CHAPTER 46
HB 283 - FINAL VERSION

4Jan2024... 2441h

2024 SESSION

23-0287
05/04

HOUSE BILL ***283***

AN ACT relative to rental application fees charged to prospective tenants.

SPONSORS: Rep. Read, Rock. 10; Rep. Seibert, Hills. 21; Rep. Spier, Hills. 6; Rep. Dutzy, Hills. 6; Rep. Staub, Hills. 25; Rep. Newell, Ches. 4; Rep. Veilleux, Hills. 34

COMMITTEE: Judiciary

ANALYSIS

This bill limits the rental application fee and other fees charged by a landlord as part of the rental application process for a residential property.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to rental application fees charged to prospective tenants.

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

46:1 New Paragraph; Prohibited Practices and Security Deposits; Rental Application Fees. Amend RSA 540-A:3 by inserting after paragraph VII the following new paragraph:

VIII. Prior to collecting any fee as part of the rental application or renewal process, the landlord shall clearly disclose, in writing to prospective tenants, the amount of the fee and the requirement for a satisfactory criminal background and credit check, if any. If such fee is collected from an applicant, but the unit is not rented to that applicant, the landlord shall return any amount beyond the actual cost of the documented background check, credit check, and/or reasonable administrative costs to the applicant within 30 days of receipt. Nothing in this paragraph shall require the landlord to conduct a criminal background or credit check or prohibit the landlord from renting to an applicant who does not pass the criminal background or credit check.

46:2 New Subparagraph; Prohibited Practices and Security Deposits; Remedies. Amend RSA 540-A:4, IX by inserting after subparagraph (e) the following new subparagraph:

(f) Notwithstanding the provisions of subparagraph (a), a landlord who violates RSA 540-A:3, VIII shall be subject only to returning to the applicant all monies provided by the applicant as part of their application, plus court costs.

46:3 Effective Date. This act shall take effect January 1, 2025.

Approved: June 14, 2024
Effective Date: January 01, 2025