

HB 315 – AS AMENDED BY THE HOUSE

4Mar2015... 0298h

2015 SESSION

15-0834
05/06

HOUSE BILL **315**

AN ACT relative to termination of tenancy.

SPONSORS: Rep. Beaudoin, Straf 9; Rep. Cook, Rock 11; Rep. Gould, Hills 7

COMMITTEE: Judiciary

ANALYSIS

This bill provides additional grounds for termination of tenancy with 7 days notice.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to termination of tenancy.

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

1 1 New Subparagraphs; Termination of Tenancy. Amend RSA 540:2, II by inserting after
2 subparagraph (g) the following new subparagraphs:

3 (h) Failure by the tenant to establish utility service in the tenant's name or termination
4 by the tenant or the utility provider of a utility service, where payment for such utility service is the
5 tenant's obligation under the lease or rental agreement, provided that:

6 (1) No tenancy shall be terminated under this subparagraph if prior to the
7 expiration of the eviction notice the tenant has the utility service established or restored and has
8 reimbursed the landlord any costs associated with tenant's termination of said utility; and

9 (2) If the tenant cures his or her failure pursuant to subparagraph (1), the landlord
10 may still initiate an eviction action pursuant to RSA 540:2, II(b) in cases in which the tenant's
11 failure caused substantial damage to the premises, or the tenant has cured such failure more than 3
12 times in 12 months.

13 (i) A person staying in the leased premises who is not a party to the lease or rental
14 agreement, without the written consent of the landlord, more than 14 consecutive days or 30 days in
15 a 12-month period. No tenancy shall be terminated under this subparagraph if the tenant has the
16 person who is not a party to the lease permanently leave the premises before the expiration of the
17 eviction notice, provided that the tenant has not previously cured this breach of the lease or rental
18 agreement.

19 (j) Having one or more pets or animals in the leased premises in violation of the lease or
20 rental agreement. No tenancy shall be terminated under this subparagraph if the tenant has the
21 unauthorized pets or animals permanently removed from the premises before the expiration of the
22 eviction notice, provided that the tenant has not previously cured this breach of the lease or rental
23 agreement.

24 2 Eviction Notice. Amend RSA 540:3, II to read as follows:

25 II. For all residential tenancies, 30 days' notice shall be sufficient in all cases; provided,
26 however, that 7 days' notice shall be sufficient if the reason for the termination is as set forth in
27 RSA 540:2, II(a), (b), ~~(d)~~, **(h), (i), or (j)**.

28 3 Effective Date. This act shall take effect January 1, 2016.