

ITL: HB 1553 – Pet-related fees and rent in residential tenancies

Position: Oppose (ITL)

Bill Summary: HB 1553 creates a new RSA 540-D that caps monthly pet rent at 1% of monthly rent (regardless of number of pets), prohibits nonrefundable pet fees, and provides for tenant enforcement with attorney’s fees. It also clarifies that landlords may still charge for actual pet-caused damages and that the chapter does not apply to service animals or support animals protected under disability law.

Key Points

1. **This is price control, and the costs don’t disappear.** If pet-related costs can’t be charged transparently, they will be baked into base rent for “pet-friendly” units—raising costs for tenants without pets and not necessarily saving pet owners money.
2. **It will reduce the supply of pet-friendly housing.** Some portion of owners will respond by going “no pets,” which shifts the market equilibrium: fewer pet-friendly options, higher prices for the remaining ones.
3. **“Regardless of the number of pets” creates adverse selection.** The bill forces one price for one pet and multiple pets, which encourages higher-impact pet households into the capped category and pushes risk-averse owners to opt out entirely.
4. **It increases friction around assistance-animal requests.** Larger economic differences between pet-friendly and pet-free units predictably increase the volume and contentiousness of accommodation interactions, raising compliance anxiety and dispute risk for both sides.
5. **Fee-shifting invites litigation over small dollars.** Creating a private right of action plus attorney’s fees in a high-misunderstanding area (“rent” vs “fees,” how things are labeled in leases) is a recipe for more litigation, not more housing stability.
6. **My own operational response is simple: I don’t accept pets, and if this becomes law I will never reconsider that position.** Bills like this make “pet-friendly” status more difficult to offer rationally and more legally fraught to administer.

Full Testimony

Mr. Chair, Members of the Committee—

My name is Christopher Freeman. I am a New Hampshire housing provider in Keene, Walpole, and Lebanon where I focus on affordable housing through co-living rentals. I'm here today to testify in opposition to HB 1553.

I understand the intent behind this bill. People love their animals, and pet-related charges add cost to their housing. But HB 1553 tries to solve that problem with price controls—and price controls don't remove costs; they just move them.

First, the obvious landlord response is to just bake pet-related costs into base rent for any unit that remains pet-friendly. That doesn't create any savings for households with pets, but it does raise the starting point for tenants without pets who are shopping the same units.

Second, some portion of owners will simply choose to designate units as pet-free. That reduces the supply of pet-friendly housing while demand remains the same. When supply goes down and demand stays constant, the price of the remaining pet-friendly units goes up. So this bill can very predictably make pet-friendly housing scarcer and more expensive.

Third, the "regardless of the number of pets" language is blunt and lacks proportionality to the wear and tear that each pet places on the property. It forces one price regardless of potential impact. That invites adverse selection and pushes owners toward an all-or-nothing choice. Guess whether they choose "all" or if they choose "nothing".

Fourth, the bill increases friction around assistance-animal requests. The statute exempts service and support animals protected under disability law, as it must. But when the economics of "pet-friendly" vs "pet-free" diverge, you predictably increase the volume and intensity of accommodation interactions. Even where everyone is acting in good faith, that means more disputes, more uncertainty, and more fair-housing risk. I should also point out that if pet fees get imputed into rent, then there is no opportunity for a person with a service animal to request a fee waiver. This bill therefore predictably increases costs borne by people with disabilities.

Finally, the enforcement mechanism includes attorney's fees. This is the kind of topic where misunderstandings and disputes are common. Creating fee-shifting litigation over relatively small dollar amounts is not a recipe for housing stability; it's a recipe for more conflict.

I'll close with a practical point from my own business. I do not accept pets. I operate shared housing with tighter operational constraints, and I've chosen not to take on that added risk

and friction. And if this bill becomes law, I will never reconsider that position. Measures like this don't encourage pet-friendly housing—they encourage landlords to avoid it.

For these reasons, I respectfully urge the Committee to vote **Inexpedient to Legislate**.

Thank you for your time. I'm happy to answer any questions.

Respectfully submitted,

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