

HB 1598-FN - AS INTRODUCED

2026 SESSION

26-3181
07/06

HOUSE BILL ***1598-FN***

AN ACT relative to notice for tenants and landlords engaged in eviction processes.

SPONSORS: Rep. Dumont, Hills. 13; Rep. Cole, Hills. 26; Rep. Beaulier, Graf. 1; Rep. Ulery,
 Hills. 13; Sen. Carson, Dist 14

COMMITTEE: Housing

ANALYSIS

 This bill creates an expedited eviction procedure for landlords who seek to evict tenants for non-payment of rent or for a material breach of a rental agreement.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to notice for tenants and landlords engaged in eviction processes.

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

1 1 Proceedings in Special Cases; Actions Against Tenants; Possessory Action. Amend RSA
2 540:12 to read as follows:

3 540:12 Possessory Action. The owner, lessor, or purchaser at a mortgage foreclosure sale of any
4 tenement or real estate may recover possession thereof from a lessee, occupant, mortgagor, or other
5 person in possession, holding it without right, after notice in writing to quit the same as herein
6 prescribed. ***Nothing in this section shall prevent the issuance of a writ of possession without***
7 ***hearing in an expedited possessory action brought under RSA 540:13-f when the tenant***
8 ***fails to file a timely appearance or answer.***

9 2 New Paragraph; Proceedings in Special Cases; Actions Against Tenants; Writ; Service;
10 Discovery; Record; Default. Amend RSA 540:13 by inserting after paragraph VII the following new
11 paragraph:

12 VIII. The court shall not grant any stay of execution or delay the issuance of a writ of
13 possession in actions brought under the expedited procedure in RSA 540:13-f, except as expressly
14 provided in that section.

15 3 New Section; Proceedings in Special Cases; Actions Against Tenants; Expedited Eviction for
16 Non-Payment or Material Non-Compliance. Amend RSA 540 by inserting after section 13-e the
17 following new section:

18 540:13-f Expedited Eviction for Non-Payment or Material Non-Compliance.

19 I. Notwithstanding RSA 540:12 and RSA 540:13, a landlord may elect to bring an expedited
20 possessory action under this section when the sole ground for eviction is:

21 (a) Non-payment of rent; or

22 (b) A material breach of a rental agreement that materially affects health or safety or
23 constitutes criminal activity or drug-related criminal activity.

24 II. In an expedited eviction proceeding under this section:

25 (a) The landlord shall serve a 5-day notice to quit that contains, in 14-point bold type,
26 the following statement:

27 “THIS IS AN EXPEDITED EVICTION ACTION. If you do not vacate or pay all past-due rent within
28 5 days, the landlord may file a court action seeking immediate possession. You will have only 3 days
29 after service of the court summons to file an answer or you will lose by default and the court may
30 order your immediate removal.”

1 (b) If the tenant fails to vacate or cure, the landlord may file a landlord-tenant writ
2 marked "EXPEDITED" with the circuit court.

3 (c) The return day shall be not less than 3 days, nor more than 7 days after filing.

4 (d) The tenant must file any answer or counterclaims within 3 days of service of the
5 writ. Failure to file a timely answer shall result in default and immediate issuance of a writ of
6 possession without further hearing.

7 (e) If the tenant does file a timely answer, the court shall hold an evidentiary hearing no
8 later than 7 days after the answer is filed. The scope of the hearing shall be limited to:

9 (1) Whether rent is owed and unpaid; or

10 (2) Whether the alleged material breach occurred. Defenses unrelated to these
11 issues shall not be heard in the expedited action and may only be raised in a separate civil action.

12 III. No stays of execution under RSA 540:13 shall be granted in expedited actions except for
13 payment of all arrears plus costs and statutory interest within 48 hours of judgment.

14 IV. The court shall issue the writ of possession immediately upon default or upon finding in
15 favor of the landlord after hearing. Execution may occur as soon as 24 hours after issuance unless
16 the tenant posts a bond equal to 2 months' rent.

17 4 Effective Date. This act shall take effect January 1, 2027.

**HB 1598-FN- FISCAL NOTE
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FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable Increase \$50,000 to \$250,000	Indeterminable Increase \$100,000 to \$500,000	Indeterminable Increase \$100,000 to \$500,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill creates an expedited eviction procedure for cases involving nonpayment of rent or a material breach of a rental agreement. It shortens response deadlines for tenants, requires the court to schedule expedited hearings, limits available defenses, restricts stays of execution, and requires prompt issuance of writs of possession.

The Judicial Branch states this bill will require new forms, revised court procedures, updated training materials, and modifications to the court's case management system. Because expedited eviction cases will require accelerated scheduling, the Branch would need additional staffing to manage the new timelines. The Branch anticipates that additional administrative and case-processing responsibilities will range between \$100,000 to \$500,000 per a year starting in FY 2028. Since the bill take effect January 1, 2027 the estimated impact for the half-year cost will be between \$50,000 to \$250,000. The Branch did not provide information on what positions or exact operational costs that will be needed to implement the expedited eviction process.

AGENCIES CONTACTED:

Judicial Branch