

HB 106 – AS INTRODUCED

2013 SESSION

13-0016
05/01

HOUSE BILL **106**

AN ACT relative to the demand for rent and other damages, and the repeal of the landlord-agent requirement.

SPONSORS: Rep. Warden, Hills 39; Rep. Pitre, Straf 2; Rep. LeBrun, Hills 32; Rep. Jones, Straf 24

COMMITTEE: Judiciary

ANALYSIS

This bill:

I. Provides that the demand for rent may include additional charges owed by the tenant.

II. Increases the amount of liquidated damages available in cases where the tenant pays the past due rent after receipt of an eviction notice and demand for rent.

III. Repeals the requirement that landlords of restricted residential property provide service of process information to the municipality in which the property is located.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the demand for rent and other damages, and the repeal of the landlord-agent requirement.

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

- 1 1 Time of Demand for Rent and Other Damages. Amend RSA 540:8 to read as follows:
2 540:8 Time of. Such demand may be made when the rent is due or while it is in arrears, but the
3 lessor shall not demand a greater sum than the whole rent in arrears **and any charges owed by**
4 **the tenant under the terms of the lease agreement, including but not limited to late fees**
5 **and utility costs**, when demand is made.
6 2 Payment After Notice; Liquidated Damages. Amend RSA 540:9 to read as follows:
7 540:9 Payment After Notice. No tenancy shall be terminated for nonpayment of rent, utility
8 charges, or any other lawful charge contained in a lease or an oral or written rental agreement if the
9 tenant, before the expiration of the notice, pays or tenders all arrearages plus [~~\$15.00~~] **\$160** as
10 liquidated damages; provided, however, that a tenant may not defeat an eviction for nonpayment by
11 use of this section more than 3 times within a 12-month period.
12 3 Repeal. RSA 540:1-b, relative to landlord-agents, is repealed.
13 4 Effective Date. This act shall take effect January 1, 2014.