

REGULAR CALENDAR

January 25, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Municipal and County Government to which was referred HB 95,

AN ACT enabling municipalities to adopt rental practice regulations. Having considered the same,

report the same with the following resolution:

RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Diane Pauer

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	HB 95
Title:	enabling municipalities to adopt rental practice regulations.
Date:	January 25, 2023
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill would have permitted municipalities to dictate eviction and rent notifications to landlords, as well as the regulation of permissible rent and rent increases. The majority believes allowing each municipality to establish de facto rent control flies in the face of free market principles. If passed, this legislation would distort New Hampshire's rental market, insert a central-planning element into the landlord-tenant relationship, and impart multiple unintended consequences the sponsors may have failed to consider.

Vote 16-3.

Rep. Diane Pauer
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 95, enabling municipalities to adopt rental practice regulations. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. This bill would have permitted municipalities to dictate eviction and rent notifications to landlords, as well as the regulation of permissible rent and rent increases. The majority believes allowing each municipality to establish de facto rent control flies in the face of free market principles. If passed, this legislation would distort New Hampshire's rental market, insert a central-planning element into the landlord-tenant relationship, and impart multiple unintended consequences the sponsors may have failed to consider. **Vote 16-3.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

January 25, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Municipal and County Government to which was referred HB 95,

AN ACT enabling municipalities to adopt rental practice regulations. Having considered the same, and being unable to agree with the Majority, report with the recommendation that the bill OUGHT TO PASS.

Rep. David Preece

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	HB 95
Title:	enabling municipalities to adopt rental practice regulations.
Date:	January 25, 2023
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

With the vacancy rate is below 1%, some landlords have been raising rents 100 to 150%, which has resulted in numerous evictions of tenants who have no housing options. The minority believes there is a need for some municipalities to consider adopting rental regulations to protect economically vulnerable people in their communities.

Rep. David Preece
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 95, enabling municipalities to adopt rental practice regulations. **OUGHT TO PASS.**

Rep. David Preece for the **Minority** of Municipal and County Government. With the vacancy rate is below 1%, some landlords have been raising rents 100 to 150%, which has resulted in numerous evictions of tenants who have no housing options. The minority believes there is a need for some municipalities to consider adopting rental regulations to protect economically vulnerable people in their communities.

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 95

BILL TITLE: enabling municipalities to adopt rental practice regulations.

DATE: January 25, 2023

LOB ROOM: 301 - 303

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Pauer

Seconded by Rep. T. Cahill

Vote: 16-3

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:06:25 PM
Roll Call Committee Registers
Report

2023 SESSION

Municipal and County Government

Bill #: HB05 Motion: ITL AM #: _____ Exec Session Date: 1/25/23

Members	YEAS	Nays	NV
Turcotte, Len P. Chairman	16		
Pauer, Diane Vice Chairman	1		
Guthrie, Joseph A. <i>Rep. Nutter</i>	2		
MacDonald, John T. Clerk	3		
Lascelles, Richard W.	4		
Yokela, Josh S.	5		
Kelley, Diane E.	6		
Aylward, Deborah	7		
Brown, Richard R	8		
Cahill, Tim P	9		
Stavis, Laurel	10		
Tatro, Bruce L.	11		
Treleaven, Susan GS			
Gilman, Julie D.	12		
Maggiore, Jim V.	13		
Mangipudi, Latha D.		1	
Gallager, Eric B.		2	
Hicks, Matthew S	14		
Howland, Allan	15		
Preece, David John		3	
TOTAL VOTE:	16	3	

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 95

BILL TITLE: enabling municipalities to adopt rental practice regulations.

DATE: January 18, 2023

LOB ROOM: 301-303 **Time Public Hearing Called to Order:** 10:00 a.m.

Time Adjourned: 11:35 a.m.

Committee Members: Reps. L. Turcotte, Pauer, J. MacDonald, Guthrie, Lascelles, Yokela, D. Kelley, Aylward, R. Brown, Stavis, Gilman, Maggiore, Mangipudi, Gallagher, Hicks, Howland and Preece

Bill Sponsors:

Rep. Read

Rep. Gallagher

Rep. Levesque

Rep. Vogt

Rep. Pratt

Rep. Preece

Rep. Seibert

Rep. Newell

TESTIMONY

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

- Rep. Read - enable municipalities to internet housing regulations housing crisis, work if they afford to live. Shelter over their heads. Need to attract new people, no place to live. Paying 50% more of the market rate. Raised rents after buying. Pushed out over 100 residents from my town of Newmarket. Predatory-displacing people out of their homes for profit. No limit you can pay on, property raises the rent. Out of Manchester, will I be living in a car next month? Enabling only set different regulations on rental market. Rent stabilization, SCALPA level tools. Only applies to restrictive property over four units. Only do it long enough for the crisis emergency, I would have an upward climb to get the towns council to adopt this. Who is the state telling the towns they can't do this? Going to the ER, severe medical condition. Doctor surgery. You need it for an emergency. Like we have on the seacoast, best place to undo them.
- Rep. Yokela - allowed via by-laws - public hearing - the government body could pass it. Why did you choose by law?
- Reed - I teach American Government - I believe in self governance. This is an emergency situation. They do not want to do these. This is an emergency.
- Rep. Brown - emergency nature - I don't understand
- Reed - I counted the number of people - we are losing good people. Over 100 people pushed out of town.
- Brown - clarify leg body
- Reed - who do you enact (want to enact) the leg? Short quick decision for us. Government body more agile in making the decisions than waiting.
- Rep. Maggiore - anticipate government body - free to choose on a single source based on X. US census.
- Reed - they have the freedom. Fast acting. Not limiting information - not mandating.
- Rep. Gallagher - disclosure sponsor - asking questions, RV familiar with rent seeking behavior?
- Reed - I have heard the term - it is not a good one. Predatory - can't give you a definition
- Rep. Pauer - maximum amount to change for the rent. What happens if its sold?
- Reed - Interpretation, towns would be able to regulate who the owner is. You are regulating the rental practice.
- Rep. Stavis - doesn't state any amounts town enacts by law, what are the guidelines?

- Reed - the incentive is to get revenue for the town. They can imit rental increases all different tools available. The town government knows their townspeople. Crisis will need to happen before consideration.
- Mangipudi - enabling leg - doing the best on would it change it
- Reed - I haven't researched all municipalities, I don't believe anyone is doing this. no one is already doing this.
- Chair - property sold - restrictions goes with property?
- Reed - that is correct
- Rep. Staub - Hillsborough 25 Ward 5 - housing crisis. Significant number in my town. 1500-1800 in Hillsborough county. Range of people. Retail work, general commerce. Veterans, older people. Problem is across the board - 250 people. People are living in hotels. Impacts all of us. Humans suffering. Cause and affect. Stress has caused them to live on the streets. Years before affordable housing. Stop human suffering.
- Joanne McIntyre - NH Association of Realtors - Caldwell Banker, President - oppose. Vacancy rates 1% - priced out of the housing market - believe it will be worst. Reduce the quality and quantity. National move away from rent stabilization. Certain number of units are affordable. Lost tax value - some communities aren't even welcome. Some towns will use this to stop expanding housing communities. SB47 set up a commission - better suited to study. Lack of inventory.
- Rep. Gallagher - pass bills that do this. Why can't we do both?
- McIntyre - needs more study, increase density
- Rep. Gilman - density bonuses - anything to keep those units affordable
- McIntyre - I don't know the answer to that question
- Stavis - You can't make a living with affordable housing. What do you say to them? It doesn't pencil
- McIntyre - I don't have an answer - the develop needs to make their money back.
- Rep. Guthrie - what is affordable housing?
- McIntyre - what people can get into. Different places, different costs, more inventory
- Rep. Mangipudi - enabling legislation. Zoning law. Density reduced. Would this combat
- McIntyre - I can't answer that
- Lascelles - supply and demand, increase in rent. Do you see STR's affects
- McIntyre - I have not seen that impact on rental market.
- Gallagher - negative effects occur could they repeal
- McIntyre - yes if thats what leg says
- Cornell - NH Legal Assistance - housing attorney; 20 cases per week. Doubling of rent, local control, balance the requirements. Rents fund exceeding their income. They can repeal if the emergence no longer exists. We need to insure places for people to live.
- Rep. Mangipudi - 100,000 a year to take care of the homeless
- Cornell - I can get that
- Rep. Aylward - what expertise to develop the laws
- Cornell - need to know their community. They could draw from experts.
- Brandan Lemay - roots for Democracy - keeping up with housing. Enforce proper housing standards. Keep up with the quality. Beneficial to the city of Manchester. Local leaders making standards for their communities.
- Yokela - bad by law
- Lemay - anybody could make a bad law on election day
- Jane Hough - Manchester housing alliance - we do have a housing crisis. Vacancy rate less than 1%. It will be a year or two before apartments are build. Enables local control. Buy them up and raise the rent. Should be appalled.
- *Nick Norman - written testimony. 48 units. Testimony attached.
- Elliott Berry - private citizen - don't make it on rent control. Should the towns be able to consider it. Had studies - Oregon - state wide rent control. Clients \$500 increase. 950 rent increase. Short notice of rent increase. These are terrible times. You can exempt it. They can sunset them.
- Rep. Maggiore - the select or planning could allow a variance for the rent.
- Berry - not within the controls of the ordinance.
- Jessica Margeson - self - for the bill. Granite State Organization Project. Every town is different. This would help me what units do we have? Predatory landlords. I can't get the

numbers from the assessor. This bill would help with fraud. NH emergency rental assistance. Get the extra money while they can.

- Kathy Holmes - against the bill. One duplex and a house. Everything that Nick Norman said. Extra due to the government.
- Glenn Oullette - member of tenants association of Manchester - what happens when your rent goes up 300%? Seasonal jobs off from Jan-April. I am on Section 8. There is predatory and fraud. Other towns send their people to Manchester. Every community must take care of their own people. I am in favor of this bill. I will become homeless.
- Phillip Sherman - 10 units upper valley - our costs keep going up. Regulate the profits of a single family home. Rent control was appealed in MA. More units are needed. Problem exists on the zoning side.
- Rep. Treleven - more than one solution.
- Sherman - rents closer to inflations
- Kate West - supports this bill. It will impact our profits. Should be run in way that helps the community. If you can't afford to pay rent then you shouldn't be able to rent.

Respectfully submitted,
Representative MacDonald, Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB95 on 2023-01-18

Support: 82 Oppose: 8 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>
Blais, Vanessa	Manchester, NH Bessblais@gmail.com	A Member of the Public	Myself	Support	No	No	1/11/2023 3:00 PM
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/11/2023 3:25 PM
Dentzer, Emily	Lyme, NH emilydentzer@gmail.com	A Member of the Public	Myself	Support	No	No	1/14/2023 12:54 AM
Smith, Hayden	Hanover, NH hasmith1520@gmail.com	A Member of the Public	Myself	Support	No	No	1/14/2023 2:05 AM
Morrison, Carol	W. Lebanon, NH carol.r.morrison917@gmail.com	A Member of the Public	Myself	Support	No	No	1/14/2023 10:33 AM
bory, lee	nashua, NH leebory@Juno.com	A Member of the Public	Myself	Support	No	No	1/14/2023 11:53 AM
Morse, Elizabeth	Plainfield, NH betsybmorse@gmail.com	A Member of the Public	Myself	Support	No	No	1/14/2023 11:55 AM
Keegan, John	Boscawen, NH peoresnada@tds.net	A Member of the Public	Myself	Support	No	No	1/14/2023 12:11 PM
Desmarais, Doreen	Northwood, NH doreend@netzero.net	A Member of the Public	Myself	Support	No	No	1/14/2023 12:17 PM
Rhoades, Charles	DOVER, NH chuckrhoades@comcast.net	A Member of the Public	Myself	Support	No	No	1/14/2023 1:06 PM
Foley, Mary Ellen	Manchester, NH mefrsm@comcast.net	A Member of the Public	Myself	Support	No	No	1/14/2023 1:06 PM
Creem, Jeffrey	Nashua, NH jeff@thecreems.com	A Member of the Public	Myself	Oppose	No	No	1/14/2023 3:43 PM
Istel, Claudia	Acworth, NH cistel79@gmail.com	A Member of the Public	Myself	Support	No	No	1/15/2023 12:09 AM

Casino, Joanne	Concord, NH joannecasino@comcast.net	A Member of the Public	Myself	Support	No	No	1/15/2023 9:25 AM
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No	1/15/2023 6:53 PM
Perencevich, Ruth	Concord, NH rperence@comcast.net	A Member of the Public	Myself	Support	No	No	1/15/2023 9:31 PM
Podlipny, Ann	chester, NH apodlipny57@comcast.net	A Member of the Public	Myself	Support	No	No	1/16/2023 6:55 AM
Schleyer, Chris	Manchester, NH cschleyer@elmgrovecompanies.com	A Member of the Public	Myself	Oppose	No	No	1/16/2023 8:52 AM
Benham, Linda	Greenland, NH benhamlab@outlook.com	A Member of the Public	Myself	Support	No	No	1/16/2023 11:58 AM
Ropp, Elizabeth	Manchester, NH arunareiki@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 3:24 PM
Feder, Marsha	Hollis, NH marshafeder@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 3:36 PM
Spielman, Kathy Sue	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	1/16/2023 3:37 PM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No	1/16/2023 3:42 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 5:26 PM
Hansen, Lorraine	ROLLINSFORD, NH lhansennh@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 8:32 PM
Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 8:45 PM
Brennan, Arthur	Weare, NH arete201314@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 8:48 PM
Rasmussen, Kyle	Brookline, NH kyle_rasmussen@icloud.com	A Member of the Public	Myself	Support	No	No	1/16/2023 8:59 PM
Rasmussen, Elissa	Brookline, NH elissa@evanshatz.com	A Member of the Public	Myself	Support	No	No	1/16/2023 9:06 PM
Brennan, Jane	Weare, NH janelb@gsinet.net	A Member of the Public	Myself	Support	No	No	1/16/2023 9:09 PM
Oxenham, Lee	Plainfield, NH leexenham@comcast.net	A Member of the Public	Myself	Support	No	No	1/16/2023 10:42 PM

Sellarole, Jana	Walpole, NH jgsellarole@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 8:35 AM
Newton, Jay	Gilford, NH jjnewt@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 9:01 AM
Newton, Carolyn	Gilford, NH lynnnewton7@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 10:42 AM
Applewhite, Jordan	Sugar Hill, NH jordan.applewhite@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 11:18 AM
QUISUMBING-KING, Cora	Dover, NH coraq@comcast.net	A Member of the Public	Myself	Support	No	No	1/17/2023 12:07 PM
Cote, Lois	Manchester, NH lcote06@outlook.com	A Member of the Public	Myself	Support	No	No	1/17/2023 12:50 PM
Ndayishimiye, Fisto	Concord, NH fndayishimiye@afsc.org	A Member of the Public	Myself	Support	No	No	1/17/2023 1:36 PM
Beaudoin, Steve	Rochester, NH 4steve.beaudoin@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/17/2023 1:53 PM
Beaudoin, Sherry	Rochester, NH sherrybeaudoin@metrocast.net	A Member of the Public	Myself	Oppose	No	No	1/17/2023 2:19 PM
Moore, Susan	Franconia, NH susan.moore.franconia@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 3:32 PM
Roudiez, Ruth	Warner, NH rjstar@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 4:56 PM
Morris, Heather	Newmarket, NH Heathermorris454@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 5:34 PM
Steuerwald, Carissa	Portsmouth, NH Logicalunderpants@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 5:53 PM
King, Jordan	Milford, NH Jordan.king@outlook.com	A Member of the Public	Myself	Support	No	No	1/17/2023 6:57 PM
Perez, Erika	Manchester, NH eyzerep@gmail.com	A Lobbyist	NH Youth Movement	Support	No	No	1/17/2023 7:04 PM
Eltringham, Daniel	Dover, NH daneltringham@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 7:06 PM
PEGUERO, JAMILA	Manchester, NH jamila.peguero@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 7:18 PM
Masters, Katie	Littleton, NH katiemasters@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 7:27 PM

Vogt, Robin	Portsmouth, NH Robin.Vogt@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/17/2023 8:08 PM
Huggins, Dallas	Nottingham, NH dallas.a.huggins@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 8:14 PM
Mott-Smith, Wiltrud	Loudon, NH wmottsm@worldpath.net	A Member of the Public	Myself	Support	No	No	1/17/2023 9:09 PM
Van Camp, Jonathan	MANCHESTER, NH jvancamp515@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 9:11 PM
O'Neill, Jaime	MANCHESTER, NH oneillje07@comcast.net	A Member of the Public	Myself	Support	No	No	1/17/2023 9:20 PM
Boudreau, Chandra	Exeter, NH Cboudreau42@aol.com	A Member of the Public	Myself	Support	No	No	1/17/2023 9:44 PM
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 10:29 PM
Jones, Madeline	Manchester, NH Madeline.Elizabeth.jones@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 11:07 PM
Webb, Nina	Bethlehem, NH Ninar.webb@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 11:35 PM
Morton, Jennifer	Amherst, NH jenn@mortonfornh.com	An Elected Official	Myself	Support	No	No	1/17/2023 11:53 PM
Fogarty, Maggie	Dover, NH mfogarty@afsc.org	A Lobbyist	American Friends Service Committee - NH Program	Support	No	No	1/18/2023 12:15 AM
Cryans, Arianna	Littleton, NH ariannabeth27@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 12:55 AM
Warner, Kelly	Exeter, NH kellwarner@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 5:30 AM
Houle, Autumn	Manchester, NH autumnkatherinehoule@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 5:32 AM
Spier, Carry	Nashua, NH carry.spier@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/18/2023 6:23 AM
Watkins, Dan	Derry, NH dan.j.watkins@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 7:25 AM
Nicholson, Lisa	Newmarket, NH LRN@cheneyco.com	A Member of the Public	Myself	Oppose	No	No	1/18/2023 8:52 AM
Palmer, William	Cornish, NH wpalmernh@gmail.com	An Elected Official	Myself	Support	No	No	1/18/2023 9:01 AM

Koch, Laurie	Concord, NH kochlj@aol.com	A Member of the Public	Myself	Support	No	No	1/18/2023 9:05 AM
Fajardo, Christine	Manchester, NH christine4alderman@gmail.com	An Elected Official	City of Manchester, NH	Support	No	No	1/18/2023 9:10 AM
Ford, Eva	Dover, NH evacamilleford@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 9:15 AM
Frost, Sherry	Dover, NH sherryfrost626@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 9:41 AM
Murray, Grace	Amherst, NH graceelysemurray@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 9:41 AM
Cilley Foisy, Michelle	Temple, NH Michelle.cilley@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 9:59 AM
Covert, Susan	Contoocook, NH scovert@comcast.net	A Member of the Public	Myself	Support	No	No	1/18/2023 10:05 AM
Davis, Jonathan	Exeter, NH jonathan@nhyouthmovement.org	A Member of the Public	Myself	Support	No	No	1/18/2023 10:06 AM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 10:15 AM
Bowler, Courtney	Littleton, NH cf.bowler90@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 10:20 AM
Provencher, Emily	Manchester, NH epro306@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 10:27 AM
Peirce, William	Kittery, ME wf5@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/18/2023 10:47 AM
Tanner, Linda	Georges Mills, NH reptanner@gmail.com	An Elected Official	Myself	Support	No	No	1/18/2023 11:08 AM
Hamer, Heidi	Manchester, NH heidi.hamer@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/18/2023 11:18 AM
Greyes, Natch	Concord, NH ngreyes@nhmunicipal.org	A Lobbyist	New Hampshire Municipal Association	Support	No	No	1/18/2023 12:18 PM
Pauer, Eric	Brookline, NH secretary@BrooklineGOP.org	A Member of the Public	Myself	Oppose	No	No	1/18/2023 12:57 PM
hatch, sally	concord, NH sallyhatch@comcast.net	A Member of the Public	Myself	Support	No	No	1/18/2023 1:02 PM
Hallock, Linda	Cornish, NH LINDASH@MAIL.COM	A Member of the Public	Myself	Support	No	No	1/18/2023 1:43 PM

Sajeev, Narayan	Nashua, NH narayansajeev1@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 3:50 PM
Rochford, Patrick	Litchfield, NH prochford18@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 4:05 PM
Koch, Helmut	Gilmanton, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 7:57 PM
Levesque, Cassandra	Barrington, NH cassandra.levesque@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/18/2023 8:11 PM
MacGregor, Leslie	Grantham, NH lsmacgregor@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 8:36 PM

1/18/2023 10:00 a.m. State House Rm 301, House Municipal and County Government
HB95 Local Rent Control
Nick Norman
Legislative Initiative Landlord Tenant Law
AANH Government Affairs Chair
NickNorman@yahoo.com
603-432-5549

HB95 P1 of 2
TESTIMONY

Property Owner Position: Against
Please, vote Inexpedient To legislate.

Summary: This bill would enable municipalities to regulate the amount Landlords could increase rents on restricted residential properties and the notice period landlords must give, but not being less than 30 days, of rent increases. If a city or town enacts such an ordinance, and the landlord does not comply with the increased notice provision or the permissible amount of an annual increase, the landlord will be prohibited from evicting the tenant for the tenant's refusal to pay the rent increase.

Rent control. Bad, bad, bad! Gives local unfettered control over business decisions of landlord.

This bill will result in municipalities adopting regulations that will stifle investments in affordable housing in those communities. **As with all rent control bills, this bill will not solve the real reasons rents are increasing, the supply of housing is insufficient to meet demand and there is world wide inflation.**

Attempts to manipulate the marketplace for any one group will exacerbate the problem it seeks to fix, in this case, a shortage of affordable housing. Crimping the supply pipeline will increase the shortage of housing. The State should be working on incentives to increase unit production, not establishing disincentives.

One landlord writes "my total aggregate, compounded increases in rents over the past 20 years is 3.5%. The marketplace works!"

Such controls are a **failed concept rejected by city after city**. Even in Massachusetts there is no rent control laws and a preemption for city and county rights to enact rent control policies of their own.

In March of 2022, it is reported that in St Paul, Minnesota, which imposed their version of rent control, **new construction was down 80%** after rent control passed despite original forecast that it would be up in 2022.

In addition to control the annual increase in rents by cities and towns, this is a bill designed to allow increase in the notice period landlords must give tenants of rent increases. **We cannot predict what will happen in the future with costs associated with rental property ownership.** Taxes, insurance, utilities, labor and materials have all increased. Without the ability to offset these increased costs with revenue increases, many property owners will find themselves in default of loans and/or unable to make needed repairs and improvements.

Any municipality that adopts a strict policy regarding rent increase amounts will find that **investors and developers will avoid these towns due to the uncertainty of future costs** and the uncertainty of being able to offset costs with rent revenue. NH needs more housing to solve the housing issue and bills like this will worsen the issue.

This bill will be a **disincentive for developers to build more private rental housing**, as it adds both limits on the ability to pass cost increases on to the consumers, and adds more administrative labor for the landlord in both keeping track of each municipalities rules and regulations, applying for rent increases or appealing the amount allowed under this statute.

Further, this bill does not give any guidance on how the municipalities are to determine permissible rent increases or the notice provisions. Unlike zoning and land use, where the statutes include requirements for planning boards, meeting rules, and an appeals process, this bill merely gives the cities and towns the power to regulate annual rent increase. There is nothing in the bill that indicates who should make this

decision, how often the amount allowed will be reviewed, or how to determine what is an appropriate amount.

HB95 2 of 2

To allow municipalities to step in and adopt differing regulations will make an already **overloaded county-wide court system weighed down by the need to have courts familiar with all municipalities and their regulations**. As there is currently **no cap for annual increases in property tax, water & sewer rates, overhead costs, etc**, it is **unrealistic to institute a cap on rent increases** as rent incorporates all of these items.

General talking points about Rent Control:

Economists overwhelmingly agree that price controls on rent are inefficient, counterproductive and lead to serious negative impacts for housing markets

While rent control appears to help current tenants in the short run, in the long run it decreases affordability, fuels gentrification, and creates negative spillovers on the surrounding neighborhood. When rent control is put in place Landlords are **converting properties out of rent control and reducing the supply of affordable housing**, those moving into the area are forced to pay higher rents.

Rent control fuels gentrification.

House stock deteriorates from deferred maintenance. As the assessed value of rent controlled properties decline so does the property tax taxes they generate.

37 States in the USA have preemptions against rent control.

Rent control also **discourages the development of new rental housing** which is crucial to restoring the balance between supply and demand in local housing markets.

Specifically related to mobile home:

Once a **park owner converts out of renting lot space**, the older homes with low income tenants will likely lose their home while the newer ones will sell for pennies on the dollar, if at all.

The bottom line is it's better to preserve existing affordable housing. Offering subsidy's or tax credits may be a solution.

The Stanford San Francisco Rent Control Study noted:

"rent control limits renters' mobility by 20%"

Caused market to "reduce rental housing supplies by 15%"

"the lost rental housing supply likely drove up market rents in the long run, ultimately undermining the goals of the law."

<https://www.dropbox.com/s/c4qf7grzgrx1lu0/Stanford%20San%20Francisco%20Rent%20Control%20Study.pdf?dl=0>

The Brookings report determined that:

Rent control "imposed \$2.0 billion in costs to local property owners, but only \$300 million of that cost was transferred to renters in rent-controlled apartments."

"If society desires to provide social insurance against rent increases, it may be less distortionary to offer this subsidy in the form of a government subsidy or tax credit."

<https://www.dropbox.com/s/8qj8285bhfn8psd/Brookings%20Rent%20Control%20Literature%20Review.pdf?dl=0>

The document "NAA Rent Control Literature Review.pdf" summarizes **17 different studies all showing strong issues with rent control and that it is a failed policy.**

<https://www.dropbox.com/s/6ntpg09zaqv4p/NAA%20Rent%20Control%20Literature%20Review.pdf?dl=0>

The "Rent Control General Talking Points.pdf" document lists bullet points as well as references to 15 studies on rent control.

<https://www.dropbox.com/s/6ntpg09zaqv4p/NAA%20Rent%20Control%20Literature%20Review.pdf?dl=0>

Please, vote Inexpedient To legislate.

Heather Goley

From: John MacDonald
Sent: Tuesday, January 17, 2023 10:59 AM
To: Heather Goley
Cc: Len Turcotte
Subject: Fwd: House Municipal and County Gov.-Upcoming Legislation

Hi Heather,

Written testimony for HB 95 and HB 422. I don't believe he copied you.

John

Sent from my iPhone

Begin forwarded message:

From: Michael Ortlieb <michael@clearvictory.org>
Date: January 17, 2023 at 8:50:10 AM EST
To: Deborah Aylward <Deborah.Aylward@leg.state.nh.us>, Richard Brown <Richard.Brown@leg.state.nh.us>, Tim Cahill <Tim.Cahill@leg.state.nh.us>, Eric Gallager <Eric.Gallager@leg.state.nh.us>, Julie Gilman <julie.gilman@leg.state.nh.us>, Joseph Guthrie <lojogut@gmail.com>, Matthew Hicks <Matthew.Hicks@leg.state.nh.us>, Allan Howland <Allan.Howland@leg.state.nh.us>, Diane Kelley <Diane.Kelley@leg.state.nh.us>, Richard Lascelles <rlascelleshome@prodigy.net>, John MacDonald <John.MacDonald@leg.state.nh.us>, Jim Maggiore <Jim.Maggiore@leg.state.nh.us>, Latha Mangipudi <Latha.Mangipudi@leg.state.nh.us>, Diane Pauer <Diane.Pauer@leg.state.nh.us>, David Preece <David.Preece@leg.state.nh.us>, Laurel Stavis <Laurel.Stavis@leg.state.nh.us>, Bruce Tatro <Bruce.Tatro@leg.state.nh.us>, Susan Treleaven <streleaven@comcast.net>
Subject: House Municipal and County Gov.-Upcoming Legislation

Caution! This message was sent from outside your organization.

Dear Sirs and Madams:

I am writing to you to express my concern about upcoming legislation that affects landlords and property owners.

HB95- Local Rent Control. We already have a law that controls the notice Landlords must give to raise rents. Rent control is bad. My rental property is my property, I invested in it, I know what it costs to run it, I know what I need to make a SMALL profit on it. Rent control gives local gov't unfettered control over MY business decisions. My property is in Dover, which has some of the highest property taxes in the state, and according to them, my property has DOUBLED in value in the last 5 years. I need to raise rents just to keep up with real estate taxes, much less inflation and cost of living, cost of building materials, etc.

This bill will result in municipalities adopting regulations that will stifle investments in affordable housing. As with all rent control bills, this bill will not solve the real reasons rent is increasing, which is insufficient supply to meet demand. Attempts to manipulate the marketplace for any one group are unfair and will exacerbate the problem it seeks to fix, in this case, a shortage of affordable housing. Crimping the supply pipeline will increase the shortage of housing. The State should be working on incentives to increase unit production, not establishing disincentives. Even Massachusetts, which is notoriously renter-friendly, doesn't have rent control laws.

HB422- Rent Registry. I don't even know what the purpose of this bill is or what it is intended to accomplish or what problem it is trying to solve. This is not what the Registry of Deeds was created for. It's going to result in gov't doing something it is not designed to do, at an added cost to the taxpayers. With a publicly accessible list, this would absolutely lead to price-fixing at the highest rent.

As stated in the fiscal note attached to the bill: 'To administer this bill the register of deeds office would need to do substantial research, acquire software and/or a computer systems and staffing to keep up with the changes.' This would be at a substantial expense to the Counties, which will have to be paid by raising real estate taxes, further increasing the pressure to increase rents. In addition, all Landlords will have to spend the time or pay staff to report the rents as required by the bill. It is a financial and administrative burden to property owners and NH government. With no funding attached, it would undoubtedly be considered an unfunded mandate on the counties and therefore unconstitutional. Any benefits outweigh the costs to the Counties and the taxpayers.

HB44- I support this legislation. Again, it allows me to make business decisions about my own property. Freedom is good, you should support it.

Thank you for taking the time to listen to me.

Very sincerely,

Michael J. Ortlieb, Esq.

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HB 95 - AS INTRODUCED

2023 SESSION

23-0019

02/05

HOUSE BILL **95**

AN ACT enabling municipalities to adopt rental practice regulations.

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

COMMITTEE: Municipal and County Government

ANALYSIS

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

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

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT enabling municipalities to adopt rental practice regulations.

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

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

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

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

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

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

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

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

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

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

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

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

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