

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<https://www.courts.state.nh.us>

Court Name: _____
Case Name: _____
Case Number: _____
(if known)

LANDLORD’S AFFIDAVIT OF COMPLIANCE WITH FEDERAL LAW

Instructions: The federal Coronavirus Aid, Relief and Economic Security (CARES) Act, Public Law 116-136, § 4024 (codified as 15 U.S.C. § 9058) provides protections to residential tenants in certain dwelling units, including any property that has a federally backed mortgage loan or participates, or has any tenant participating, in various federal housing programs. Landlords seeking to evict tenants from covered units for non-payment of rent or other fees **must provide 30 days’ notice prior to filing an eviction action.**

To ensure compliance with the CARES Act, all landlords in residential evictions must file an affidavit documenting their compliance with, or exemption from, the CARES Act. The court will not enter residential eviction actions without this affidavit. You must fill out this affidavit in its entirety, sign it, file it with the court, and serve a copy on the tenant along with the Landlord and Tenant Writ.

1. I, _____, am the landlord / landlord’s authorized representative pursuant to RSA 540:30 in this action.
2. I am personally familiar with the property occupied by the tenant, his or her tenancy, the property’s ownership and financing arrangements, any and all mortgages on the property, and the participation of the property or any tenant in federal housing programs
3. The reason for this eviction is: _____
4. The property is / is not a “covered property” as defined by section 4024 (a) (2) of the CARES Act (see page 2).

If the property is a “covered property,” and the eviction is based on nonpayment of rent or other charges, the tenant was provided with 30 days’ notice prior to the filing of this action and such notice was served on the tenant on or after July 26, 2020, as follows (describe date and manner of service):

I swear or affirm that the foregoing information is true and correct to the best of my knowledge. I understand that making a false statement on this Affidavit may subject me to criminal penalties.

Date Landlord/Landlord’s Agent

A copy of this affidavit must be served on the tenant by the Sheriff along with the Landlord and Tenant Writ.

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AFFIDAVIT OF COMPLIANCE WITH CARES ACT

“Covered Properties” Pursuant to 15 U.S.C. § 9508 (the CARES Act)

A property which participates in, receives subsidies or benefit from, or has any tenant participating in or receiving subsidies or benefits from, any of the following programs:

Housing and Urban Development (HUD)

- Public Housing (42 U.S.C. § 1437d)
- Section 8 Housing Choice Voucher Program or Project-Based Housing (42 U.S.C. § 1437f)
- Section 202 Housing for the Elderly (12 U.S.C. §1701q)
- Section 811 Housing for Persons with Disabilities (42 U.S.C. § 8013)
- Section 236 Multifamily Housing (12 U.S.C. § 1715z-1)
- Below Market Interest Rate (BMIR) Housing (12 U.S.C. § 17151(d))
- HOME (42 U.S.C. § 12741 et seq.)
- Housing Opportunities for Persons with AIDS (HOPWA) (42 U.S.C. § 12901, et seq.)
- Continuum of Care or Other McKinney-Vento Act Homelessness Programs (42 U.S.C. § 11360, et seq.)

Department of Agriculture

- Section 515 Rural Rental Housing (42 U.S.C. § 1485)
- Sections 514 and 516 Farm Labor Housing (42 U.S.C. §§ 1484, 1486)
- Section 533 Housing Preservation Grants (42 U.S.C. § 1490m)
- Section 538 Multifamily Rental housing (42 U.S.C. § 1490p-2)

Department of Treasury

- Low-Income Housing Tax Credit (LIHTC) (26 U.S.C. § 42)

Rural Housing Voucher Program

- Section 542 of the Housing Act of 1949 (42 USC § 1490r)

The CARES Act also applies to all properties with a federally backed mortgage or federally backed multi-family mortgage, meaning all mortgages owned, issued, or guaranteed by:

- Department of Housing and Urban Development (HUD)
- Department of Veteran Affairs
- Department of Agriculture
- Fannie Mae or Freddie Mac



NEW HAMPSHIRE
**Emergency
Rental Assistance
Program**

**DO YOU
NEED HELP
PAYING YOUR
RENT AND
UTILITIES
BECAUSE OF
COVID-19?**

The New Hampshire Emergency Rental Assistance Program provides assistance to eligible residents who are experiencing financial hardship due to COVID-19 and are at risk for homelessness, or living in unsafe or unhealthy housing.

**TO LEARN IF YOU QUALIFY
FOR ASSISTANCE:
APPLY ONLINE AT CAPNH.ORG
OR CALL 2-1-1**

TENANTS & LANDLORDS
are encouraged to work together
to submit an application and information.
(The tenant must sign the application.)

WHAT THE PROGRAM COVERS

- Past-due rent including reasonable late and legal fees.
- Three months of future rent payments if needed for housing stability.
- Utilities, such as electricity, home heating costs, water, sewer, trash.
- Other housing-related costs such as internet and relocation expenses associated directly or indirectly with COVID-19.
- Relocation expenses including rental application fees, utility hook-up fees, and security deposits.
- Households may qualify for utility assistance even if they do not receive or need rental assistance.

PROGRAM ELIGIBILITY

- At least one person in the household must have qualified for unemployment benefits, had their income reduced, had significant costs, or had other financial hardship due to COVID-19. Certain income requirements must be met.
- Households do not need to be receiving unemployment benefit payments.
- The CAP agency will assist in identifying information needed.
- Households may qualify for assistance for past-due and future rent and utility payments for a period not to exceed 15 months.

Your Community Action Partnership (CAP) agency will assist you with the application process. The application can be completed online.

APPLY AT CAPNH.org OR CALL 2-1-1



This is a federally funded through the Governor's Office for Emergency Relief and Recovery. It is administered by New Hampshire Housing, in collaboration with the Community Action Partnership agencies.