



HOME SWEET ADU

HOW TO CRAFT A 2ND
HOUSING UNIT ON YOUR
PROPERTY



WELCOME



TODAY'S AGENDA

- Introductions
- State of Housing
- What is an ADU?
- Permitting
- Zoning and How to Site Your ADU
- Designing and Constructing Your ADU
- Costs and Financing Tools
- ADU Examples
- Becoming an ADU Landlord
- Q&A
- Resources



SPEAKERS



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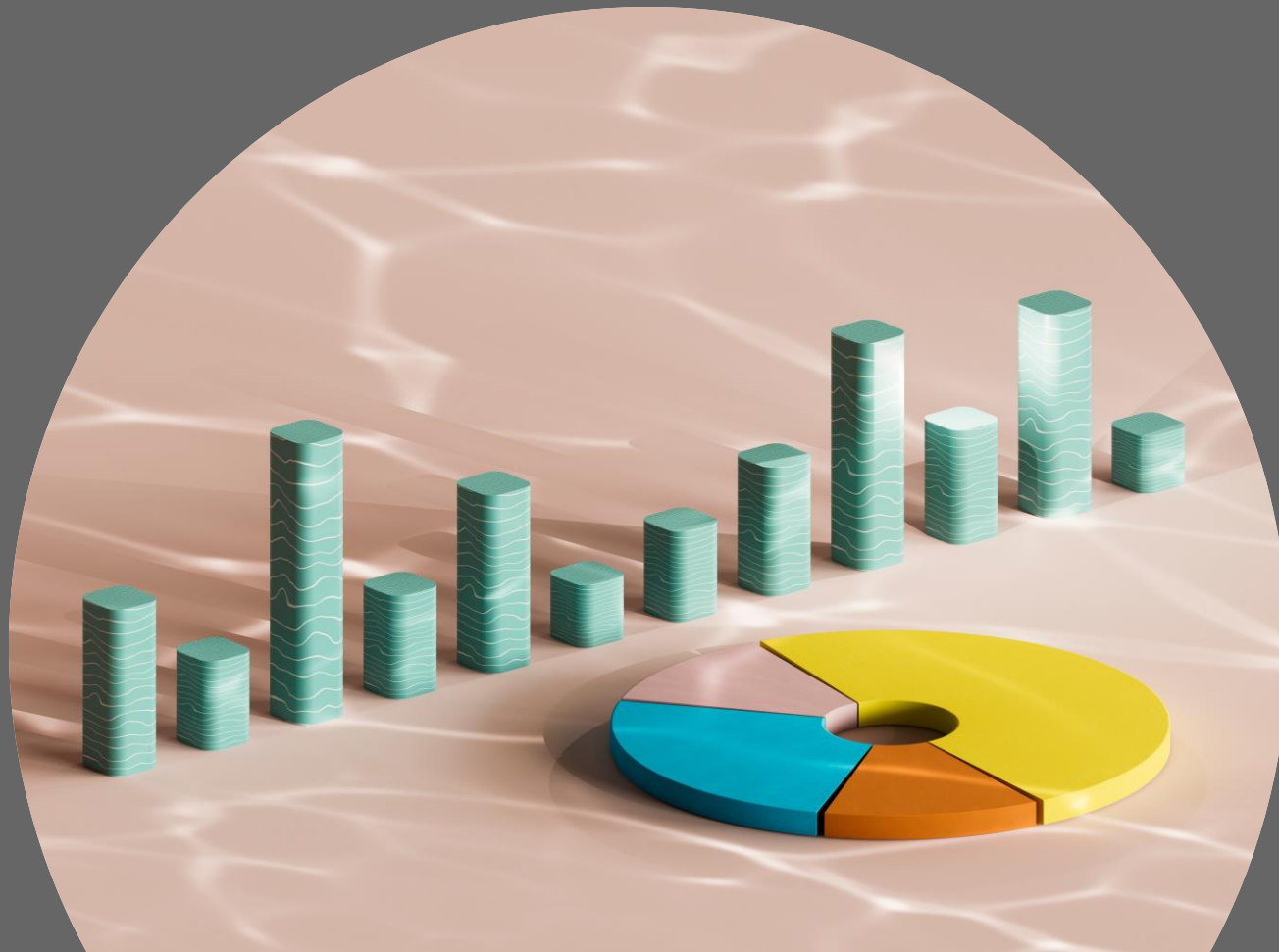
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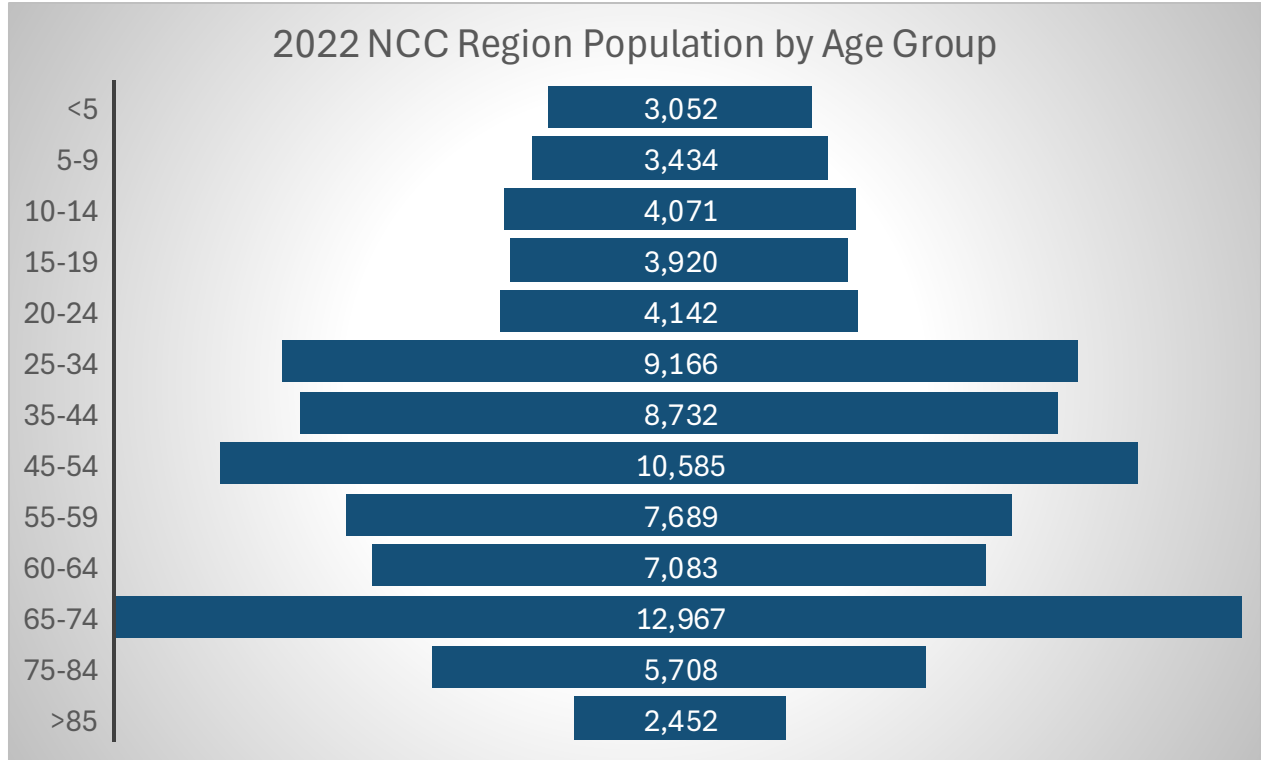
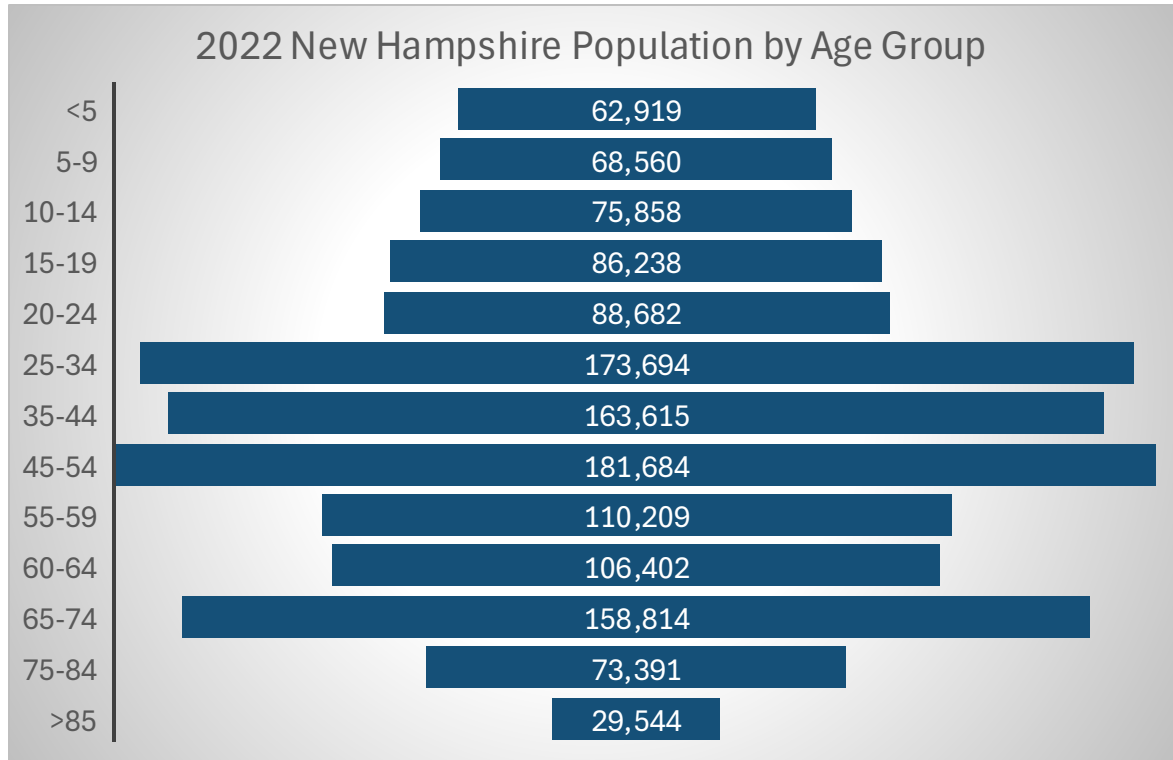
HOUSING IN NEW HAMPSHIRE & THE NORTH COUNTRY



Angela Cleveland, AICP
North Country Council

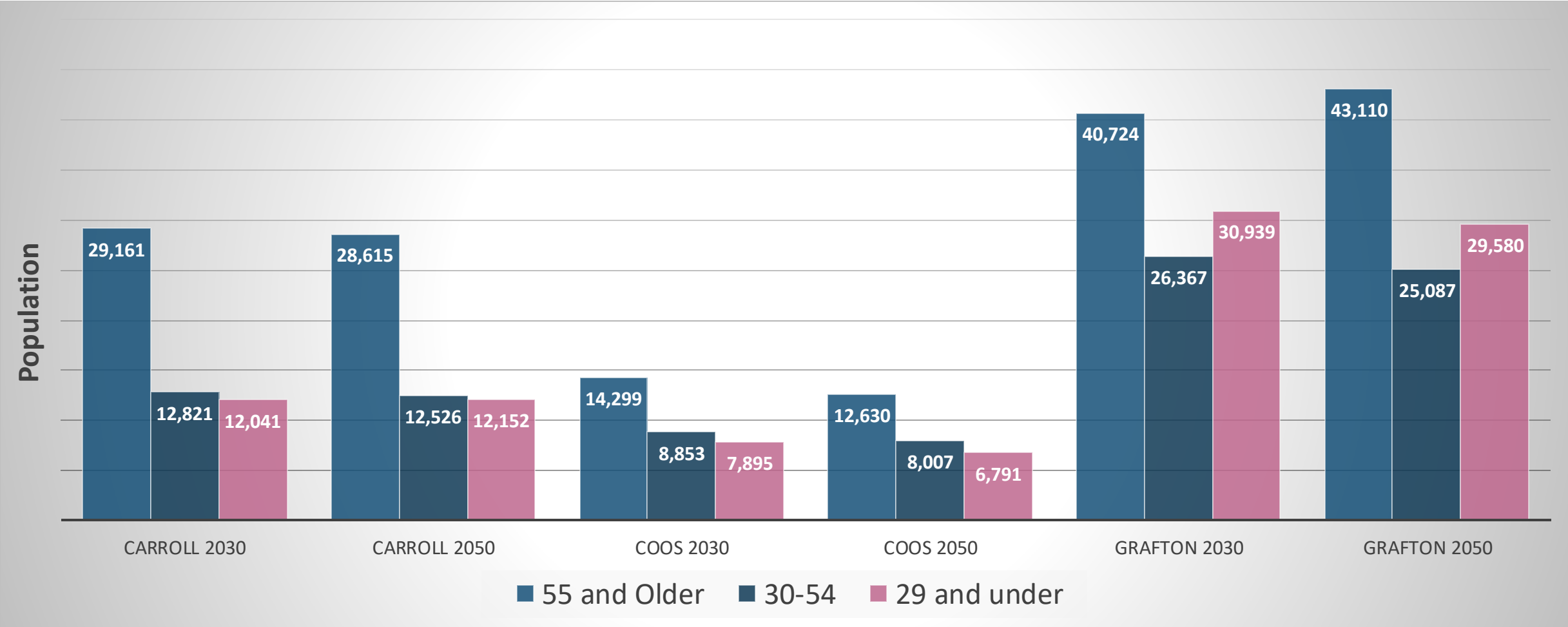
POPULATION

STATE AND REGIONAL POPULATION	
New Hampshire	1,379,610
North Country Council (NCC) Region	83,001



Source: US Census ACS 5-Year Estimates 2022 / DP05

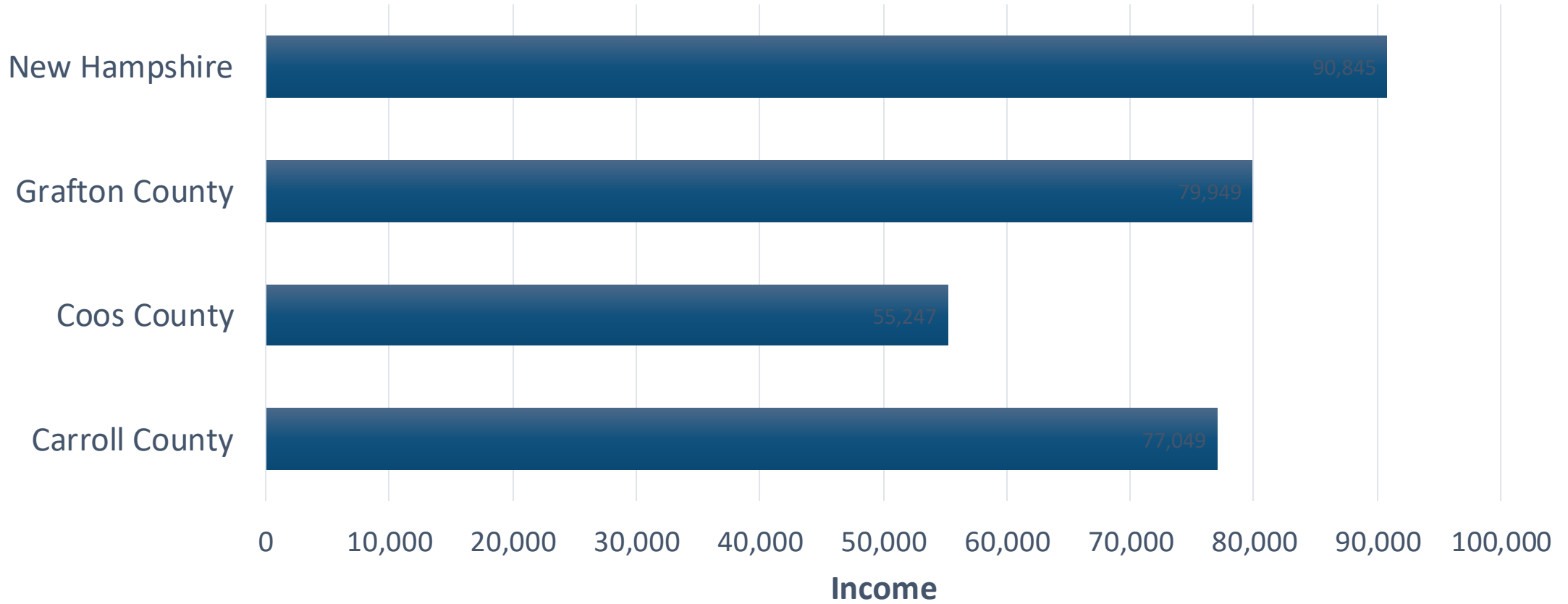
POPULATION PROJECTIONS BY AGE GROUP AND COUNTY



Source: NCC Regional Housing Needs Assessment 2023, pg.51

INCOME

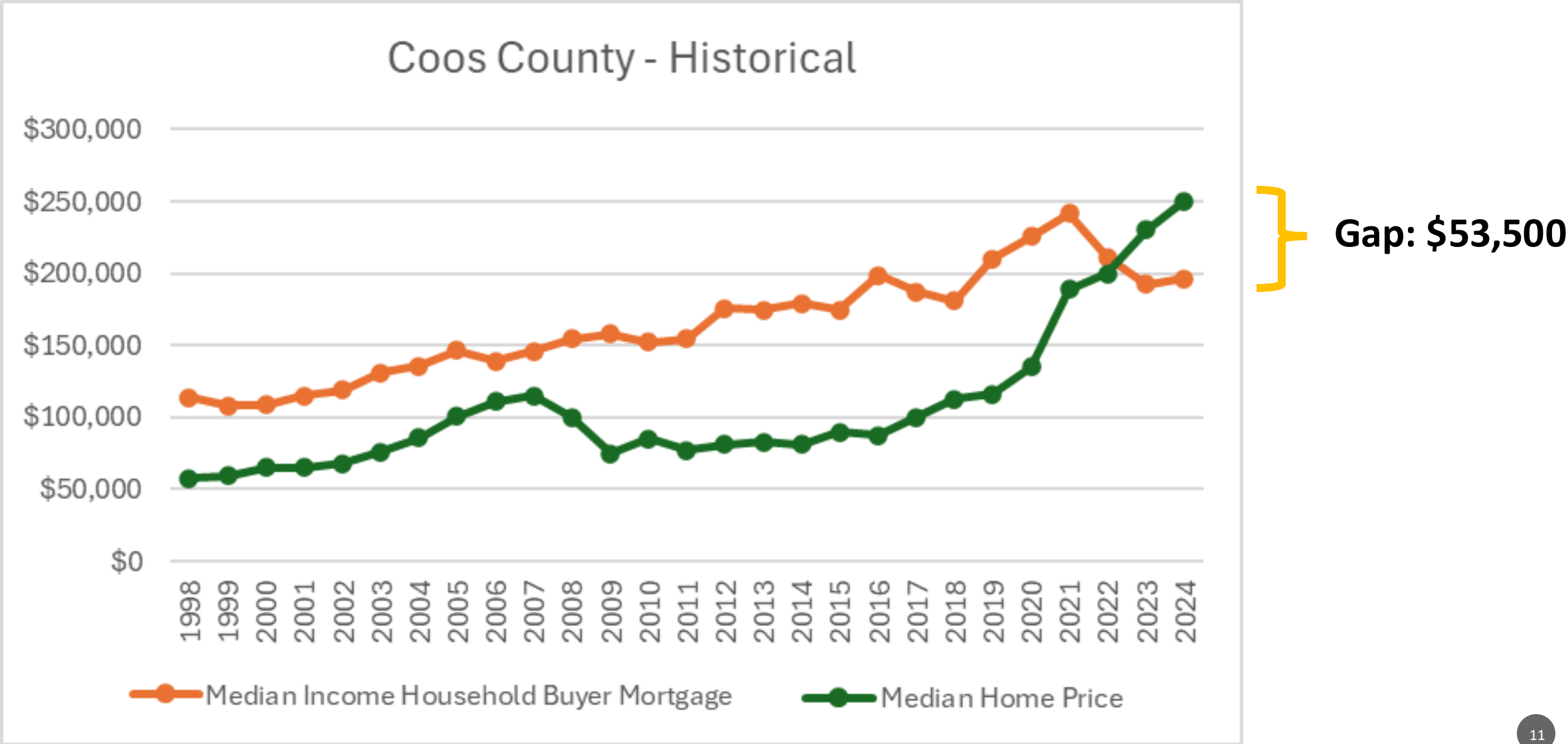
Median Household Income (2022)



Source: US Census ACS 5-Year Estimates 2022 / DP03

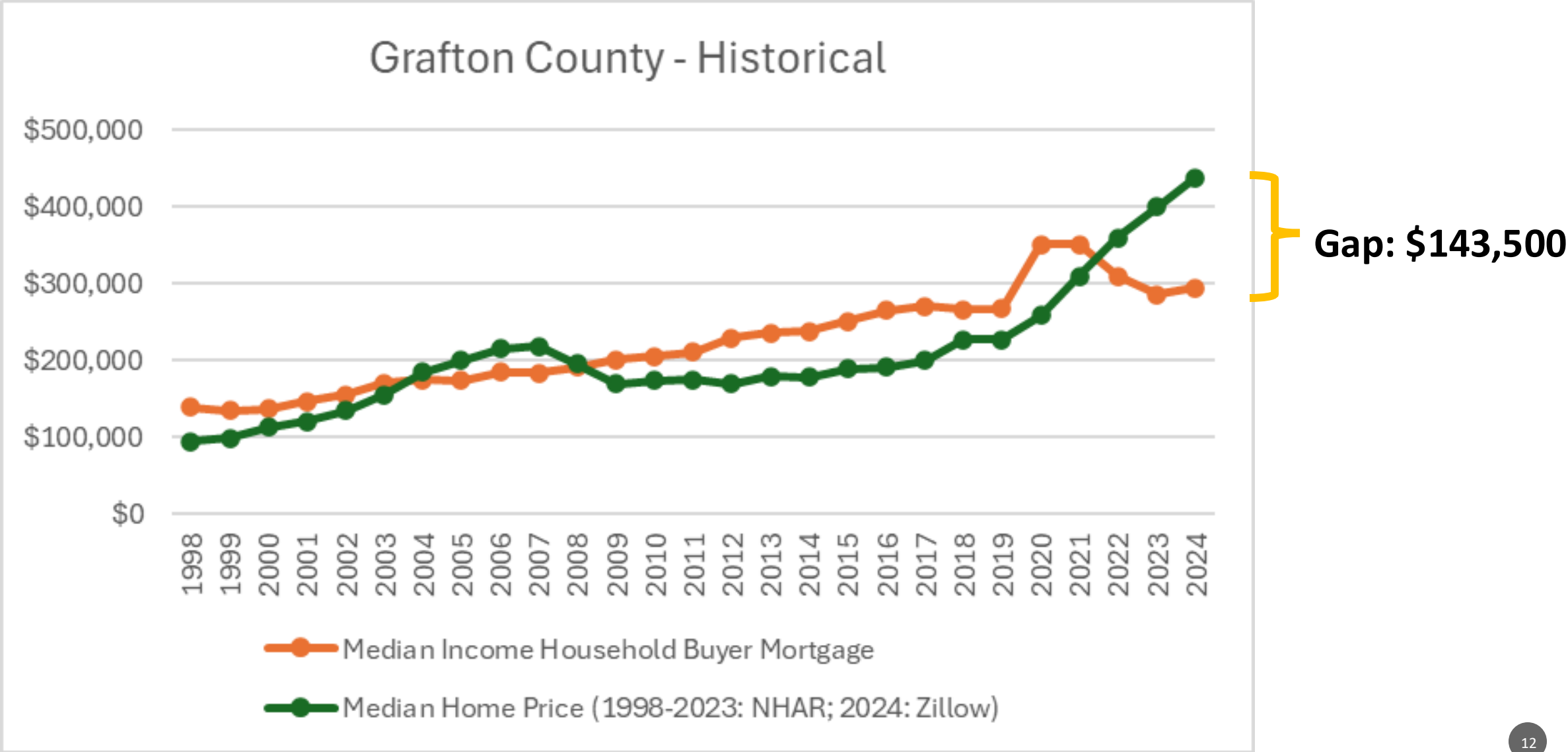
Source: NHAR historical data 1998-2023 (2024 data unverified source of zillow) realtor.com)

AFFORDABILITY GAP



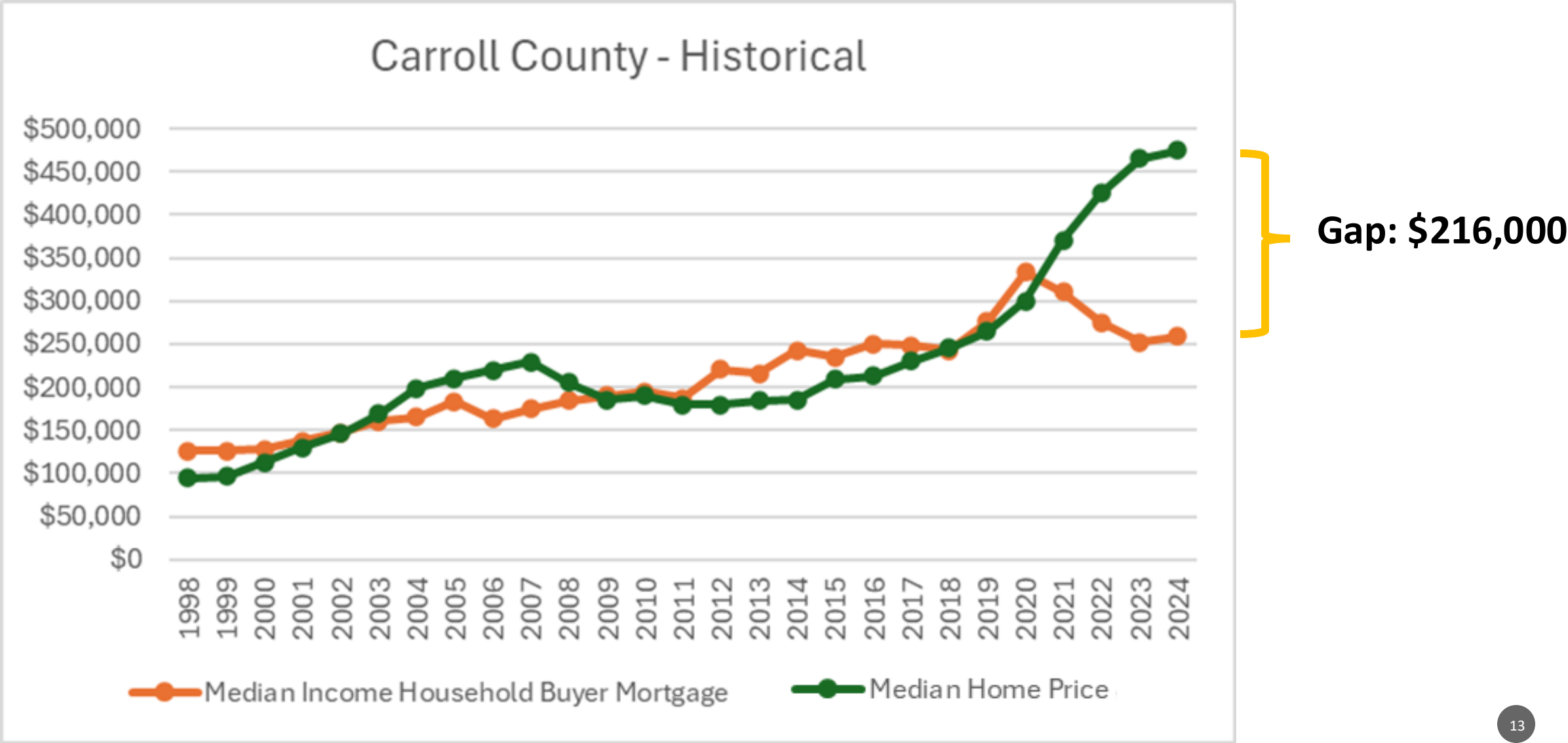
Source: NHAR historical data 1998-2023 (2024 data unverified source of zillow) realtor.com)

AFFORDABILITY GAP

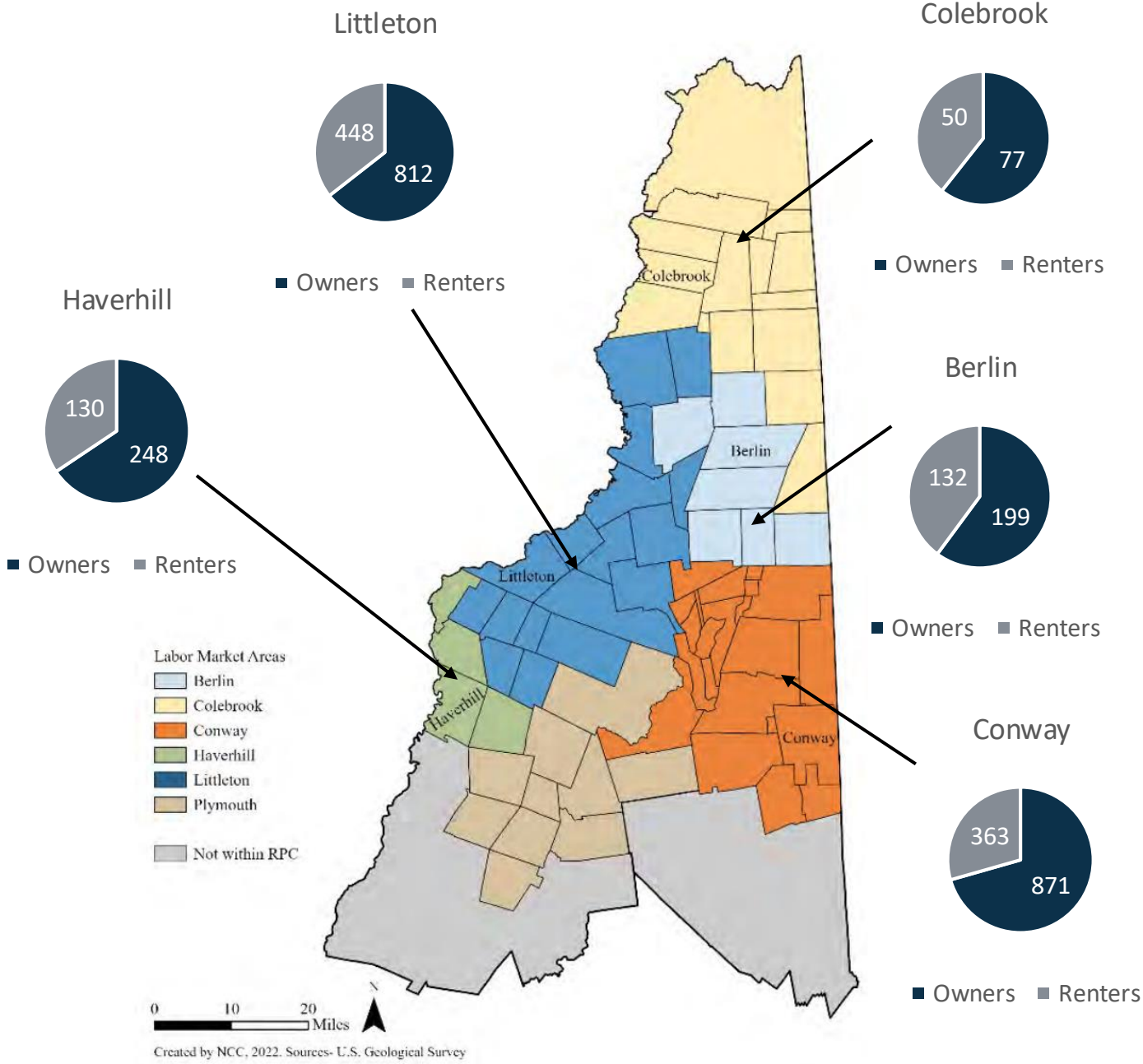


Source: NHAR historical data 1998-2023 (2024 data unverified source of zillow) realtor.com)

AFFORDABILITY GAP



HOUSING UNITS NEEDED IN 2024



Source: NCC Regional Housing Needs Assessment 2023, pg.53-55

INTRODUCTION TO ACCESSORY DWELLING UNITS

Sara Butterfield

*Mt. Washington Valley
Housing Coalition*



What is an Accessory Dwelling Unit (ADU)?

Definition

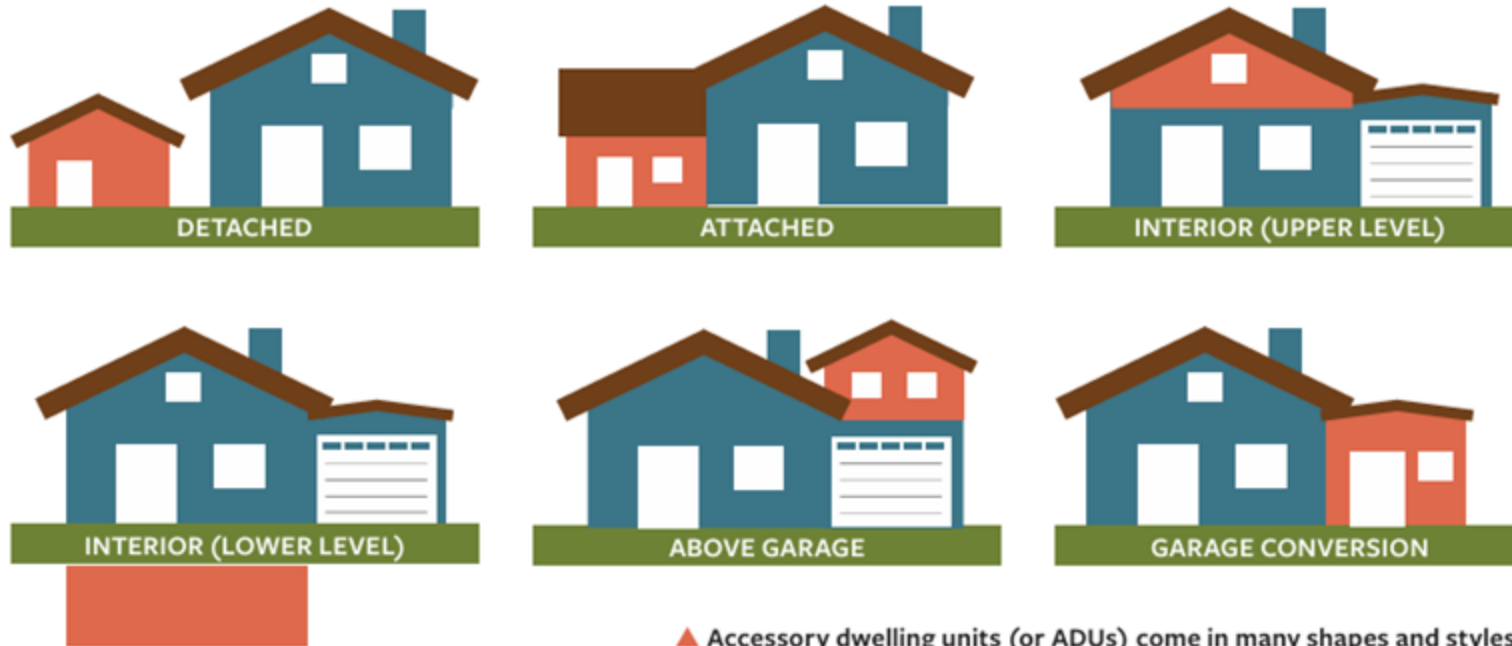
- A self-contained living unit on the same property as a primary residence.
- Can be a converted garage, basement, backyard cottage, or a newly constructed small home.

Key Features

- Includes a separate entrance, kitchen, bathroom, and living space.
- Typically smaller than the primary residence



Types of ADUs



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

Image via The ABCs of ADUs, AARP

- **Detached ADU:** Separate building on the property.
- **Attached ADU:** Part of, or connected to, the main house.

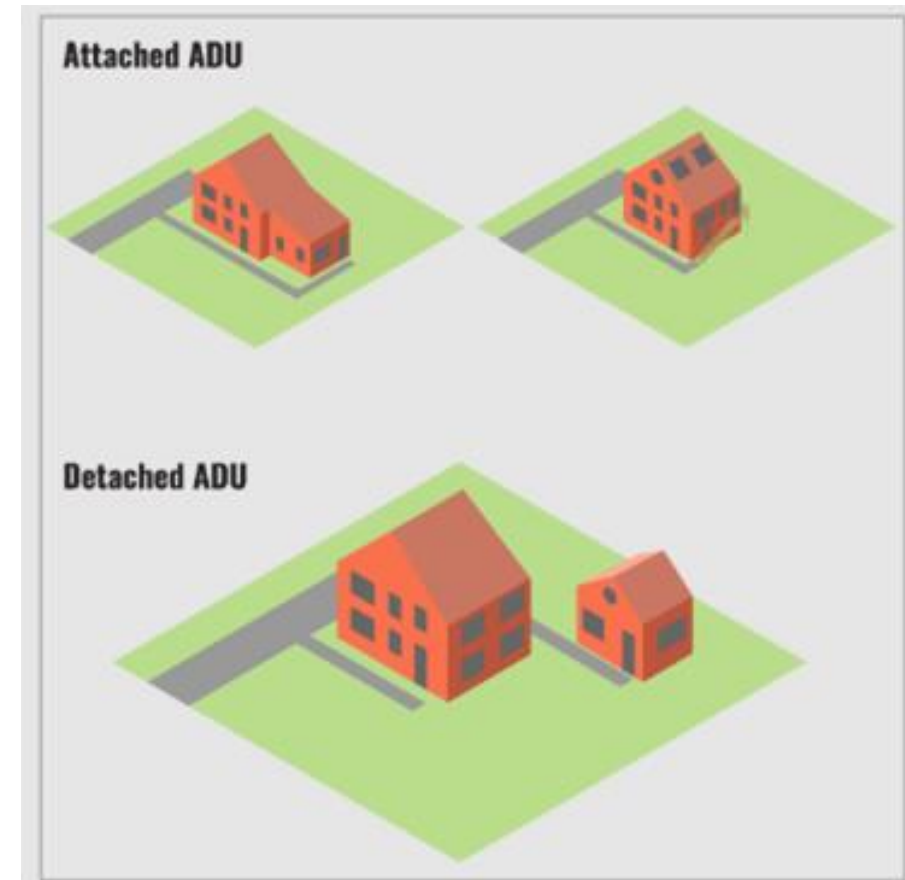


Image via NH Housing Toolbox

Where can you find ADUs?

ADUs can be found anywhere including cities, suburbs and rural areas. You may not notice them because they are indistinct from the main house



- accessory apartment
- alley flat
- basement apartment
- carriage house
- granny flat
- in-law apartment or suite

What are the benefits of ADUs?

Address Housing Shortages

- Add additional housing to neighborhoods without changing their character.
- Allow for higher density housing in already built-out neighborhoods.

Support for Aging Populations

- Offer a solution for aging parents who want to live near family members.
- Create an additional living space for caregivers of elderly residents that want to age in place

Economic Opportunity

- ADUs can generate rental income for homeowners and contribute to local economies.
- Create less expensive housing options for renters because smaller living spaces reduce construction and maintenance costs with no additional land costs.
- Lower energy costs due to their smaller size.



Who Benefits from ADUs?

- Older Adults
 - Rental income
 - Ability to age in place
- Young Adults
 - Less expensive housing option
 - Ability to remain in their communities as they become established in their careers.
 - Opportunity to live near family who can provide child care while allowing for separate personal space
- Communities
 - Additional housing without changing neighborhood character
 - Increased tax revenue



PERMITTING: STATE & LOCAL ZONING REGULATIONS FOR ADUS



Ryan O'Connor

Town of Conway, NH

Dale McConkey

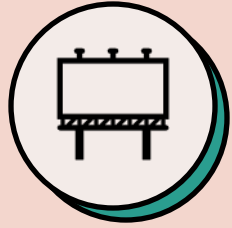
*NH Department of
Environmental
Services*

Zoning

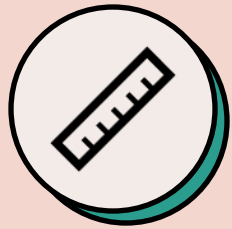
What is allowed
where your
property is
located?



Identify what “Zone” or “District” your property is located in



Review the requirements for an ADU in the Zoning Ordinance



Understand the process to receive Zoning approval

(b) In order to help provide year-round housing, one accessory dwelling unit shall be permitted without a special exception and by right by the Building Inspector as an accessory to a single-family dwelling on any size lot, subject to the enumerated conditions below.

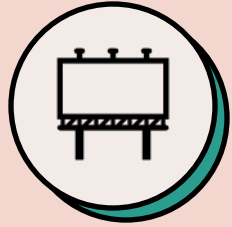
[Amended 4-9-2019 ATM by Art. 2; 4-13-2021 ATM by Art. 5; 4-9-2024 ATM by Art. 21]

The Zoning Board of Adjustment may grant a special exception for a second accessory dwelling unit as an accessory use to a single-family dwelling, or one accessory dwelling unit as an accessory use to a duplex, on any size lot, subject to the following conditions:

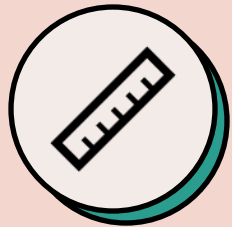
Submitting a Building Permit



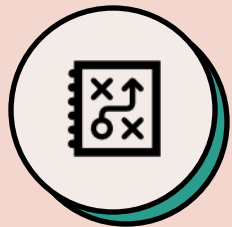
The Building Code may have different requirements than the municipality



These requirements still apply even if you're in a municipality who doesn't have zoning



Your contractor should be familiar with these requirements. Building Code is important to consider throughout the planning process.

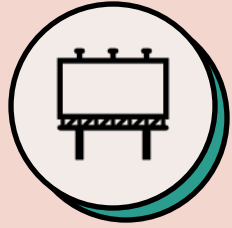


When is a contractor required?

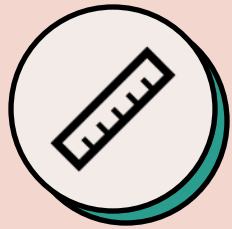
Basic Code Considerations



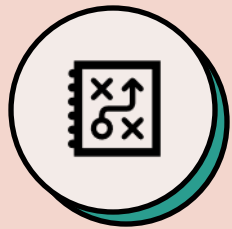
An egress from the ADU must be independent of the primary dwelling



Constructing a unit above a garage or remodeling an existing structure



Fire separation of "1-hour" or interconnected fire alarms



ADUs accessory to a duplex



Understanding New Hampshire's Septic Regulations For ADU's

With NHDES LRM Specialist: Dale McConkey | Email: dale.e.mcconkey@des.nh.gov

Phone: [\(603\)271-9220](tel:(603)271-9220)

NHDES Reviewer of the Day: [\(603\)271-3501](tel:(603)271-3501)





Understanding New Hampshire's Septic Regulations For Apartments

With NHDES LRM Specialist: Dale McConkey | Email: dale.e.mcconkey@des.nh.gov

Phone: [\(603\)271-9220](tel:(603)271-9220)

NHDES Reviewer of the Day: [\(603\)271-3501](tel:(603)271-3501)



What does the state require?



NHDES Subsurface
Reviewer of the Day
Phone: [\(603\)271-3501](tel:6032713501)





Questions to ask

1. Does your property have an existing septic system and is it state approved with operational approval?
2. Is your existing septic system not state approved?
3. Are you developing a new property?



Finding Septic Records

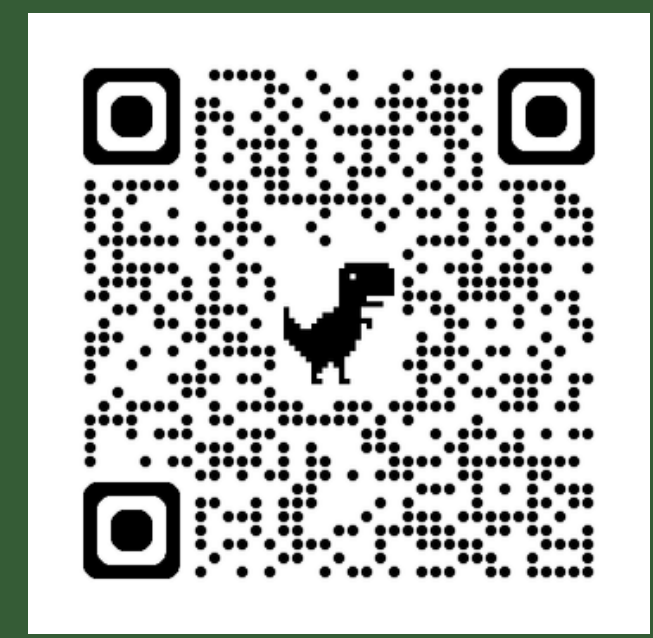
Finding out that answer can be found a few different ways.

1. Searching the NHDES OneStop database.
2. Researching the property records at your town hall.
3. An archive request through NHDES if you can't find any information.

NHDES
ONESTOP



Archive
Request

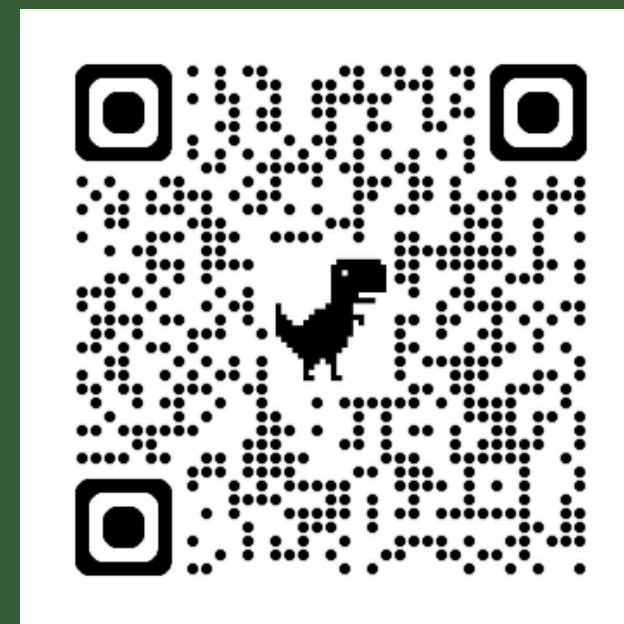


Ways to find permitted designers and installers

To find a permitted New Hampshire Septic Designer and Installer use the OneStop database.

1. Use the “designer and Installer Query”
2. Search by license type: Designer, installer or both.
3. Search by county or town.

NHDES
ONESTOP



The Different Scenarios

We will go over the few different scenarios and walk you through how to get your “apartment” approved.

1. Your property HAS a state approved septic system.
2. Your property does NOT have a state approved septic system.
3. You are developing a new property and want an “apartment”.



Properties with State Approval

You've found out that your property
HAS a state approved septic system
including the operational approval!



Process for State Approved Properties

Your septic system IS state approved ✓

You will need to do the following

1. Contact a permitted NH Septic Designer.
2. Inform the Designer that you are planning on adding an “apartment” to your property.
3. The Designer will submit plans to NHDES showing a proposed “apartment” and then a Construction Approval for your new septic design will be issued.

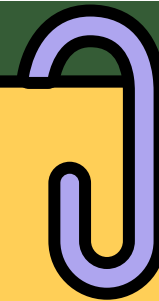
You have completed the necessary NHDES requirements.

Special Notes:

In this scenario you are NOT required to build the septic system. Unless the septic system is found in failure.



NOTE:



Towns may require additional information that is above and beyond what the state requires. It is strongly suggested to contact your local municipality as well as to research your local building and zoning ordinances to determine what else may be needed.

Examples of Town Requirements

Bethlehem, New Hampshire

An ADU associated with a single-family home in a cluster development shall **require a Special Exception and must be an attached ADU** and shall be **limited to 750 sq.ft.** gross floor area

Berlin, New Hampshire

ADU's are **permitted by the Planning Board** through a **Conditional Use Permit**. The ADU shall **not exceed 1,000 square feet in area** and shall **not exceed 40%** of the living area of the principal dwelling. The ADU shall **be connected internally** to the PDU. The **property owner must occupy one** of the two dwelling units.

Landaff, New Hampshire

One ADU (**up to two bedrooms**) is allowed **within or attached** to a single-family home, **limited to 750 sq. ft.** Either the ADU or **main dwelling must be owner-occupied**, with adequate parking, water supply, and sewage disposal required.

Jefferson, New Hampshire

An ADU with independent living facilities, **attached to or within a single-family home**, allowed by **Special Exception**. ADU size cannot be **restricted below 750 sq. ft.**



What to do if your property does not have state approval

Your property does NOT have a state approved septic system.



Process for properties without state approval

Your septic system is NOT state approved

You will need to do the following

1. **Contact a permitted NH Septic Designer.** ★
2. Inform the Designer that you are planning on adding an “apartment” to your property.
3. The Designer will submit plans to NHDES and then a Construction Approval for your new septic design will be issued.
4. **Contact a permitted NH Septic Installer to install the new system.** ★
5. The Installer will contact the state when the installation is complete and an inspection will be conducted by a NHDES Regional Inspector.
6. Once completed you will be issued an operational approval.

You have completed the necessary NHDES requirements.

Special Notes:

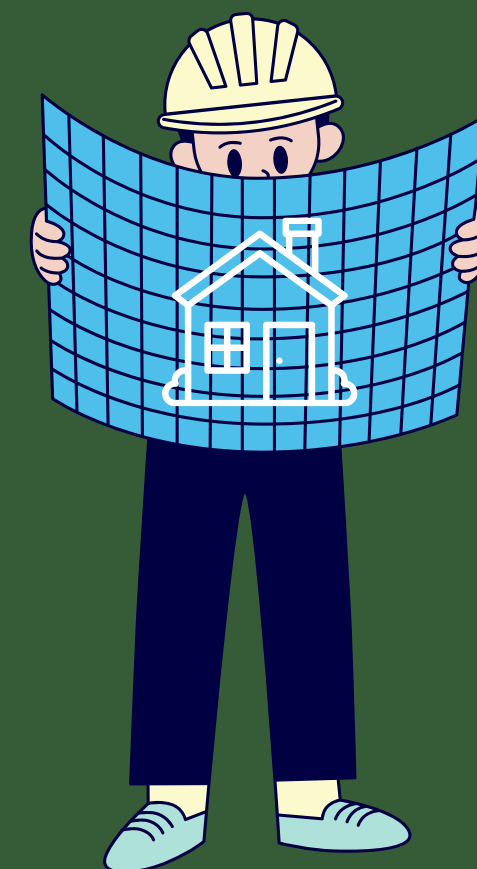
1. In this scenario you ARE required to build the septic system. ★





Developing a new property

You are developing a property and want to have an “apartment”



Process for Developing a Property with an Apartment

You are developing a property and want to have an “apartment”

You will need to do the following

1. Contact a permitted NH Septic Designer.
2. Inform the Designer that you are planning having an “apartment” on your property.
3. The Designer will submit plans to NHDES showing a proposed “apartment” in addition to the rest of your plan and then a Construction Approval for your new septic design will be issued.

You have completed the necessary NHDES requirements.

Special Notes:

1. In this scenario you **ARE** required to build the septic system...However some components such as an additional tank (if required by your plan), or the actual “apartment” do not have to be built at the time of inspection but may require a new collection system tie in approval when they are built.
2. Apartments are not guaranteed. Speak with a permitted New Hampshire Septic Designer to find out discuss eligibility.



Summary

Properties with Operational Approval:

- A new state-approved septic design showing the proposed ADU “apartment” is required.
- The septic system is not required to be installed. (unless the septic system is in failure)

Properties without Operational Approval:

- A new state-approved septic design showing the proposed ADU “apartment” is required.
- The septic system is required to be installed.

New Properties:

- A state approved septic design showing the proposed ADU “Apartment” is required.
- The septic system is required to be installed.

Special Notes:

1. An ADU “apartment” is not guaranteed. It is strongly recommended that you contact a Permitted New Hampshire Septic Designer prior to beginning any work.

Dale E. McConkey

NHDES Land Resources Management Specialist

Email: dale.e.mccconkey@des.nh.gov

Phone: [\(603\)271-9220](tel:(603)271-9220)



THANK YOU!

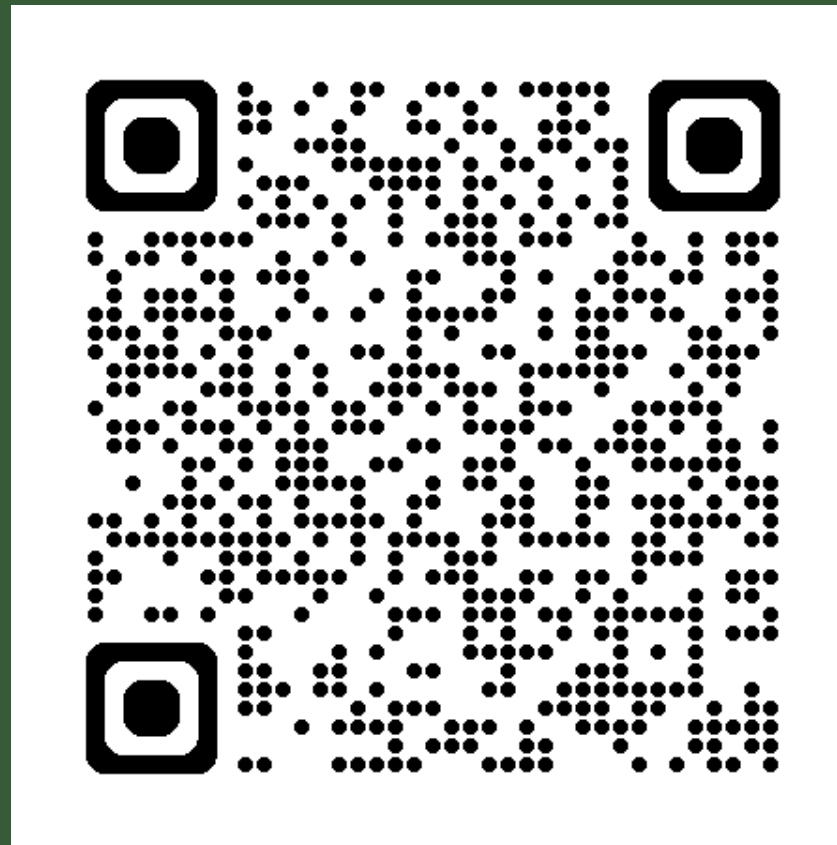




Questions?



Follow Us



ZONING & HOW TO SITE YOUR ADU

Catheryn Hembree, AICP
City of Lebanon, NH

Ivy Vann, AICP

*Ivy Vann Town Planning
& Urban Design*



What is zoning?

Legal parameters that organize, and limit, how land can be used

Districts with restrictions such as setbacks, building height, lot coverage, and frontages defined

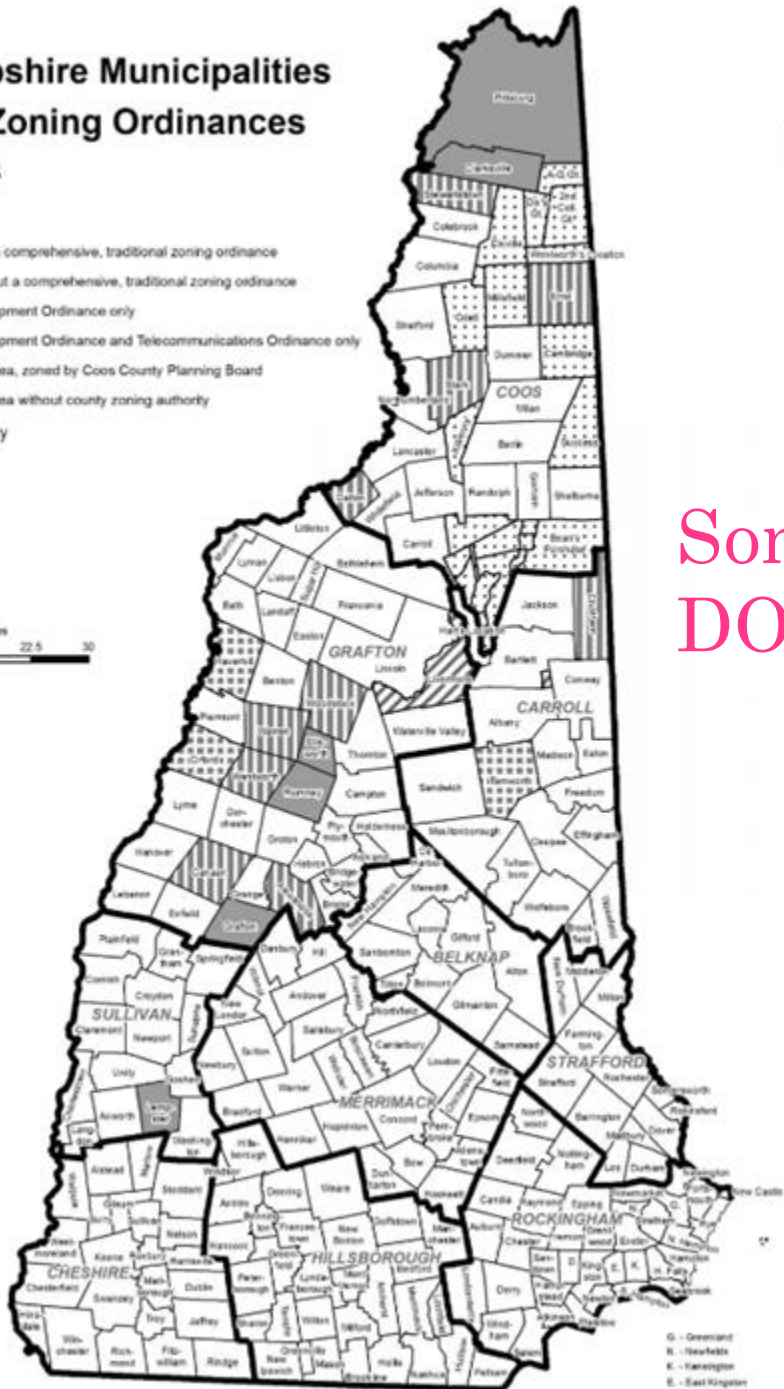
Historically, Commercial, Residential, and Industrial are separated

Strict single-family zoning restrictions are being re-examined, and many local governments are now allowing more than one dwelling per lot in areas that were traditionally single-family only. = ADUs

New Hampshire Municipalities Status of Zoning Ordinances October 2018

- Municipality with a comprehensive, traditional zoning ordinance
- Municipality without a comprehensive, traditional zoning ordinance
- ▨ Floodplain Development Ordinance only
- ▩ Floodplain Development Ordinance and Telecommunications Ordinance only
- Unincorporated area, zoned by Coos County Planning Board
- ▬ Unincorporated area without county zoning authority
- ~ County boundary

Scale in Miles
0 3.75 7.5 15 22.5 30



Some areas of New Hampshire
DO NOT have traditional zoning

Still have to follow any state or federal land use laws

G - Greenland
N - Northfield
E - Merrimack
E - East Kingston
D - Dover

How do I find my Zoning District?

1. Zoning Maps or GIS Website



2. Property Record Card/Tax Information

Land	
Land Use	
Use Code	1010
Description	ONE FAM
Zone	R2
Neighborhood	R6
Alt Land Appr	No
Category	

3. Call or Email the Planning Office

Zoning & ADUs

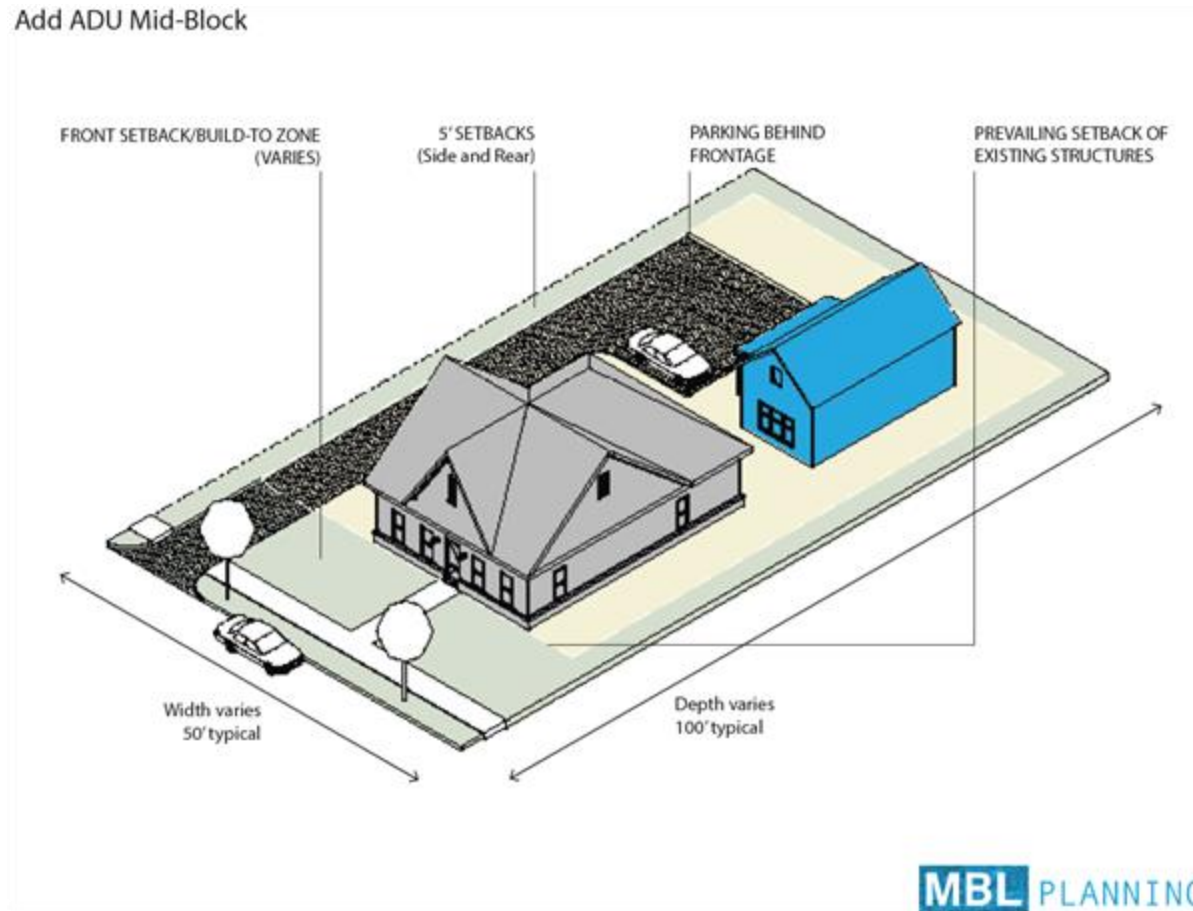
An *accessory dwelling unit* shall comply with the following criteria:

- A. An **ADU** is allowed on any **lot** in any zoning district with a **one-family dwelling**. For lots in any zoning district with a **two-family dwelling**, a detached or attached ADU is allowed. Only one such **ADU** is permitted per **lot**. The dwelling unit density

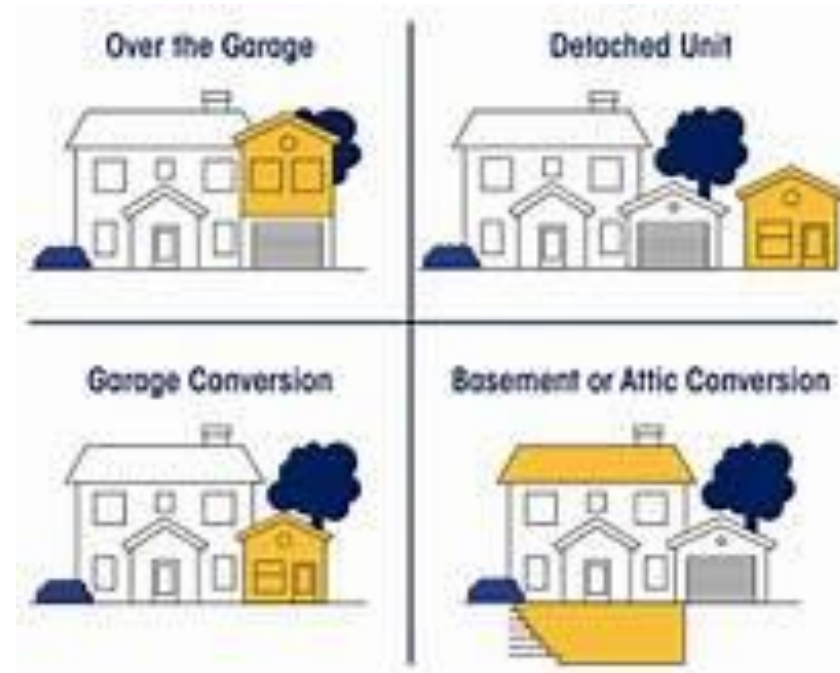
You will probably have to cross reference the ADU section of the Zoning Ordinance with the District Use Table (or talk to your local friendly planner)

- RL3 - RURAL LAND 3
- RL2 - RURAL LAND 2
- RL1 - RURAL LAND 1
- R1 - RESIDENTIAL 1
- R2 - RESIDENTIAL 2
- R3 - RESIDENTIAL 3
- RO - RESIDENTIAL OFFICE
- RO1 - RESIDENTIAL OFFICE 1
- GC - GENERAL COMMERCIAL
- GC-1 - GENERAL COMMERCIAL 1
- CB - CENTRAL BUSINESS
- IND-L - INDUSTRIAL LIGHT
- IND-RA - INDUSTRIAL RAIL ACCESS
- IND-H - INDUSTRIAL HEAVY
- MC - MEDICAL CENTER
- PB - PROFESSIONAL BUSINESS
- LD - LEBANON DOWNTOWN

New Construction: Zoning Lot Restrictions to Consider



Repurposing an Existing Building?



Zoning Considerations When Converting an Existing Structure:

Building Code Requirements?

ADU vs. 2 Family Dwelling vs. In-law suite

Dimensional Restrictions

“ADU has a gross floor area of at least 350 sq. ft. and not more than 1000 sq. ft.” (Hanover, NH)

Height: can you go up or is there a restriction?

Location:

What are the rules for habitable space in setbacks?

If your existing building doesn't meet any of the zoning rules, you will probably have to get a Variance from the local Zoning Board to continue

Other things to think about before adding an ADU:

We don't have all the answers

Utilities: New electrical and water meters or expand existing?

How will the unit be accessed?

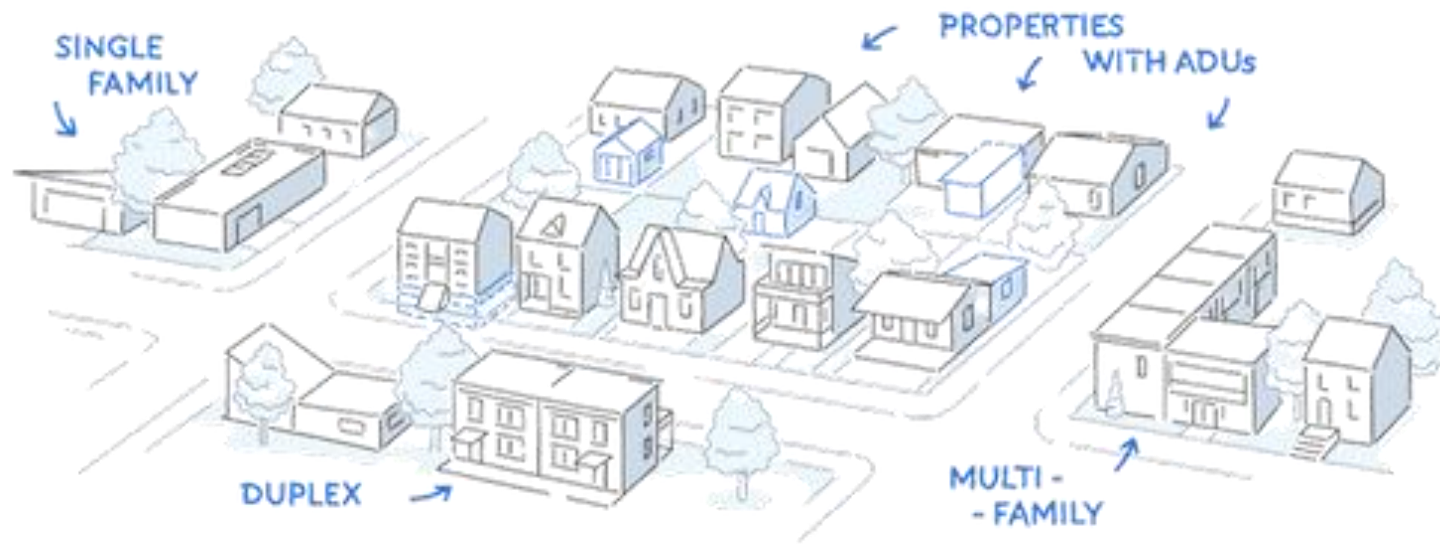
Does your Town require one unit to be owner-occupied or can you rent both units out on the property?

Does your septic system have enough capacity?

What needs to be included if you want an ADA unit or a senior friendly unit?

Do you want to partner with your local Housing Authority and provide an affordable unit?

**ADUs won't solve all our problems
but they sure will help.**



DESIGNING & CONSTRUCTING YOUR ADU



Ellen Hender
John Haffner

Vital Communities

Photo Credit: ADU Resource Center



Background

UPPER VALLEY HOME CREATOR EXPOS

- Hosted in spring of 2023 and 2024
- Builders, architects planners, lenders and other housing resources
- Workshops on designing ADUs, DIYing an ADU, and presentations from specialized modular builders.



Accessibility

WHEELPAD

- ADU designed to remain permanently on the wheels used for delivery.
- Prioritizes universal design for accessibility and aging in place.
- Can connect to existing structure - allowing for independent living at a caregivers residence.



SuitePAD by WheelPad

Sustainability

NEW FRAMEWORKS

- Utilizes straw panels made from sustainably grown agricultural byproducts
- Provide an ecological impact assessment and carbon analysis of projects.
- Focus on energy efficiency through passive heating and cooling techniques, weathersization, and fully electric HVAC systems

VERMOD

- Builds net-zero homes by combining high performance insulation specifications and solar panel installation.



New Frameworks' Casita

Straw panels in New Frameworks build



Affordability

BACKYARD ADUS

- Focus on predictability in the building process and controlling customization for affordability
- Experimenting with creative ownership models through land leases, condoization, and risk transfer away from homeowners.



Boomerang by BackyardADUs

Other Considerations

- Designing for small spaces
- DIY
- Finding a contractor
- Pre-approved designs

COSTS AND FINANCING TOOLS

Ryan Pope

*NH Housing Finance
Authority*



Agenda

- Cost Considerations
 - Predevelopment
 - Construction
 - Post Construction
- Financing Solutions
 - Conventional Products – Mortgages and Home Equity
 - New Solutions

Cost Considerations

Predevelopment – Municipal Considerations

- Start with an understanding of the local regulations:
 - What’s allowable?
 - *Attached &/or Detached*
 - *Design Standards*
 - *Parking Requirements*
 - What’s the Process
 - *By-Right, Conditional Use, Special Exception, Variance*
 - *Building Permit & Inspections*
 - *Fees – Investment, Impact, Inspections, etc.*



Bedford Planning Department

FACT SHEET

ATTACHED ACCESSORY DWELLING UNITS



The Town of Bedford permits Accessory Dwelling Units, commonly abbreviated to ADUs, to provide additional opportunities for housing in the community. Bedford allows one accessory dwelling unit per single-family parcel, subject to requirements outlined in this fact sheet.

What is an Attached ADU? Attached Accessory Dwelling Units are separate apartments attached to single family homes. ADUs offer several benefits for homeowners, including allowing a separate attached living space for relatives, or providing an additional stream of income to rent the units to tenants. The Town does not regulate who resides in an ADU.

Is an ADU right for you? This fact sheet is intended to be a guide and describes Planning & Zoning requirements regarding attached accessory dwelling units in Bedford. For a complete list of requirements refer to the Bedford Zoning Ordinance, Section 275-21(f). For specific questions on this subject, please contact the Planning & Zoning Department at (603) 472-5243 or planning@bedfordnh.org.

PLANNING/ZONING REQUIREMENTS FOR ACCESSORY DWELLING UNITS

- 1. Accessory to primary residential use and smaller than 1,000 square feet**
The ADU must be “clearly incidental” to the primary use of the property as a single dwelling and shall not exceed 1,000 square feet.
- 2. Attached ADUs permitted within the GR & RA Districts**
Attached ADUs are permitted in the General Residential (GR) and Residential & Agricultural (RA) Districts and must be constructed within or attached to the single dwelling. See Detached ADU Fact Sheet for separate requirements related to an ADU proposed for a detached structure.
- 3. Heated habitable interior connection required between primary dwelling and ADU**
The Attached ADU must be connected to the primary residence by an interior doorway such that the apartment is connected to the dwelling through habitable interior space.
- 4. Adequate septic capacity required**
A septic system design/capacity plan shall be approved by the NH Department of Environmental Services for homes reliant on septic systems.

Cost Considerations

Predevelopment – Design & Site Limitations

- Do I need an architect &/or engineer?
 - Depends on scope &/or municipality
 - *Refinish existing space – less likely*
 - *New construction – more likely*
- What about the site?
 - Do I need a survey to delineate any setbacks or encroachments?
 - Is water/sewer available?
 - *If not, can my existing systems (well & septic) handle the increased capacity?*



This 2,278 SF home plan features an internal ADU on the main level with the primary residence upstairs. Builder: Green Valley Homes.

Cost Considerations

Predevelopment – Lead Safety

- Effective July 1, 2024, any new rental unit created within a pre-1978 structure will require a Lead-Safe Certificate issued by a licensed NH Risk Assessor prior to occupancy
 - This includes ADUs if any portion falls within the footprint of an existing pre-1978 structure
 - It also applies to newly rented units that may have been owner-occupied previously
 - *Ex: If a property owner builds a new detached ADU for themselves and intends to lease out their pre-1978 main house, the main house would require certification*



RSA 130-A:5-d Sale and Rental of Property In Effect July 1, 2024

The New Hampshire Department of Health and Human Services is calling attention to a section of RSA 130-A Lead Paint Poisoning Prevention and Control, passed on April 9, 2018, that will go into effect July 1, 2024.



According to RSA 130-A:5-d, the following shall require certification of lead safety prior to being used as either a residential rental unit or as a day care facility:

- I. Newly-constructed rental units within buildings erected prior to January 1, 1978. ("Newly-constructed rental units" means rental units being converted from a use other than residential rental housing.)
- II. Newly-licensed day care facilities within buildings erected prior to January 1, 1978.

What Does This Mean?

All pre-1978 properties being converted into residential rental housing or newly licensed childcare facilities will be required to have a Lead-Safe Certificate issued by a licensed NH Risk Assessor prior to occupancy.

What types of properties does this apply to?

- Pre-1978 properties that can include mill buildings, warehouses, Victorians, or other buildings that are being converted from another use into residential housing.
- Single-family homes that were owner-occupied and are now being put on the residential rental market.
- Childcare facilities applying for a new license.

What type of properties does this not apply to?

- Residential rental properties already in existence
- Owner-occupied homes
- Childcare facilities that are already licensed

Who Should Be Aware of This Law?



Realtors



Property owners



Municipalities



Developers



Banking industry



Childcare facilities



Building inspectors



Contractors



For more information

Visit DHHS.NH.Gov/LeadInfo or email LeadInfo@dhhs.nh.gov

Cost Considerations

Construction & Contingency

- Construction costs are going to be higher than you're expecting
 - Anticipate between **\$250 and \$500 per square foot**
 - *Ex: 780 sqft unit @ \$350/sqft = \$273,000*
- Don't forget to anticipate cost overruns in your projections
 - Add a factor of 5-10% to account for labor and material increase when budgeting
 - *Ex: \$273,000 + \$22,000 (8% Contingency) = **\$295,000***



Cost Considerations

Post Construction

- Like any real estate investment, there are several long-term costs that should be factored in to owning an ADU
 - Taxes: Any new unit will increase your property value
 - Insurance: Discuss your plans with your homeowner's insurance agent so your policy is up to date
 - Maintenance/Upkeep: Be sure to set aside funds for the eventual repair and replacement of things (fixtures, roof, water heater, etc.)



Financing Solutions

Conventional Loan Products - Refinances

- **Cash Out**
 - ❑ Replaces existing primary mortgage
 - ❑ Loan amount based on current home value
 - ❑ More favorable interest rate and term
- **Construction**
 - ❑ Replaces existing primary mortgage
 - ❑ Loan amount based on as-complete value
 - ❑ Usually has a higher rate plus additional fees for construction monitoring and escrows



Financing Solutions

Conventional Loan Products – Home Equity

- **Loan**
 - ❑ Subordinate lien position – preserves primary mortgage
 - ❑ Loan amount based on current home value
 - ❑ Typically fixed rate, term, & payments
- **Line of Credit (HELOC)**
 - ❑ Subordinate lien position – preserves primary mortgage
 - ❑ Variable rate line of credit with draw and repayment periods
 - ❑ Maximum line amount based on current home value
 - ❑ Most flexibility in use of funds



Financing Solutions

New Solutions! – Home Improvement Financing

- Combines features of both **Construction Refinance** and **Home Equity Loan**
 - ❑ Subordinate lien position – preserves primary mortgage
 - ❑ Loan amount based on as-complete value
 - ❑ Can be utilized for renovation or addition of new units
 - ❑ Higher rate than traditional Home Equity Loan
 - ❑ Additional fees for construction monitoring & escrow
 - ❑ Potential rental income may be used to qualify*

**Option not available everywhere*

Financing Solutions

New Solutions! – Home Improvement Financing

Available now at:



... with more banks & credit unions to follow

Takeaways

- The final cost of building an ADU is highly variable depending on where you live and the location of your ADU on your property
- Factor in a contingency so you don't run out of money mid-construction
- Anticipate increases to your taxes & insurance and budget for maintenance
- Talk to your bank about which financing option is best for you and your situation

ADU EXAMPLES

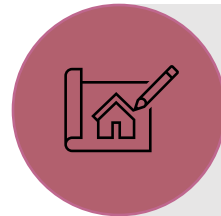


Taylor Roy

North Country Council

NEW HAMPSHIRE ADU EXAMPLES

DOWNSTAIRS ADU IN HANOVER, NH

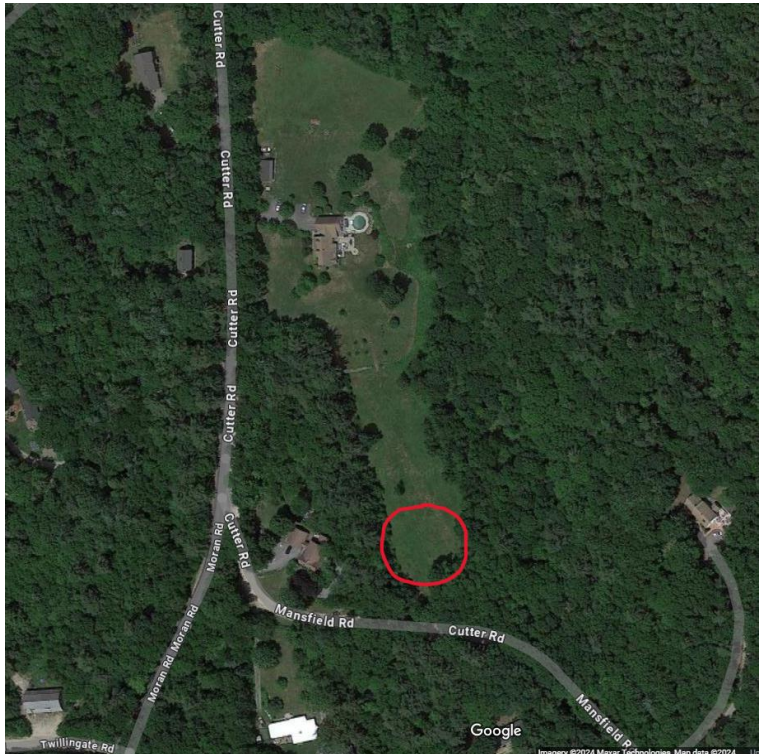


REPURPOSED GARAGE IN PLAINFIELD, NH

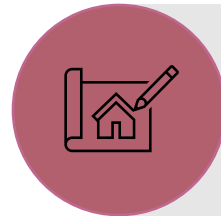
Source: New Hampshire Housing Finance Authority. Digital photo. NHHFA, *A New Hampshire Homeowners Guide to Accessory Dwelling Units*, <https://www.nhhfa.org/wp-content/uploads/2019/06/ADU-Guide-for-Homeowners-2018.pdf> Accessed 8 Jan, 2025.

NEW HAMPSHIRE ADU EXAMPLES

NEW DETACHED ADU IN TEMPLE, NH



NEW DETACHED ADU IN KEENE, NH



Source: Southwest Region Planning Commission. Digital photo. Monadnock Regional ADU Design Challenge , [Monadnock Region ADU Design Challenge - SWRPC](#) Accessed 15 Jan, 2025.

BECOMING AN ADU LANDLORD

Samantha Marshall

AHEAD



Becoming an ADU landlord



Screening Applicants

- Make sure to interview and screen tenants thoroughly before offering them a lease.
- Ask prospective tenants to agree for you to check their credit before signing a lease: [Section 604 of the Fair Credit Reporting Act](#) requires that landlords ask permission before running a credit check on renters.
- You can also check your state and county's website, since most court information about renters is public record.

References

- Consider the source of the reference
- Talk with previous landlord if possible



Lease Agreements

- Where did lease come from? Is it legal?
- Is it appropriate for my rental situation?
- Are all adult tenants on the lease?
- Outline rent due date/how is payment expected
- When is a payment considered late/late fees
- How are late payments handled, what are the consequences(eviction)

Other Lease Considerations

- No loud music after midnight
- No pets (pets are different from service animals)
- No smoking
- No more than X number of cars in driveway
- Rules for using common areas (backyard, garage, etc...)
- Home businesses

Insurance

- Check with your homeowner's insurance carrier to insure adequate coverage (landlord liability and/or landlord property insurance).



Landlord Responsibilities

- Unit must be habitable.
- A property is without electricity, water, or heat for more than 24 hours, it will generally be considered uninhabitable for tenants, and you're responsible for finding alternative temporary housing for the tenants until this issue is fixed.

Tenant Rights

- Landlord cannot retaliate against tenant, even for non-payment.
- Evictions must follow state Laws
- For more info on tenant/landlord rights visit www.courts.nh.gov

Move-in & Move-Out Checklists

- Check & note damages
- Check appliances
- Note any furnishings
- Take pictures if possible
- Have tenant sign move-in and move-out checklist if possible.



Communicate in writing

- Conversations are just your word against your tenants
- Follow up verbal conversations in writing
- Write a letter, mail it certified or use email, so you have proof.

Understand Fair Housing



- Under the federal Fair Housing Act and the New Hampshire Law Against Discrimination, it is illegal to discriminate in the rental, sale, or financing of housing based on someone's race, color, national origin, religion, sex, familial status, disability, age, sexual orientation, marital status, or gender identity.

Properties exempt from Fair Housing

- Owner-occupied buildings with four or fewer units
- Single family housing sold or rented without a broker (however there are situations where this exemption does not apply)

Reasonable Modification

- Landlords must permit reasonable modifications to allow people with disabilities to fully use and enjoy their home.
- Example- flashing doorbell or grab bars

Reasonable Accommodations

- Landlords must grant reasonable accommodations to allow people with disabilities an equal opportunity to use and enjoy their home.
- Example: Service Animal

For more information about Fair Housing

Contact New Hampshire Legal Assistance

www.fairhousing-nh.org

1-800-921-1115



www.homesahead.org



Q&A



ADU RESOURCES

- ❑ NH Housing Finance Authority ADU Resources: <https://www.nhhfa.org/housing-challenges-solutions/accessory-dwelling-units/>
- ❑ ADU Resource Center: <https://aduresourcecenter.com/>
- ❑ Keys to the Valley: <https://www.keystothevalley.com/>
- ❑ Backyard ADUs: <https://backyardadus.com/>
- ❑ NHDES Subsurface Reviewer of the Day: (603)271-3501
- ❑ US Census Tables: <https://data.census.gov/>
- ❑ NCC Regional Housing Needs Assessment: https://www.nccouncil.org/wp-content/uploads/2023/06/OurHomes_NCC_RHNA_FinalforCommission-REDUCEDFILE.pdf
- ❑ Monadnock Regional ADU Design Challenge: <https://www.swrpc.org/programs-services/housing/accessory-dwelling-units/adu/>
- ❑ New Frameworks: <https://www.newframeworks.com/>
- ❑ A NH Homeowner's Guide to Accessory Dwelling Units: <https://www.nhhfa.org/wp-content/uploads/2019/06/ADU-Guide-for-Homeowners-2018.pdf>
- ❑ Wheelpad: <https://www.wheelpad.com/>
- ❑ Vermod: <https://vermodhomes.com/>
- ❑ New Hampshire Legal Assistance: www.fairhousing-nh.org

ADU RESOURCES, CONTINUED...

- ❑ General Court of NH, HB 604:
https://www.gencourt.state.nh.us/bill_Status/billinfo.aspx?id=305&inflect=2.
- ❑ The ABCs of ADUs: <https://www.aarp.org/livable-communities/housing/info-2023/slideshow-abcs-of-adus.html?msocid=14e29c49007c6fad342e882b01f36ecb>
- ❑ NH Housing Toolbox: <https://nhhousingtoolbox.org/>
- ❑ NH DES OneStop Navigation: <https://www.des.nh.gov/onestop-navigation>



THANK YOU!



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<HTTPS://WWW.NCCOUNCIL.ORG>