

New Hampshire

Landlord-Tenant Compliance Guide

Generated: October 01, 2026 • Verified as of: October 01, 2026
enCompliance.com

■■ IMPORTANT LEGAL DISCLAIMER

This guide provides a summary of key compliance requirements for residential landlord-tenant relationships in New Hampshire. It is not legal advice and should not be relied upon as a substitute for consultation with a qualified attorney. Laws change frequently; always verify current requirements with official state sources or legal counsel. enCompliance.com provides this information as-is and makes no warranties regarding accuracy or completeness.

■ Severity Indicators:

- **Critical** - Must comply (legal requirement)
- **Important** - Should follow (best practice)
- **Standard** - Good to know (general info)

■ This guide covers 103 compliance requirements across 15 categories

■ Table of Contents

- [1. Additional Categories](#) (14 rules)
- [2. Core Lease Requirements](#) (7 rules)
- [3. Entry & Access](#) (5 rules)
- [4. Eviction Procedures](#) (8 rules)
- [5. Fair Housing & Discrimination](#) (5 rules)
- [6. Financial Terms](#) (8 rules)
- [7. Landlord Licensing & Business Requirements](#) (5 rules)
- [8. Local Ordinances](#) (7 rules)
- [9. Maintenance & Repairs](#) (10 rules)
- [10. Property Conditions](#) (4 rules)
- [11. Reporting & Documentation](#) (6 rules)
- [12. Retaliation & Prohibited Acts](#) (3 rules)
- [13. Security Deposits](#) (10 rules)
- [14. Special Housing Types](#) (7 rules)
- [15. Tenant Rights & Protections](#) (4 rules)

1. ADDITIONAL CATEGORIES

- **1. Subletting & Assignment (Lease agreement controls; common law)**
■ *Legal Reference: [Lease agreement controls; common law](#) (click to view statute)*
- **2. Rent Withholding (Common law; RSA 540:2, VI (utility payments))**
■ *Legal Reference: [Common law; RSA 540:2, VI \(utility payments\)](#) (click to view statute)*
- **3. Guest Policies (Lease agreement controls)**
■ *Legal Reference: [Lease agreement controls](#)*
- **4. Parking (Lease agreement controls)**
■ *Legal Reference: [Lease agreement controls](#)*
- **5. Storage (Lease agreement controls)**
■ *Legal Reference: [Lease agreement controls](#)*
- **6. Smoking Policies (Landlord discretion)**
■ *Legal Reference: [Landlord discretion](#)*
- **7. Insurance Requirements (Landlord may require renter's insurance)**
■ *Legal Reference: [Landlord may require renter's insurance](#)*
- **8. Property Damage by Tenant (RSA 540-A:3, VI)**
■ *Legal Reference: [RSA 540-A:3, VI](#) (click to view statute)*
- **9. Landlord Liability Insurance (Best practice)**
■ *Legal Reference: [Best practice](#)*
- **10. Lease Violations (Lease agreement; RSA 540:2)**
■ *Legal Reference: [Lease agreement; RSA 540:2](#) (click to view statute)*
- **11. Notice Requirements Summary (Various RSA 540 sections)**
■ *Legal Reference: [Various RSA 540 sections](#) (click to view statute)*
- **12. Military Service Protection (RSA 540:11-a, Federal SCRA)**
■ *Legal Reference: [RSA 540:11-a, Federal SCRA](#) (click to view statute)*
- **13. Consumer Protection Act Application (RSA 358-A, RSA 540-A:8)**
■ *Legal Reference: [RSA 358-A, RSA 540-A:8](#) (click to view statute)*
- **14. Dispute Resolution (Small claims court, district court)**

■ Legal Reference: [Small claims court, district court](#) (click to view statute)

2. CORE LEASE REQUIREMENTS

● 1. Lease Formation & Disclosures (RSA 540:1-b, RSA 540-A:6, I(b))

■ Legal Reference: [RSA 540:1-b, RSA 540-A:6, I\(b\)](#) (click to view statute)

● 2. Written Lease Requirements (General contract law, RSA 540:28)

■ Legal Reference: [General contract law, RSA 540:28](#) (click to view statute)

● 3. Lease Language Requirements (RSA 540:28)

■ Legal Reference: [RSA 540:28](#) (click to view statute)

● 4. Lease Addendums (Various RSA 540, 540-A sections)

■ Legal Reference: [Various RSA 540, 540-A sections](#) (click to view statute)

● 5. Lease Renewal (RSA 540:2, RSA 540:11)

■ Legal Reference: [RSA 540:2, RSA 540:11](#) (click to view statute)

● 6. Lease Termination (RSA 540:2, RSA 540:11)

■ Legal Reference: [RSA 540:2, RSA 540:11](#) (click to view statute)

● 7. Early Termination (RSA 540:11-a (Military), RSA 540:11-b (Domestic Violence), RSA 540:2)

■ Legal Reference: [RSA 540:11-a \(Military\)](#), [RSA 540:11-b \(Domestic Violence\)](#), [RSA 540:2](#) (click to view statute)

3. ENTRY & ACCESS

● 1. Landlord Right of Entry (RSA 540-A:3, IV & V)

■ Legal Reference: [RSA 540-A:3, IV & V](#) (click to view statute)

● 2. Tenant Right to Quiet Enjoyment (RSA 540-A:3, V (implied), Common law)

■ Legal Reference: [RSA 540-A:3, V \(implied\)](#), [Common law](#) (click to view statute)

● 3. Lockouts Prohibited (RSA 540-A:3, II)

■ Legal Reference: [RSA 540-A:3, II](#) (click to view statute)

● 4. Tenant Property Seizure Prohibited (RSA 540-A:3, III)

■ Legal Reference: [RSA 540-A:3, III](#) (click to view statute)

● **5. Abandoned Property (RSA 540-A:3, VII)**

■ *Legal Reference: [RSA 540-A:3, VII](#) (click to view statute)*

4. EVICTION PROCEDURES

● **1. Grounds for Eviction (RSA 540:2, RSA 540:3)**

■ *Legal Reference: [RSA 540:2, RSA 540:3](#) (click to view statute)*

● **2. Eviction Notice Requirements (RSA 540:3, RSA 540:5)**

■ *Legal Reference: [RSA 540:3, RSA 540:5](#) (click to view statute)*

● **3. Service of Eviction Notice (RSA 540:5)**

■ *Legal Reference: [RSA 540:5](#) (click to view statute)*

● **4. Eviction Court Process (RSA 540:12, RSA 540:13)**

■ *Legal Reference: [RSA 540:12, RSA 540:13](#) (click to view statute)*

● **5. Tenant Defenses to Eviction (RSA 540:2, RSA 540:13-a (Retaliation))**

■ *Legal Reference: [RSA 540:2, RSA 540:13-a \(Retaliation\)](#) (click to view statute)*

● **6. Redemption Right (Rent Nonpayment) (RSA 540:2, I)**

■ *Legal Reference: [RSA 540:2, I](#) (click to view statute)*

● **7. Self-Help Eviction Prohibited (RSA 540-A:3, I & II)**

■ *Legal Reference: [RSA 540-A:3, I & II](#) (click to view statute)*

● **8. Penalties for Illegal Eviction (RSA 540-A:4)**

■ *Legal Reference: [RSA 540-A:4](#) (click to view statute)*

5. FAIR HOUSING & DISCRIMINATION

● **1. Fair Housing Protected Classes (RSA 354-A:8, Federal Fair Housing Act)**

■ *Legal Reference: [RSA 354-A:8, Federal Fair Housing Act](#) (click to view statute)*

● **2. Reasonable Accommodations (Disability) (RSA 354-A:8, Federal Fair Housing Act)**

■ *Legal Reference: [RSA 354-A:8, Federal Fair Housing Act](#) (click to view statute)*

● **3. Familial Status Protection (RSA 354-A:8, Federal Fair Housing Act)**

■ *Legal Reference:* [RSA 354-A:8, Federal Fair Housing Act](#) (click to view statute)

● **4. Fair Housing Exemptions (RSA 354-A:13)**

■ *Legal Reference:* [RSA 354-A:13](#) (click to view statute)

● **5. Housing Discrimination Complaints (RSA 354-A:21)**

■ *Legal Reference:* [RSA 354-A:21](#) (click to view statute)

6. FINANCIAL TERMS

● **1. Rent Amount & Payment (RSA 540:1, RSA 540:7)**

■ *Legal Reference:* [RSA 540:1, RSA 540:7](#) (click to view statute)

● **2. Rent Increases (General contract law)**

■ *Legal Reference:* [General contract law](#) (click to view statute)

● **3. Late Fees (No specific statute)**

■ *Legal Reference:* [No specific statute](#)

● **4. NSF/Bounced Check Fees (No specific statute for residential landlord-tenant)**

■ *Legal Reference:* [No specific statute for residential landlord-tenant](#)

● **5. Application Fees (No specific statute)**

■ *Legal Reference:* [No specific statute](#)

● **6. Move-In Fees (No specific statute)**

■ *Legal Reference:* [No specific statute](#)

● **7. Pet Fees & Deposits (RSA 540-A:6 applies to pet deposits, RSA 354-A (assistance animals))**

■ *Legal Reference:* [RSA 540-A:6 applies to pet deposits, RSA 354-A \(assistance animals\)](#) (click to view statute)

● **8. Utilities (RSA 540-A:3, I)**

■ *Legal Reference:* [RSA 540-A:3, I](#) (click to view statute)

7. LANDLORD LICENSING & BUSINESS REQUIREMENTS

● **1. Real Estate Broker License Required (RSA 331-A)**

■ *Legal Reference:* [RSA 331-A](#) (click to view statute)

● **2. Landlord's Agent Designation (RSA 540:1-b)**

■ *Legal Reference:* [RSA 540:1-b](#) (click to view statute)

● **3. Penalties for No Agent (RSA 540:1-c)**

■ *Legal Reference:* [RSA 540:1-c](#) (click to view statute)

● **4. Escrow Account Requirements (Brokers) (RSA 331-A:13)**

■ *Legal Reference:* [RSA 331-A:13](#) (click to view statute)

● **5. Surety Bond (Principal/Managing Brokers) (RSA 331-A:14)**

■ *Legal Reference:* [RSA 331-A:14](#) (click to view statute)

8. LOCAL ORDINANCES

● **1. Manchester Registration (Local ordinance)**

■ *Legal Reference:* [Local ordinance](#) (click to view statute)

● **2. Nashua Lead Paint Requirements (Local ordinance)**

■ *Legal Reference:* [Local ordinance](#) (click to view statute)

● **3. Portsmouth Requirements (Local ordinances)**

■ *Legal Reference:* [Local ordinances](#) (click to view statute)

● **4. Dover Certificate of Compliance (Local ordinance)**

■ *Legal Reference:* [Local ordinance](#) (click to view statute)

● **5. HOA Rules (Private governance)**

■ *Legal Reference:* [Private governance](#) (click to view statute)

● **6. Condominium Association Rules (RSA 356-B (Condominium Act))**

■ *Legal Reference:* [RSA 356-B \(Condominium Act\)](#) (click to view statute)

● **7. Zoning Compliance (Local zoning ordinances)**

■ *Legal Reference:* [Local zoning ordinances](#) (click to view statute)

9. MAINTENANCE & REPAIRS

- 1. Landlord Repair Obligations (RSA 48-A:14 (Building & Housing Codes), General habitability requirements)

■ Legal Reference: [RSA 48-A:14 \(Building & Housing Codes\), General habitability requirements \(click to view statute\)](#)

- 2. Tenant Repair Responsibilities (RSA 540-A:3, VI)

■ Legal Reference: [RSA 540-A:3, VI \(click to view statute\)](#)

- 3. Emergency Repairs (RSA 540-A:3, IV & IV-a)

■ Legal Reference: [RSA 540-A:3, IV & IV-a \(click to view statute\)](#)

- 4. Pest Control & Bedbug Requirements (RSA 540-A:3, IV-a, V-a, V-b, V-c)

■ Legal Reference: [RSA 540-A:3, IV-a, V-a, V-b, V-c \(click to view statute\)](#)

- 5. Smoke Detectors (RSA 153:10-a)

■ Legal Reference: [RSA 153:10-a \(click to view statute\)](#)

- 6. Carbon Monoxide Detectors (RSA 153:10-a)

■ Legal Reference: [RSA 153:10-a \(click to view statute\)](#)

- 7. Lead-Based Paint Disclosure (Federal law (42 USC 4852d), RSA 130-A)

■ Legal Reference: [Federal law \(42 USC 4852d\), RSA 130-A \(click to view statute\)](#)

- 8. Radon Disclosure (Required disclosure (standard practice))

■ Legal Reference: [Required disclosure \(standard practice\) \(click to view statute\)](#)

- 9. Heating Requirements (General habitability requirements)

■ Legal Reference: [General habitability requirements \(click to view statute\)](#)

- 10. Hot Water & Plumbing (RSA 48-A:14 (Building codes))

■ Legal Reference: [RSA 48-A:14 \(Building codes\) \(click to view statute\)](#)

10. PROPERTY CONDITIONS

- 1. Warranty of Habitability (Common law, RSA 48-A:14, Kline v. Burns (1971))

■ Legal Reference: [Common law, RSA 48-A:14, Kline v. Burns \(1971\) \(click to view statute\)](#)

- 2. Mold & Moisture (General habitability requirements)

■ Legal Reference: [General habitability requirements \(click to view statute\)](#)

● **3. Building Code Compliance (RSA 48-A:14)**

■ *Legal Reference: [RSA 48-A:14](#) (click to view statute)*

● **4. Common Area Maintenance (General landlord obligations)**

■ *Legal Reference: [General landlord obligations](#)*

11. REPORTING & DOCUMENTATION

● **1. Record Retention (Brokers) (RSA 331-A requirements for licensed brokers)**

■ *Legal Reference: [RSA 331-A requirements for licensed brokers](#) (click to view statute)*

● **2. Rent Payment Records (General business practice)**

■ *Legal Reference: [General business practice](#)*

● **3. Maintenance Logs (General business practice)**

■ *Legal Reference: [General business practice](#)*

● **4. Inspection Reports (RSA 540-A:6, I(b) (move-in condition), RSA 540-A:7 (move-out))**

■ *Legal Reference: [RSA 540-A:6, I\(b\) \(move-in condition\)](#), [RSA 540-A:7 \(move-out\)](#) (click to view statute)*

● **5. Lead Registry (Federal and state requirements)**

■ *Legal Reference: [Federal and state requirements](#) (click to view statute)*

● **6. Bedbug Registry (No corresponding statute)**

■ *Legal Reference: [No corresponding statute](#)*

12. RETALIATION & PROHIBITED ACTS

● **1. Retaliatory Eviction Prohibited (RSA 540:13-a)**

■ *Legal Reference: [RSA 540:13-a](#) (click to view statute)*

● **2. Evidence of Intent to Retaliate (RSA 540:13-b)**

■ *Legal Reference: [RSA 540:13-b](#) (click to view statute)*

● **3. Domestic Violence Protection (RSA 540:2, VII (effective Jan 1, 2025))**

■ *Legal Reference: [RSA 540:2, VII \(effective Jan 1, 2025\)](#) (click to view statute)*

13. SECURITY DEPOSITS

- 1. Security Deposit Limits (RSA 540-A:6, I(a))
■ Legal Reference: [RSA 540-A:6, I\(a\)](#) (click to view statute)
- 2. Security Deposit Storage (RSA 540-A:6, II)
■ Legal Reference: [RSA 540-A:6, II](#) (click to view statute)
- 3. Security Deposit Return (RSA 540-A:7, I)
■ Legal Reference: [RSA 540-A:7, I](#) (click to view statute)
- 4. Allowable Deductions (RSA 540-A:7, II)
■ Legal Reference: [RSA 540-A:7, II](#) (click to view statute)
- 5. Itemization Requirements (RSA 540-A:7, I)
■ Legal Reference: [RSA 540-A:7, I](#) (click to view statute)
- 6. Penalties for Wrongful Withholding (RSA 540-A:8)
■ Legal Reference: [RSA 540-A:8](#) (click to view statute)
- 7. Security Deposit Interest (RSA 540-A:6, IV(a))
■ Legal Reference: [RSA 540-A:6, IV\(a\)](#) (click to view statute)
- 8. Security Deposit Receipt (RSA 540-A:6, I(b))
■ Legal Reference: [RSA 540-A:6, I\(b\)](#) (click to view statute)
- 9. Transfer of Security Deposit (RSA 540-A:6, III)
■ Legal Reference: [RSA 540-A:6, III](#) (click to view statute)
- 10. Unclaimed Security Deposits (RSA 540-A:7, II)
■ Legal Reference: [RSA 540-A:7, II](#) (click to view statute)

14. SPECIAL HOUSING TYPES

- 1. Shared Facilities (Rooming Houses) (RSA 540-B)
■ Legal Reference: [RSA 540-B](#) (click to view statute)
- 2. Mobile Homes (Separate regulatory framework)
■ Legal Reference: [Separate regulatory framework](#)

- 3. Subsidized Housing (Federal HUD regulations, RSA 540 where applicable)

■ *Legal Reference:* [Federal HUD regulations, RSA 540 where applicable](#) (click to view statute)

- 4. Student Housing (No specific statute)

■ *Legal Reference:* [No specific statute](#)

- 5. Senior Housing (55+) (RSA 354-A:15, Federal Fair Housing Act)

■ *Legal Reference:* [RSA 354-A:15, Federal Fair Housing Act](#) (click to view statute)

- 6. Short-Term Rentals (Subject to RSA 540-A, local ordinances)

■ *Legal Reference:* [Subject to RSA 540-A, local ordinances](#) (click to view statute)

- 7. Commercial Property (Not covered by RSA 540 or 540-A)

■ *Legal Reference:* [Not covered by RSA 540 or 540-A](#)

15. TENANT RIGHTS & PROTECTIONS

- 1. Right to Organize (RSA 540:13-a, III)

■ *Legal Reference:* [RSA 540:13-a, III](#) (click to view statute)

- 2. Right to File Complaints (RSA 540:13-a)

■ *Legal Reference:* [RSA 540:13-a](#) (click to view statute)

- 3. Right to Privacy (RSA 540-A:3, IV (entry restrictions))

■ *Legal Reference:* [RSA 540-A:3, IV \(entry restrictions\)](#) (click to view statute)

- 4. Domestic Violence Protections (RSA 540:2, VII & RSA 540:11-b)

■ *Legal Reference:* [RSA 540:2, VII & RSA 540:11-b](#) (click to view statute)

Severity Indicators:

- Critical requirement (must comply)
- Important guideline (should follow)
- Standard information (good to know)

■■ LOCAL ORDINANCES & MUNICIPAL REQUIREMENTS

Note: The following requirements are specific to certain municipalities or counties within the state and may differ from or supplement statewide regulations. Always verify local requirements with your city or county government.

● **1. Manchester Registration (Local ordinance)**

■ *Legal Reference:* [Local ordinance](#)

● **2. Nashua Lead Paint Requirements (Local ordinance)**

■ *Legal Reference:* [Local ordinance](#)

● **3. Portsmouth Requirements (Local ordinances)**

■ *Legal Reference:* [Local ordinances](#)

● **4. Dover Certificate of Compliance (Local ordinance)**

■ *Legal Reference:* [Local ordinance](#)

● **5. HOA Rules (Private governance)**

■ *Legal Reference:* [Private governance](#)

● **6. Condominium Association Rules (RSA 356-B (Condominium Act))**

■ *Legal Reference:* [RSA 356-B \(Condominium Act\)](#)

● **7. Zoning Compliance (Local zoning ordinances)**

■ *Legal Reference:* [Local zoning ordinances](#)

For the most current information, always consult official state sources.

- Visit **enCompliance.com** for:
- Automated document compliance analysis
 - Real-time regulatory change monitoring
 - State-specific compliance alerts

■ Questions or need legal review? Contact: **support@enCompliance.com**

Document ID: NH-COMP-20261001