Margoling Dir Housing Action NH Support

29 percent of people rent their homes. Most of them spend over half their money on rent. They are in a very fragile situation. Those who take federal subsidy already have to give 90 days' notice, which is what the original bill proposed. 60 days is a compromise. The unintended consequence of not doing this is people will be forced out without recourse.

Q Smith: Could we put a sunset date on this, say 3 years?

Ans: No. We are so focused on the supply issue, but we won't solve the problem in that short a time. It has developed from demographics.

***Nick Norman Apartment Assoc of NH Opposed**

The bill is too subjective and confusing. The terms are not well defined. The case could drag on, which costs money. A 7-day eviction takes about 6-8 weeks. We see the courts across the state doing everything they can to extend the eviction time. Any extension will drive up rental costs. The eviction moratorium we just went through has driven a lot of small landlords out of the market. Every restriction hits these landlords first. We haven't advertised for quite a while. We just placed on and got three applications. It is hard to find an apartment, but you must realize, creating a longer notice will harm landlords because tenants only have to give 30 days' notice. So, you create a new demand on the, already short, supply, which will worsen the situation. There is a lot more in my written testimony.

Q Chase: How would this bill delay removing someone disruptive?

Ans: The state has put barriers against 30-day evictions. The landlord has to prove the nuisance or drug use or whatever. In almost all cases the other tenants will not testify, so you can't prove the case. Consequently, the landlord will just renovate and raise the rent, worsening the problem.

Q McBeath: Does this bill impact nuisance evictions?

Ans: Directly no, but in a real way yes.

Q Could you provide the details of the eviction you spoke about?

Ans: Yes.

Sophia Hyatt NHLA Support

What Mr. Norman just spoke about is exactly why we need this bill. As to corporate landlords coming in and buying up property is already happening. In 2021 we had 32 cases of eviction. We had to reject 5 of them. Most people who do not get legal aid do not know they have to move out. They don't know they can fight the eviction. When people are homeless, they go to the local town for assistance. This rehab excuse is regularly used by landlords to evict. A client had lived in an apartment for 16 years before she was evicted. We are not saying 60 days will solve the problem, but it will help. I am working with a veteran evicted for renovation who can only find a 5-day rent situation.

Viola Katesimo Self Support

I work with people to find housing. Last weekend I was talking to someone evicted for renovation. Another family in Manchester has lived in the same apartment for 12 years and has to move for renovation. Many of these buildings do need renovation, but the tenants have no place to go. This bill will be critical in helping them figure out what to do when this situation arises.

Jessica Margeson Self

I work with NH Emer Rental Assistance Program, the Granite State Housing project and on the Manchester housing commission. Mr. Norman's assertion that landlords evict for these reasons to avoid the current process is accurate. I had a client evicted for renovation and on the day, they moved out, another tenant was moving in.

No renovation. In another case, the landlord claimed renovation, but only made minor repairs. If a tenant loses assistance, there is an 8-week wait to get another chance. Remember, these are peoples' homes. I see many times the number of applicants Mr. Norman mentioned.

Q Gordon: Mr. Berry, False claims of renovation: What level of proof would be required to satisfy this new section of law?

Ans: Well, it would be the preponderance of the evidence. I expect the maintenance people or others, would come in and testify as to what is being done.

Q Why not just clarify what needs to be presented to the court?

Ans: I think that would bet more blowback than this. It's impossible to prove the landlord is NOT going to do something. Remember, if the landlord gives the 60 days this bill requires, no proof is necessary. It comes down to the landlord's intention.



Rep Kurt Wuelper. Clerk

House Remote Testify

Judiciary Committee Testify List for Bill SB217 on 2022-04-06

Support: 78 Oppose: 2 Neutral: 0 Total to Testify: 0

[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> |
|--------------------------|---|------------------------|----------------------------|-----------------|-------------------|--------------------|--------------------|
| Cavanaugh, Senator Kevin | Manchester, NH kevin.cavanaugh@leg.state.nh.us | An Elected Official | Myself | Support | No | No | 3/30/2022 2:02 PM |
| Blais, Vanessa | Manchester, NH Bessblais@gmail.com | A Member of the Public | Myself | Support | No | No | 3/31/2022 11:06 AM |
| Price, Jessica | Dunstable, MA jessbells@gmail.com | A Member of the Public | Myself | Support | No | No | 4/1/2022 10:54 AM |
| Grossi, Anne | Bedford, NH adgrossi7982@gmail.com | A Member of the Public | Myself | Support | No | No | 4/1/2022 12:23 PM |
| Gordon, Carolyn | Hanover, NH csgordon@dartmouth.edu | A Member of the Public | Myself | Support | No | No | 4/1/2022 1:24 PM |
| Feder, Marsha | Hollis, NH marshafeder@gmail.com | A Member of the Public | Myself | Support | No | No | 4/1/2022 1:58 PM |
| Chase, Wendy | Rollinsford, NH wendy.chase@leg.state.nh.us | An Elected Official | Myself | Support | No | No | 4/1/2022 6:19 PM |
| Almy, Susan | Lebanon, NH susan.almy@comcast.net | An Elected Official | Myself | Support | No | No | 4/1/2022 9:08 PM |
| Boughter, Madeline | Hanover, NH madeline.boughter@gmail.com | A Member of the Public | Myself | Support | No | No | 4/1/2022 11:35 PM |
| Eisner, Mary | Derry, NH nhdem@msn.com | A Member of the Public | Myself | Support | No | No | 4/2/2022 12:35 PM |
| wazir, Safiya | Concord, NH Swazir@leg.state.nh.us | An Elected Official | Myself and my Constituents | Support | No | No | 4/2/2022 1:05 PM |
| Terai, Shideko | Cornish, NH mary.n.boyle@gmail.com | A Member of the Public | Myself | Support | No | No | 4/2/2022 6:04 PM |
| Cahill, Atinuke | Newmarket, NH atinukecahill@comcast.net | A Member of the Public | Myself | Support | No | No | 4/2/2022 7:24 PM |
| Bouchard, Donald | MANCHESTER, NH donaldjbouchard@gmail.com | An Elected Official | Myself | Support | No | No | 4/3/2022 12:20 PM |
| Norman, Nick | Derry, NH NickNorman@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 4/3/2022 4:49 PM |
| Dontonville, Roger | Enfield, NH rdontonville@gmail.com | An Elected Official | Myself | Support | No | No | 4/3/2022 5:13 PM |
| Tucker, Katherine | Wilmot, NH ktucker7747@gmail.com | A Member of the Public | Myself | Support | No | No | 4/3/2022 5:44 PM |
| Smith, Jennifer | Pembroke, NH jaycmd7699@gmail.com | A Member of the Public | Myself | Support | No | No | 4/3/2022 9:22 PM |
| Glass, Jonathan | Cornish, NH jglass1063@gmail.com | A Member of the Public | Myself | Support | No | No | 4/3/2022 9:34 PM |
| Crandell-Glass, Jane | Cornish, NH bostonjane@me.com | A Member of the Public | Myself | Support | No | No | 4/3/2022 9:42 PM |
| Reed, Barbara | North Swanzey, NH BDReed74@gmail.com | A Member of the Public | Myself | Support | No | No | 4/3/2022 11:00 PM |
| FRIEDRICH, ED | Loudon, NH erfriedrich@yahoo.com | A Member of the Public | Myself | Support | No | No | 4/4/2022 8:27 AM |
| Weston, Joyce | Plymouth, NH jweston14@roadrunner.com | An Elected Official | Myself | Support | No | No | 4/4/2022 8:49 AM |
| Jones, Andrew | Pembroke, NH arj11718@yahoo.com | A Member of the Public | Myself | Support | No | No | 4/4/2022 8:58 AM |
| Devore, Gary | Pembroke, NH torin_asheron@yahoo.com | A Member of the Public | Myself | Support | No | No | 4/4/2022 8:58 AM |
| Ellermann, Maureen | Concord, NH ellermannf@aol.com | A Member of the Public | Myself | Support | No | No | 4/4/2022 9:10 AM |
| Nestler, Elizabeth | LEBANON, NH | A Member of the Public | Myself | Support | No | No | 4/4/2022 9:15 AM |

| | | | | | | | | |
|---------------------|---|------------------------|-----------------------------------|--|---------|----|----|-------------------|
| | eanestler@aol.com | | | | | | | |
| Rettew, Annie | Concord, NH abrettew@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 9:31 AM |
| Grassic, Chuck | Rochester, NH chuck.grassic@leg.state.nh.us | An Elected Official | Strafford 11 | | Support | No | No | 4/4/2022 9:41 AM |
| Campion, Polly | Etna, NH pollykcampion@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 11:47 AM |
| Kelly, Jon | Penacook, NH jonmkelly@gmail.com | A Member of the Public | Myself | | Oppose | No | No | 4/4/2022 11:48 AM |
| Smiley, Julie | Nashua, NH jsmiley@frontdooragency.org | A Member of the Public | Myself | | Support | No | No | 4/4/2022 11:52 AM |
| Corell, Elizabeth | Concord, NH Elizabeth.j.corell@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 12:55 PM |
| Torpey, Jeanne | Concord, NH jtorp51@comcast.net | A Member of the Public | Myself | | Support | No | No | 4/4/2022 2:53 PM |
| Brennan, Nancy | Weare, NH burningnan14@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 3:17 PM |
| Jakubowski, Deborah | Loudon, NH Dendeb146@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 3:43 PM |
| soucy, donna | manchester, NH donna.soucy@leg.state.nh.us | An Elected Official | SD 18 | | Support | No | No | 4/4/2022 4:17 PM |
| Thomas, Anne | Rindge, NH annethomasjazz@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 4:23 PM |
| Merlone, Lynn | Rindge, NH prulone@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 4:23 PM |
| Martin, Patricia A | Rindge, NH pmartin2894@yahoo.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 4:23 PM |
| Hershey, Jane | Rindge, NH janelhershey@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 4:23 PM |
| Hunnewell, Anne | Holderness, NH ahunne@roadrunner.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 7:27 PM |
| Hunnewell, Richard | Holderness, NH hunnewell.richard@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 7:27 PM |
| Hamblet, Joan | PORTSMOUTH, NH joan.hamblet@leg.state.nh.us | A Member of the Public | Myself | | Support | No | No | 4/4/2022 9:37 PM |
| Mooney, Bridget | Wilton, NH bridget@moonchick.com | A Member of the Public | Myself | | Support | No | No | 4/4/2022 10:58 PM |
| Richards, John | Holderness, NH salmon246@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/5/2022 8:24 AM |
| Sherman, Senator | SD 24, NH jennifer.horgan@leg.state.nh.us | An Elected Official | SD24 | | Support | No | No | 4/5/2022 10:15 AM |
| Foley, Mary Ellen | Manchester, NH mefrsm@comcast.net | A Member of the Public | Myself | | Support | No | No | 4/5/2022 1:28 PM |
| Lorentz, Carmen | Laconia, NH clorentz@lrcommunitydevelopers.org | A Member of the Public | Lakes Region Community Developers | | Support | No | No | 4/5/2022 1:49 PM |
| Donnell, Lucinda | Greenland, NH lucindaapt4@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/5/2022 2:20 PM |
| Berry, Jake | Concord, NH jberry@new-futures.org | A Lobbyist | New Futures | | Support | No | No | 4/5/2022 2:34 PM |
| Cahill, Michael | Newmarket, NH michael.cahill@leg.state.nh.us | An Elected Official | Myself | | Support | No | No | 4/5/2022 3:06 PM |
| Schmidt, Jan | Nashua, NH tesha4@gmail.com | An Elected Official | Nashua | | Support | No | No | 4/5/2022 3:08 PM |
| LOVETT, CHARLENE | CLAREMONT, NH charlenelovett2022@gmail.com | A Member of the Public | Myself | | Support | No | No | 4/5/2022 3:18 PM |
| Donnell, Belinda | Rye, NH blinlee@aol.com | A Member of the Public | Myself | | Support | No | No | 4/5/2022 3:40 PM |
| Palm, Allison | Nashua, NH minister@uunashua.org | A Member of the Public | Myself | | Support | No | No | 4/5/2022 4:16 PM |
| Meuse, David | Portsmouth, NH David.Meuse@leg.state.no.us | An Elected Official | Rockingham 29 | | Support | No | No | 4/5/2022 4:24 PM |
| HALLOCK, LINDA | Cornish, NH lindash@mail.com | A Member of the Public | Myself | | Support | No | No | 4/5/2022 8:23 PM |

| | | | | | | | |
|---------------------------|---|------------------------|----------------------------------|---------|----|----|-------------------|
| Spencer, Louise | Concord, NH kentstusa@aol.com | A Member of the Public | Myself | Support | No | No | 4/5/2022 9:36 PM |
| Richman, Susan | Durham, NH susan7richman@gmail.com | A Member of the Public | Myself | Support | No | No | 4/5/2022 11:07 PM |
| Stinson, Benjamin | Concord, NH benrkstinson@gmail.com | A Member of the Public | Myself | Support | No | No | 4/5/2022 11:44 PM |
| Slattery, Joseph | Portsmouth, NH jmslattery25@gmail.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 6:59 AM |
| Lyon, Jennifer | Lee, NH famis4ever@gmail.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 7:01 AM |
| Greenwood, Nancy | Concord, NH nancgreenwood@yahoo.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 7:45 AM |
| Willing, Maura | Concord, NH Maura.Willing@Comcast.net | A Member of the Public | Myself | Support | No | No | 4/6/2022 7:57 AM |
| Dale, Ethan | Dover, NH Ethan8855@yahoo.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 8:52 AM |
| Willey, Jeffrey | Concord, NH jmdw97@gmail.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 9:45 AM |
| Harriott-Gathright, linda | Nashua, NH linda.harriottgathright@leg.state.nh.us | An Elected Official | Constituents | Support | No | No | 4/6/2022 9:54 AM |
| Lucas, Janet | Campton, NH janluca1953@gmail.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 10:19 AM |
| Staub, Kathy | MANCHESTER, NH kstaub@comcast.net | A Member of the Public | Myself | Support | No | No | 4/6/2022 10:21 AM |
| BOORAS, Hon. EFSTATHIA | Nashua, NH EBooras@Gmail.com | An Elected Official | Constituents | Support | No | No | 4/6/2022 11:12 AM |
| Chamberlain, Mark | Claremont, NH markchamb@gmail.com | A Member of the Public | Claremont Housing Authority | Support | No | No | 4/6/2022 12:10 PM |
| Foster, Joanne | PORTSMOUTH, NH jocfoster@outlook.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 12:17 PM |
| Robertson, Christine | Hudson, NH Namasteyay@gmail.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 12:20 PM |
| Rich, Cecilia | Somersworth, NH cecilia.rich@leg.state.nh.us | An Elected Official | Myself | Support | No | No | 4/6/2022 12:59 PM |
| McKone, Felicia | Merrimack, NH feliciamckone@comcast.net | A Member of the Public | Myself | Support | No | No | 4/6/2022 1:06 PM |
| Dening, Jennifer | Nashua, NH jendening@gmail.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 2:31 PM |
| knoy, sarah | Manchester, NH sjknoy@granitestateorganizing.org | A Lobbyist | Granite State Organizing Project | Support | No | No | 4/6/2022 3:13 PM |
| Moran, Madonna | Manchester, NH madonnamorán@comcast.net | A Member of the Public | Myself | Support | No | No | 4/6/2022 3:52 PM |
| Holt, David | Somersworth, NH davholt@aol.com | A Member of the Public | Myself | Support | No | No | 4/6/2022 9:18 PM |

SB217 Submitted testimony

Please support SB 217, relative to eviction notices. A 60-day notice is even hardly enough to find an affordable equivalent to where one presently lives.

Liz Alcauskas Ward 3, 180 W Clarke St, Manchester, NH 03104

Hope is only a dream if there is no action to make it a reality.



April 5, 2022

Re: SB 217 relative to eviction notices

Dear Chairman Gordon and members of the House Judiciary Committee:

We are one of the biggest landlords in the Lakes Region, with a portfolio of 370 apartments in six towns. As a landlord, I write to express support for SB 217, which extends the eviction notice to 60 days in cases where a property will be renovated or sold.

As you know, the rental market is extremely tight. As a result, it can take a household several months to find a new apartment. Giving people who face eviction, through no fault of their own, more time to relocate is the right thing to do. We know there is a good chance that tenants in this situation can end up homeless simply due to the lack of available rental apartments.

We experienced such a situation in Laconia in August 2021, when a developer purchased a multi-family building (17 units) in Laconia in order to demolish it as part of a larger redevelopment project. Sadly, the tenants were only given 30 days to vacate despite the fact the developer did not demolish the building until February 2022.

We did our best to assist the affected tenants in applying for the few open apartments that we had in our portfolio at that time. To my knowledge, we did successfully place two of those tenants in our units. I fear that some of the others may have ended up without permanent housing.

SB 217 gives people in this situation a more reasonable amount of time to relocate. It is the right thing to do. We urge you to support this bill.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Carmen R. Lorentz", with a long horizontal flourish extending to the right.

Carmen R. Lorentz
Executive Director

April 5, 2022

House Judiciary Committee
Legislative Office Building
Concord, NH 03301

Members of the House Judiciary Committee:

I am writing in support of SB217. Extending the eviction notice from 30 to 60 days for reasons not driven by tenant actions, offers a more reasonable timeframe to find housing in a low vacancy market. It also better aligns with objectives outlined in the Council on Housing Stability Strategic Plan.

The extension of the eviction notice would only apply if the landlord decided to perform repairs that could not be done safely with the tenant present, make substantial renovations or sell the property. It does not apply to single-family homes or owner-occupied buildings of four units or less. Rather it applies to larger housing structures where many families could be displaced if the landlord decided to take these actions. With near zero vacancy rates across New Hampshire, extending the time to find new housing is practical and in keeping with the Council on Housing Stability Strategic Plan.

The single goal of this strategic plan is to “ensure that homelessness in NH is rare, brief and one-time.” Several of the plan’s objectives outlined in support of this goal include extensions, including time for tenants to “cure” nonpayment and landlords to notify tenants of significant rent increases. If granting more time is a tool cited to achieve the state’s goal, it stands to reason that it should also be applied in situations outlined in SB217.

Today’s housing market is extremely challenging, and we need policy that reflects that reality. Giving tenants, who have abided by their contracts, more time to find a new home will help promote stability at both the individual and community level. Please support SB217.

/s/
Charlene Lovett
Former Mayor of Claremont
603-504-6273

Jessica Price

Dear members of the Judiciary, People need time to find new housing. Without at least two months notice NH will be needing to support homeless families. As a member of UU Nashua and a former NH state employee I am aware of the critical housing shortage in NH and I feel everything possible needs to be done to assist renters. Jessica E. Price, EdD, MSN

Lucinda Donnell

Dear Committee, I'll make this short. I am a 58 year old disabled woman in the Section 8 program. I was given eviction papers by my landlord back in January 2022. Renovations was the reason given. I've been in this apartment for almost 29 years. That's not a typo. I am an excellent tenant who has always paid rent on time. In spite of that fact, my landlord refused to offer me another unit while he renovated mine. He has many other apartments. Because I'm on a fixed income, I cannot pay as much as others. Many of the renovations could have been completed with me living here. I digress.....

I immediately informed Portsmouth Housing Authority (PHA) the very same day I received the eviction papers. Soon I located a possible unit, but PHA didn't respond. I did not get a call back from them for 3 weeks, and that was only after an attorney friend discovered the name of the exact contact person. Soon after he called me, the 30 day deadline arrived. A few days later the sheriff arrived. I had no choice but to request a court hearing for an extension. One day before my court hearing, the inspection happened. The unit passed and I was promised paperwork would soon arrive by April 1. (Still waiting) At my hearing I explained the delay caused by PHA. The judge gave me until May 1st to move out, but said if PHA doesn't produce the paperwork in a reasonable amount of time, I would have to request another extension. May 1 2022 is approximately 90 days from the time I first received the eviction papers in January. To sum up, it took almost 30 days for a callback. It took approximately 60 days to get the inspection completed, only one day before the court hearing, and there is now an approximate 90 day deadline pending. I want to make clear that I'm grateful for the help I have received from PHA and I'm not blaming them if they are overwhelmed with so many requests from people in need and if they could be possibly understaffed. I'm not here to sling mud. I'm just here using my situation as an example of why 30 days isn't enough time. I was lucky to locate a unit quickly (thanks to friends) Considering how high rents are and how few units are actually available, having section 8, being disabled with no car and needing a place near family and where I can walk to a few places I consider myself extremely fortunate. However I have not physically been able to move out because I don't have the paperwork . People like myself cannot just pick up and leave. We need our next apartment to be inspected and all paperwork to be completed first. In conclusion, I support SB217 wholeheartedly. In my case, 30 days didn't even begin to solve my eviction problem. I can only imagine that the court system would be flooded with requests for extensions in the future if this bill fails to pass. And if landlords continue to remove those with limited incomes from their apartments, the housing market will also be overburdened making it even harder for needy people like me to find another unit in a reasonable amount of time. I'm still stuck in my old apartment. I may still be here in June.....let's hope not.Thank you for your attention. I appreciate it.

Jan Schmidt

Belinda Donnell

April 5, 2022

Good Day,

I am definitely in support of SB 217 to protect tenants from homelessness.

My sister was given just 30 days' notice to evict her apartment for reason of renovation at the end of January 2022, in the middle of winter, after being a great tenant for almost 3 decades. She is disabled, has no car, and is on very low fixed income. She has never been late on rent. I have been helping her find a new apartment to live that will pass public housing requirements and have a landlord who is willing to lease with public housing. I am submitting a timeline to show how long and what was done to get help. I am afraid after this experience that 90 days will not be enough time with not enough help for tenants, not enough workers, and not enough low and affordable housing in the Seacoast area and the rest of the State.

Sincerely, Belinda L Donnell

Correspondence Timeline

Date

To:

From:

Subject:

Correspondence 01/24/22 Sister Landlord Notice to Evict Hand Delivered 01/24/22 Jackie Titus Sister Notified PHA of Eviction Notice Email 01/27/22 L. Greenwald Sister Sent link to Legal Aid Email 01/27/22

1-800-921-1115 Lauren Greenwald Call 01/27/22

Mediation Call 01/28/22

603-436-9469 Lee at Church Networking Call 01/28/22

603-224-3333(2) Legal Aid Call 01/31/22

603-436-4310 (PHA) Call 02/07/22

New Landlord(2) Call 02/14/22 L. Greenwald Sister Forwarded Adam Krans, Portsmouth Housing Authority (PHA) contact info and questions Email 02/15/22

Adam Krans (PHA) Call 02/15/22

603-584-4033 LegalAidCall02/15/22

Adam Krans (PHA)Call02/15/22SisterL. GreenwaldEmailed A. Krans information requestedEmail02/16/22

Adam Krans (PHA)Call02/16/22

New Landlord has not heard from PHACall02/16/22L. GreenwaldSisterLegalAid will callEmail02/18/22

Adam Krans (PHA)Call02/24/22

30 Days Passed. No Writ Delivered

03/01/22SisterL. GreenwaldTurned down by LegalAidEmail03/01/22SisterL. GreenwaldSheriff question and situation updateEmail03/02/22SisterL. GreenwaldReceived Writ of Eviction from Sheriffin Person03/04/22L. GreenwaldSister, A. KransAsked what PHA timeline is for porting Sect 8 voucherEmail03/10/22

New LandlordCall03/10/22

Nancy Stiles State RepresentativeCall03/10/22SisterAdam Krans(PHA)New Landlord has not heard from PHAEmail03/11/22

New LandlordCall03/11/22A. KransSisterLeft voicemail for New Landlord to discuss inspectionEmail03/14/22

Filed for Appearance at Portsmouth District Court and Mailed Copy to current landlordin Person03/15/22SisterLauren GreenwaldLandlord shows up for update. Calling Rep Tom Sherman for help.Email03/16/22SisterL. GreenwaldReceived Notice of HearingEmail03/16/22

Nancy Stiles State RepresentativeCall03/17/22

Steve HusseyCall03/17/22A. KransSister
Email03/17/22SisterAdam Krans(PHA)

03/17/22Jennifer Horgan, NH State SenateSisterWill Contact
PHAEmail03/17/22SisterJ.HorganEviction Update, No Inspection Scheduled, Court Hearing Date set,
No Response from PHAEmail03/19/22

Nancy Stiles State Representative Call 03/21/22 Sister Adam Krans (PHA) Adam Krans (PHA) apt inspection – Passed finalizing the move in for April 1st Email 03/22/22

Sister and Landlord appear in Portsmouth District Court. Sister asks for an extension of time to leave. Judge grants extension to May 1, 2022 PHA is notified when motion arrives in mail.

Person 04/05/22 Sister

Still waiting for new lease and permission to move in. It has been over 2 months since notice of eviction.

Kathy Staub

With the housing market so tight people who are evicted in this manner have a difficult time finding new housing. Giving them more time is the right thing to do. Thank you.

Christine Robertson

It is well known by the community of landlords that a way to get around current eviction laws without penalty for "eviction without reason" is to evict someone for renovations. No proof of renovations is required and tenants can be thrown out at landlords whim and there is currently no recourse. When a loophole in the law is discovered and so thoroughly exploited as this one is, it is up to legislation to re-evaluate. Thank you for your time and service.

sarah knoy

If passed, this bill would require landlords who plan to evict tenants because of renovation or the sale of a property to give 60 rather than 30 days notice. This small change can give people who are losing their homes a longer time to find a new place to live. Please support SB217.

Madonna Moran

4/06/2022 at 3:00 p.m. LOB 208, House Judiciary committee
SB217, 60 Eviction Notice For Repairs Or Renovations
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.
Please protect our Affordable Housing and vote Inexpedient To Legislate.

Summary: The present law requires 30 day eviction notice for the situations covered by this bill. This bill, as amended by 2022-0352s, would change the number of days notice required as follows:

60 days when the landlord desires to

- (1) Perform repairs to the dwelling unit which cannot be safely done while the tenant resides in the premises;
- (2) Perform substantial renovation of premises; or
- (3) Sell the property.

Except that a 30 day notice is sufficient under a few reasons depending on a complicated set of Boolean logic statements.

The bill does not alter the protections to parents of a child who tested positive for lead, or a tenant who is entitled protection from a retaliatory eviction under RSA 540:13a or RSA 540:13b.

The bill will do many things that are bad for either the real estate market, tenants or landlords or all of the above.

1. It will lead to confusion in evictions and more wasted court time.
2. It opens the door for future revisions of longer days notice
3. It will depress sales, especially to owner occupants.
4. Extending notices drives up rents and can easily force tenants in this market to pay double rent.
5. Delays repairing units
6. Does not cure the issue, if the issue even exists, of landlord claiming renovation as grounds for eviction and then not doing the renovation.
7. Create significant delay in protecting safe & quiet enjoyment of neighboring tenants.
8. Delays a hazardous repair or leaves tenants at risk living in unit while repair is happening.
9. With extra uncertainty of unit availability and shortage in labor and materials, landlords may not be able to secure a contractor that will wait for a possible future date to begin renovation.
10. The bill would create more uncertainty in financials of the property which reduces its value.
11. The bill adds another barrier to being a landlord and developing housing which worsens affordable housing. We need to reduce barriers to housing, not create more.
12. Note that all of New England is 30 days notice or less.
13. Lastly, the real issue is an economic imbalance in the real estate market with much too much demand and not enough supply. The bill does not increase the supply side of the equation and therefore does not solve the real issue.

The bill is quite confusing & subjective to the average reader who is trying to figure out if 30 day or 60 day notice applies. This will lead a large amount of cases where the wrong amount of days notice is used which will cause more court time attempting to figure out what subjective scenario applies and then an extreme amount of wasted time starting the eviction over if the wrong number of days was used and then often double the case load as the cases come back with the corrected days notice.

A driver of this type of eviction is in the sale of small multifamily buildings where a buyer wants to occupy a unit in a building they are purchasing. Many of these sales involve FHA financing where it is required that the borrower occupy the building. The bill will make this very difficult and will discourage sales to owner occupants, due to the length of time the property will be held up in the sales process. Owner occupants

improve buildings and neighborhoods and the quality of the renters experience who live in buildings with owners. On the development side, when larger buildings are involved, this bill adds additional costs and delays to the construction process, which will discourage the purchase and renovation of distressed property. What happens when they refuse to leave? A landlord wrote: "I gave tenant 90 day notice. They stopped paying at 60 days. At a minimum we are now going on 120 days before they are out. That can easily turn into 150 days or longer. Meanwhile they are trashing the unit and calling code enforcement." This loss now needs to be made up by increasing rents.

The bill places restrictions on property transfers and creates delays in repairing units for 60 days. This is an infringement on property owner's rights to convey property. Who wants to wait extra time to close on a property and then have the potential to drag it out longer? Many closings on a P&S state vacant before closing.

It is also an assault on the value of buildings. If a buyer wants to reside in a building they wish to purchase, they may look elsewhere when faced with these extra delays.

It states that 30 days notice is sufficient if there is an actual code violation. In which case the tenant may argue the eviction is retaliation for reporting the code violation, then enjoy 6 months eviction free.

This loss now needs to be made up by increasing rents.

It makes no sense that these particular reasons would be 60 days and all others would be 7 or 30. By far most states in the country have 30 notices. All of New England is 30 days notice or less.

The bill does not cure the issue, if the issue even exists, of landlord claiming renovation as grounds for eviction and then not doing the renovation. This makes the bill seem inauthentic and just an excuse to increase protections for tenants at the expense of the landlord and the real estate market.

The bill would delay removing a troublesome tenant that is disturbing or threatening the safe and quiet enjoyment for their neighboring tenants causing damage to the property, doing illegal activities, perhaps selling drugs, etc, all of which are difficult to prove. This would be a negative for the neighboring tenants.

Forcing a major renovation to use the renovation cause for eviction will significantly drive up rents.

This bill adds to the cost of investment and development and drives up the cost of rents. If investors and landlords have to factor in 60+ days of construction delays, and push off the income earned by improving the property then they will look to recoup the cost in rent increases.

All of these types of bills increase the cost to developers and ultimately the cost to tenants.

The difficulty that tenants are having finding another apartment is due to the lack of supply. This bill does nothing to add to the supply.

There is no indication of how many people are being given notice to vacate under the circumstances set forth in the bill. Should the Legislature carve out an exception to the eviction statute for a limited number of people?

The bill does put another burden on landlords who are improving and upgrading the housing supply. These upgrades are beneficial because when they are preformed, many housing code violations are corrected. If a building is being sold, this bill would delay the sale and delay the upgrades. If there is lead paint in the building or another serious hazard discovered, but no order, the bill would delay renovations to remove the lead or other hazard reasonably quickly which would reduce the possibility of a child and adults being at risk.

As with all bills giving tenants additional time to find alternative housing, with the shortage of housing in the state, the additional time does not accomplish anything as there will not be any additional apartments on the market. Most leases require tenants to give 30 days notice, some 45 and a few 60 days of the tenant's intent

to vacate. The NH law of course only requires 30 days notice from a tenant. Since most apartments are being re-rented within 30 days, there will not be very many apartments to rent for 60 days out. This would either force the tenant to take a new apartment earlier than the 60 notice or take the apartment within the normal 30 day time period. So it gives no benefit to the tenant but may cause the tenant to pay double rent or more during the longer notice to secure a new rental while delaying and costing the owner at the same time. The bill is bad for tenants and bad for landlords.

This bill may increase the time that it takes to get the unit repaired or renovated and placed back on the market. With the shortage in labor and materials, contractor will not take on a job unless they actually know the date they can start. If the tenant has 60 day's notice, and then has to be evicted, it could be months before the tenant is out and work can be started. By then, most contractor will have taken on other work, and the unit will sit empty until the contractor starts and completes the work.

In this current environment with getting contractors to start a job this bill would be counterproductive.

This is another example of a well intentioned policy which would actually make it harder to be a landlord and develop housing in NH, which is contrary to what is needed.

This bill would make it harder and more expensive to renovate NH housing stock, which in many cases is quite old and in need of significant repair or renovation, given the age of much of NH's multifamily homes, being 50, 70 or 100 years old or more.

Barriers should be removed to being a landlord or developing housing, not added. That is what will solve the affordable housing crisis, not creating more barriers.

This has been borne out time and time again with restrictive policies and rent control. The more restrictions, the higher the price and the more homelessness.

In large measure, small "mom and pop" landlords supply the affordable housing. We are absolutely seeing that more restrictions are causing them to get out of the business. Their properties are often bought by larger developers who dramatically renovate the properties and equally dramatically raise the rents. Each time this happens our affordable housing stocks dwindle away.

Please protect our Affordable Housing and vote Inexpedient To Legislate.



April 5, 2022

Re: SB 217 relative to eviction notices

Dear Chairman Gordon and members of the House Judiciary Committee:

We are one of the biggest landlords in the Lakes Region, with a portfolio of 370 apartments in six towns. As a landlord, I write to express support for SB 217, which extends the eviction notice to 60 days in cases where a property will be renovated or sold.

As you know, the rental market is extremely tight. As a result, it can take a household several months to find a new apartment. Giving people who face eviction, through no fault of their own, more time to relocate is the right thing to do. We know there is a good chance that tenants in this situation can end up homeless simply due to the lack of available rental apartments.

We experienced such a situation in Laconia in August 2021, when a developer purchased a multi-family building (17 units) in Laconia in order to demolish it as part of a larger redevelopment project. Sadly, the tenants were only given 30 days to vacate despite the fact the developer did not demolish the building until February 2022.

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Thank you for your consideration.

Sincerely,

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Carmen R. Lorentz
Executive Director

April 5, 2022

House Judiciary Committee
Legislative Office Building
Concord, NH 03301

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Today’s housing market is extremely challenging, and we need policy that reflects that reality. Giving tenants, who have abided by their contracts, more time to find a new home will help promote stability at both the individual and community level. Please support SB217.

/s/
Charlene Lovett
Former Mayor of Claremont
603-504-6273

Stewart

PROPERTY MANAGEMENT

4 April 2022

Honorable Ned Gordon
Chairman,
House Judiciary Committee
107 North Main St.
Concord, NH 03301

Dear Mr. Chairman and
Members of the Committee,

My name is Paul Stewart and I am President of Stewart Property Management Inc. in Bedford, NH.

Our firm owns or manages 2500 apartments in the State and we have been involved with many properties that have either undergone major renovation or which have been purchased.

It has been our experience that such projects typically take months to consummate even after a commitment has been secured. Property surveys, title searches and the issues that often follow, environmental review, local approvals and the like all build in a good amount of time before renovation begins or the purchase takes place.

In our view, the requirement to provide a ninety day notice to tenants who are being displaced either due to imminent affordability issues or the scope of work to be accomplished, does not slow down the pre-development process and certainly doesn't cause the transaction to fail.

More importantly, the added time provides sufficient time for residents who face displacement to find another home.

Frankly, the current 30 day notice, particularly in the current environment in which there is such a serious shortage of affordable housing, is cruel and an invitation to homelessness.

Last fall, in my hometown of Laconia, I read that a developer of new housing and commercial space in Lakeport, which will be a huge benefit to the area, purchased an adjacent property housing several residents who were given a 30 day notice to vacate. Those residents were faced with trying to find alternative housing in an area with a zero vacancy rate. The local newspaper related individual stories of the impending hardships. The point being that the building lay vacant for several months before it was demolished. A ninety day notice would have had no apparent effect on the development plan, but would have been a lifesaver to the displaced residents.

Sincerely,

/s/ Paul N. Stewart
President



Stewart Property Management does not discriminate based on race, color, sex, age, religion, national origin, family or marital status, or handicap.



P.O. Box 10540 • Bedford, New Hampshire 03110-0540 • (603) 641-2163 FAX (603) 641-1063

office@stewartproperty.net • www.stewartproperty.net

SB 217 - AS INTRODUCED

2022 SESSION

22-3044

11/05

SENATE BILL **217**

AN ACT relative to eviction notices.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Whitley, Dist 15; Sen. Watters, Dist 4; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Sen. Sherman, Dist 24; Rep. Vann, Hills. 24; Rep. DiLorenzo, Rock. 17; Rep. Espitia, Hills. 31

COMMITTEE: Commerce

ANALYSIS

This bill modifies the circumstances under which a landlord may evict a tenant and modifies the requirements relating to eviction notices.

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 Two

AN ACT relative to eviction notices.

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

1 1 New Subparagraph; Termination of Tenancy. Amend RSA 540:2, II by inserting after
2 subparagraph (g) the following new subparagraph:

3 (h) The landlord desires to:

4 (1) Perform repairs to the dwelling unit which cannot be safely done while the
5 tenant resides in the premises;

6 (2) Perform substantial renovation of the premises; or

7 (3) Sell the property.

8 2 New Paragraphs; Eviction Notice. Amend RSA 540:3 by inserting after paragraph II the
9 following new paragraphs:

10 II-a. If the eviction is based on RSA 540:2, II(h), no less than 90 days' notice shall be
11 sufficient, except 30 days' notice shall be sufficient in the following circumstance:

12 (a) The landlord has been ordered to make repairs or remedy an unsafe condition by a
13 board, agency, or authority having powers of inspection, regulation or enforcement, for violations of a
14 housing code, building code, health code or other regulation pertaining to the health or safety of
15 residential dwelling units; and

16 (b) The owner has requested for extension of time for compliance with the order, and
17 such request has been denied.

18 II-b. Nothing in this section or RSA 540:2, II(h) shall be construed to:

19 (a) Permit a landlord to evict a tenant with a child who has tested positive for the
20 presence of lead in his or her bloodstream, in violation of RSA 130-A:6-a, and/or without complying
21 with the requirements of RSA 130-A:8-a; or

22 (b) Permit a landlord to evict a tenant who is entitled to protection from retaliation
23 pursuant to RSA 540:13-a and 540:13-b.

24 3 Effective Date. This act shall take effect January 1, 2023.