

HB 65 - AS INTRODUCED

2025 SESSION

25-0045

06/05

HOUSE BILL **65**

AN ACT directing landlords to offer tenants the option of reporting rental payments to consumer reporting agencies.

SPONSORS: Rep. Selig, Straf. 10; Rep. Howland, Straf. 20; Rep. A. Murray, Hills. 20; Rep. Booras, Hills. 8; Rep. Lloyd, Hills. 8; Rep. Mandelbaum, Rock. 21; Sen. Perkins Kwoka, Dist 21

COMMITTEE: Housing

ANALYSIS

This bill provides tenants an option to have rental payments to their landlords reported to nationwide consumer reporting agencies.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT directing landlords to offer tenants the option of reporting rental payments to consumer reporting agencies.

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

1 1 New Section; Election to Have Rental Payments Reported to Consumer Reporting Agencies.

2 Amend RSA 359-B by inserting after section 4-a the following new section:

3 359-B:4-b Election to Report Rental Payments to Consumer Reporting Agencies.

4 I. In this section:

5 (a) "Landlord" means a person and their employees, property managers, or officers or
6 agents, who rent or leases to another person a rental unit, including space in a manufactured
7 housing park as regulated by RSA 205-A and in manufactured housing, for other than vacation or
8 recreational purposes.

9 (b) "Tenant" shall have the same meaning as RSA 540-A:5, III.

10 (c) "Rental unit" shall have the same meaning as RSA 540-A:5, IV.

11 (d) "Consumer reporting agency" shall have the same meaning as 15 U.S.C.A. Section
12 1681a(f).

13 (e) "Nationwide consumer reporting agency" shall have the same meaning as 15
14 U.S.C.A. Section 1681a(p).

15 II. Landlords shall offer their tenants the option of having the tenant's rental payment
16 information reported to at least one nationwide consumer reporting agency or any other consumer
17 reporting agency so long as the consumer reporting agency resells or otherwise furnishes rental
18 payment information to a nationwide consumer reporting agency.

19 III. The offer of rent reporting shall be made at the time of the lease agreement and at least
20 once annually thereafter. For lease agreements made prior to January 1, 2026, the offer of rent
21 reporting shall be made no later than April 1, 2026, and at least once annually thereafter.

22 IV. The offer of rent reporting shall include a written election of rent reporting that includes
23 all of the following:

24 (a) A statement that reporting of the tenant's rental payment information is optional.

25 (b) Identification of each consumer reporting agency to which rental payment
26 information will be reported.

27 (c) A statement that all of the tenant's rental payments will be reported, regardless of
28 whether the payments are timely, late, or missed.

29 (d) The amount of any fee charged pursuant under this section.

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1 (e) Instructions on how to submit the written election of rent reporting to the landlord by
2 mail.

3 (f) A statement that the tenant may opt into rent reporting at any time following the
4 initial offer by the landlord.

5 (g) A statement that the tenant may elect to stop rent reporting at any time, but that
6 they will not be able to resume rent reporting for at least six months from the same landlord after
7 their election to opt out.

8 (h) Instructions on how to opt out of reporting rental payment information.

9 (i) A signature block that the tenant shall date and sign in order to accept the offer of
10 rent reporting.

11 V. When the offer of rent reporting is made, the landlord shall provide the tenant with a
12 self-addressed, stamped envelope to return the written election of rent reporting.

13 VI. The written election to begin rent reporting shall not be accepted from the tenant at the
14 time of the offer. A tenant may submit their completed written election of rent reporting at any time
15 after they receive the offer of rent reporting from the landlord. A tenant may request and shall
16 obtain additional copies of the written election of rent reporting form from the landlord at any time.

17 VII. If a tenant elects to have that tenant's rental payments reported to a consumer
18 reporting agency under paragraph II, the landlord may require that tenant to pay a fee not to exceed
19 the lesser of the actual cost to the landlord to provide the service or \$10 per month. The payment or
20 nonpayment of this fee by the tenant shall not be reported to a consumer reporting agency.

21 VIII. If a tenant fails to pay any fee required by the landlord pursuant to paragraph VII, all
22 of the following shall apply:

23 (a) The failure to pay the fee shall not be cause for termination of the tenancy.

24 (b) The landlord shall not deduct the unpaid fee from the tenant's security deposit.

25 (c) If the fee remains unpaid for 30 days or more, the landlord may stop reporting the
26 tenant's rental payments and the tenant shall be unable to elect rent reporting again for a period of
27 6 months from the date on which the fee first became due.

28 IX. A tenant who elects to have rent reported under this section may subsequently file a
29 written request with their landlord to stop that reporting with which the landlord shall comply. A
30 tenant who elects to stop reporting shall not be allowed to elect rent reporting again from the same
31 landlord for a period of at least 6 months from the date of the tenant's written request to stop
32 reporting.

33 X. A tenant who elects to have rent reported does not forfeit any rights under New
34 Hampshire law. If a tenant makes deductions from rent or otherwise withholds rent as authorized
35 by those sections, the deductions or withholding of rent shall not constitute a late rental payment. A
36 tenant invoking the right to withhold rent under RSA 540:2, VI or another provision of law shall

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1 notify their landlord of the deduction or withholding prior to the date rent is due. This section shall
2 not be construed to relieve a housing provider of the obligation to maintain habitable premises.

3 XI. This section shall not apply to any landlord who owns 14 or fewer dwelling units, unless
4 the landlord is one of the following:

5 (a) A real estate investment trust, as defined in 26 U.S.C.A. Section 856.

6 (b) A corporation.

7 (c) A limited liability company in which at least one member is a corporation.

8 2 Effective Date. This act shall take effect January 1, 2026.