

CHAPTER 87
HB 211 – FINAL VERSION

2013 SESSION

13-0691
05/01

HOUSE BILL **211**

AN ACT relative to service of demand for rent and eviction notice.

SPONSORS: Rep. Jasper, Hills 37; Sen. Boutin, Dist 16; Sen. Carson, Dist 14

COMMITTEE: Judiciary

ANALYSIS

This bill provides that in the case of commercial rental property, service of process for non-resident tenants shall be by certified mail to the tenant's registered agent, if any, or by certified mail to the tenant's last known legal address.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 service of demand for rent and eviction notice.

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

1 87:1 Service of Demand and Eviction Notice. Amend RSA 540:5, I to read as follows:

2 I. Any notice of a demand for rent or an eviction notice may be served by any person and
3 may be served upon the tenant personally or left at his or her last and usual place of abode. In the
4 case of commercial rental property, service of process may be made at such property provided that a
5 copy of the demand for rent or eviction notice shall be sent by certified mail to the commercial tenant
6 at his or her last known legal address or, for non-residents, ~~[pursuant to RSA 510:4]~~ **by certified**
7 **mail to the tenant's registered agent if there is a registered agent for the tenant duly**
8 **registered with the New Hampshire secretary of state or, if there is no such registered**
9 **agent, by certified mail to the tenant's last known legal address.** Proof of service must be
10 shown by a true and attested copy of the notice accompanied by an affidavit of service, but the
11 affidavit need not be sworn under oath. A notice of a demand for rent shall be sufficient if served
12 upon the tenant at any time after the rent becomes due and prior to or simultaneously with the
13 service of an eviction notice.

14 87:2 Effective Date. This act shall take effect 60 days after its passage.

15

16 Approved: June 20, 2013

17 Effective Date: August 19, 2013