

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

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.

Case Name: _____

Case Number: _____

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