

HB 1333 – FINAL VERSION

12Mar2008... 0851h

05/15/08 1805s

04Jun2008... 2136eba

2008 SESSION

08-2556

05/01

HOUSE BILL **1333**

AN ACT relative to post-foreclosure eviction actions.

SPONSORS: Rep. Dokmo, Hills 6

COMMITTEE: Judiciary

ANALYSIS

This bill defines a purchaser at a mortgage foreclosure sale and allows a purchaser at a mortgage foreclosure sale to terminate a tenancy of the property by a notice to quit.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

12Mar2008... 0851h

05/15/08 1805s

04Jun2008... 2136eba

08-2556

05/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eight

AN ACT relative to post-foreclosure eviction actions.

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

1 New Paragraph; Actions Against Tenants; Definition of Purchaser at a Mortgage Foreclosure Sale. Amend RSA 540:1-a by inserting after paragraph I the following new paragraph:

I-a. “Purchaser at a mortgage foreclosure sale” means the successful bidder at a foreclosure auction, in possession of a valid purchase and sale agreement or memorandum of sale.

2 Termination of Tenancy; Notice to Quit by Purchaser at a Mortgage Foreclosure Sale. Amend RSA 540:2, I and the introductory paragraph of RSA 540:2, II to read as follows:

- I. The lessor [or], owner, **or purchaser at a mortgage foreclosure sale with the written consent of the mortgagee**, of nonrestricted property may terminate any tenancy by giving to the tenant or occupant a notice in writing to quit the premises in accordance with RSA 540:3 and [5] **540:5**.
- II. The lessor [or], owner, **or purchaser at a mortgage foreclosure sale with the written consent of the mortgagee**, of restricted property may terminate any tenancy by giving to the tenant or occupant a notice in writing to quit the premises in accordance with RSA 540:3 and [5] **540:5**, but only for one of the following reasons:

3 Definition; Other Good Cause. Amend RSA 540:2, V to read as follows:

V. "Other good cause" as set forth in [paragraph] **subparagraph** II(e) of this section includes, but is not limited to, any legitimate business or economic reason and need not be based on the action or inaction of the tenant, members of his **or her** family, or guests.

4 Effective Date. This act shall take effect January 1, 2009.