

HB 628-FN - AS INTRODUCED

2025 SESSION

25-0629

11/09

HOUSE BILL

***628-FN***

AN ACT prohibiting landlords from discriminating against prospective tenants holding certain vouchers under the housing choice voucher program.

SPONSORS: Rep. Horrigan, Straf. 10; Rep. Grossman, Rock. 11; Rep. Howland, Straf. 20; Rep. Vail, Hills. 6

COMMITTEE: Housing

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ANALYSIS

This bill prohibits discrimination against tenants holding certain vouchers for purposes of renting dwellings.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT                    prohibiting landlords from discriminating against prospective tenants holding certain vouchers under the housing choice voucher program.

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

1            1 Unlawful Discriminatory Practices; Real Estate Transactions. Amend RSA 354-A:10 to read  
2 as follows:

3            354-A:10 Civil Rights Violations ***and Unlawful Discriminatory Practices***; Real Estate  
4 Transactions.

5            ***I.*** It shall be an unlawful discriminatory practice because of age, sex, gender identity, race,  
6 religion, color, marital status, familial status, physical or mental disability or national origin to:

7            ~~[I.](a)~~ Refuse to engage in a real estate transaction with a person or to discriminate in  
8 making available such a transaction.

9            ~~[II.](b)~~ Alter the terms, conditions or privileges of a real estate transaction or in the  
10 furnishing of facilities or services in connection therewith.

11            ~~[III.](c)~~ Refuse to receive or to fail to transmit a bona fide offer to engage in a real estate  
12 transaction from a person.

13            ~~[IV.](d)~~ Refuse to negotiate for a real estate transaction with a person.

14            ~~[V.](e)~~ Represent to a person that real property is not available for inspection, sale, rental,  
15 or lease when in fact it is so available, or to fail to bring a property listing to his or her attention, or  
16 to refuse to permit him or her to inspect real property.

17            ~~[VI.](f)~~ Make, print, or publish, or cause to be made, printed, or published, any notice,  
18 statement, advertisement, or sign, with respect to the sale or rental of a dwelling, or commercial  
19 structure, that indicates any preference, limitation, or discrimination based on race, color, religion,  
20 sex, marital status, familial status, physical or mental disability, sexual orientation, or national  
21 origin, or an intention to make any such preference, limitation, or discrimination.

22            ~~[VII.](g)~~ Offer, solicit, accept, use or retain a listing of real property with knowledge that  
23 unlawful discrimination or discrimination on the basis of familial status or an arrest record in a real  
24 estate transaction is intended.

25            ***II.*** *It shall be an unlawful discriminatory practice to refuse to rent or otherwise*  
26 *make unavailable to any person, or deny a dwelling to any prospective tenant on the basis*  
27 *that he or she is a participant in the Housing Choice Voucher Program operated pursuant*  
28 *to 42 U.S.C. section 1437f, provided that no person shall be deemed to have violated this*  
29 *paragraph if the reason for denying the prospective tenant, or making the dwelling*  
30 *unavailable, is:*

1           ***(a) The rent charged for the dwelling is above that which the housing authority***  
2           ***which administers the voucher can lawfully approve, and the rent charged for the dwelling***  
3           ***unit is the same as the landlord charges tenants for a comparable unit in the same***  
4           ***building or housing development; or***

5           ***(b) The housing authority determines that the dwelling fails to meet the***  
6           ***Housing Quality Standards promulgated by the United States Department of Housing and***  
7           ***Urban Development as codified in 24 C.F.R. section 982.401.***

8           2 Discriminatory Housing Practices; Exemptions. Amend RSA 354-A:15, I-II to read as follows:

9           I. Private sales of single family homes.

10           (a) Any sale of a single family home by its owner so long as the following criteria are  
11 met:

12                   (1) The owner does not own or have a beneficial interest in more than three single  
13 family homes at the time of the sale;

14                   (2) The owner or a member of his or her family was the last current resident of the  
15 home;

16                   (3) The home is sold without the use in any manner of the sales or rental facilities or  
17 services of any real estate broker or salesman, or of any employee or agent of any real estate broker  
18 or salesman;

19                   (4) The home is sold without the publication, posting or mailing, after notice, of any  
20 advertisement or written notice in violation of RSA 354-A:10, [VH] ***(g)***.

21           (b) This exemption shall not apply to RSA 354-A:10, [VH] ***(g)***.

22           II. Rental of a housing accommodation in a building which contains housing  
23 accommodations for not more than 4 families living independently of each other, if the owner resides  
24 in one of the housing accommodations. This exemption does not apply to RSA 354-A:10, [VH] ***(g)***.

25           3 Effective Date. This act shall take effect July 1, 2025.

LBA  
25-0629  
1/9/25

**HB 628-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT                    prohibiting landlords from discriminating against prospective tenants holding certain vouchers under the housing choice voucher program.

**FISCAL IMPACT:**

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Human Rights Commission. The Department was contacted on 12/16/24 for a fiscal note worksheet. When completed, the fiscal note will be forwarded to the House Clerk's Office.

**AGENCIES CONTACTED:**

Human Rights Commission