

HB 60 - AS AMENDED BY THE SENATE

06/05/2025 2711s

2025 SESSION

25-0033

06/08

HOUSE BILL 60

AN ACT relative to the termination of tenancy at the expiration of the tenancy or lease term.

SPONSORS: Rep. Lynn, Rock. 17; Rep. Seidel, Hills. 29

COMMITTEE: Housing

ANALYSIS

This bill adds the expiration of the term of the lease or tenancy if over 6 months as grounds for an eviction.

Explanation: Matter added to current law appears in ***bold italics***.Matter removed from current law appears ~~[in brackets and struck through]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the termination of tenancy at the expiration of the tenancy or lease term.

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

1 New Subparagraph; Termination of Tenancy; Expiration of Term; Effective on Submission of Report of the Department of Health and Human Services. Amend RSA 540:2, II by inserting after subparagraph (h) the following new subparagraph:

(i)(1) For a lease the original term of which is 12 months or longer, or for a lease the term of which is less than 12 months, but which has been renewed for a total period of 12 months or longer, the expiration of the term of the lease, provided that:

(A) The landlord has provided the tenant with written notice at least 60 days in advance of the termination date of the lease term that the lease will not be renewed and that the tenant must vacate the rental property at the end of the lease term; and

(B) The landlord has filed a possessory action within 6 months of the lease expiring.

(2) Nothing in this subparagraph shall affect a tenant's defense of retaliatory eviction as set forth in RSA 540:13-a or a tenant's protections from discrimination as defined by RSA 354:10.

2 New Paragraph; Termination of Tenancy; Expiration of Term. Amend RSA 540:2 by inserting after paragraph VII the following new paragraph:

VIII. No fault termination of tenancy shall not be considered an eviction for the purposes of rental applications and tenant screening reports by the lessor or the lessee. For the purposes of this section, "no fault termination of tenancy" shall mean any termination of tenancy under RSA 540:2, II(e), and RSA 540:2, II(f), when "other good cause" is not based on the action or inaction of the tenant, members of their family, or guests. The court handling

any no fault termination of tenancy shall make note in court documentation of the termination of tenancy proceeding that the termination of tenancy was at no fault of the tenant.

3 Termination of Tenancy; Expiration of Term; Effective on Submission of Report of the Department of Health and Human Services. Amend RSA 540:2 to read as follows:

VIII. No fault termination of tenancy shall not be considered an eviction for the purposes of rental applications and tenant screening reports by the lessor or the lessee. For the purposes of this section, “no fault termination of tenancy” shall mean any termination of tenancy under RSA 540:2, II(e), **RSA 540:2, II(i)**, and RSA 540:2, II(f), when “other good cause” is not based on the action or inaction of the tenant, members of their family, or guests. The court handling any no fault termination of tenancy shall make note in court documentation of the termination of tenancy proceeding that the termination of tenancy was at no fault of the tenant.

4? Department of Health and Human Services; Report Required. The department of health and human services shall provide a written report to the judicial branch when officially published data on the rental vacancy rate from the United States Federal Reserve demonstrates New Hampshire has had a rental vacancy rate of 4 percent or higher each quarter for that calendar year. The department of health and human services and the judicial branch shall make this report available on their websites. The department of health and human services shall notify the senate president, the speaker of the house, and the governor when this report is filed.

5 Contingency on Filing of Report. Sections 1 and 3 of this act shall take effect upon certification by the department of health and human services to the secretary of state and director of the office of legislative services that the report required by section 4 of this act has been provided to the judicial branch.

6 Effective Date.

I. Sections 1 and 3 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect upon its passage.

