

**HOUSE BILL NO. 1535**

Introduced by

Representatives Boschee, Dakane

Senator Braunberger

1 A BILL for an Act to create and enact two new sections to chapter 47-16 of the North Dakota  
2 Century Code, relating to residential leases and evictions.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 47-16 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Termination of lease - Limited.**

7 A landlord may not send a letter of termination, a letter of nonrenewal, or a letter to vacate  
8 or cause a real property lease for residential purposes to terminate during the months of  
9 November through March unless the tenant:

- 10 1. Has caused or is causing significant damage to the premises;
- 11 2. Poses a safety risk to other tenants, the landlord, or the property manager; or
- 12 3. Has not paid a monthly rent payment in the previous five months.

13 **SECTION 2.** A new section to chapter 47-16 of the North Dakota Century Code is created  
14 and enacted as follows:

15 **Residential rental advisory committee - Creation - Members - Duties.**

- 16 1. The North Dakota housing finance agency shall develop the residential rental advisory  
17 committee. The committee shall meet, at minimum, twice per calendar year and is  
18 comprised of:
  - 19 a. The executive director of the North Dakota housing finance agency, or the  
20 director's designee;
  - 21 b. The executive director of the North Dakota department of health and human  
22 services, or the director's designee;
  - 23 c. Five residents of the state who are tenants under a real property lease for  
24 residential purposes, with no more than two individuals being from the same or

- 1           an adjacent county and at least one individual from a county with fewer than ten  
2           thousand residents based on the most recent federal decennial census,  
3           appointed by the executive director of the housing finance agency;  
4           d. One individual who owns fewer than ten residential units, appointed by the  
5           executive director of the housing finance agency;  
6           e. One individual who owns between ten and one hundred residential units,  
7           appointed by the executive director of the housing finance agency;  
8           f. One individual who owns one hundred or more residential units, appointed by the  
9           executive director of the housing finance agency;  
10          g. One individual who manages residential real estate, appointed by the executive  
11          director of the housing finance agency;  
12          h. One representative from the state organization that administers the United States  
13          department of housing and urban development grant for education, advocacy,  
14          and fair housing enforcement, appointed by the executive director of the housing  
15          finance agency;  
16          i. The commissioner of the department of labor and human rights, or the  
17          commissioner's designee;  
18          j. One individual who is formerly homeless, appointed by the executive director of  
19          the housing finance agency;  
20          k. One representative from a community-based homeless coalition, appointed by  
21          the executive director of the housing finance agency;  
22          l. One representative from a local or statewide community action agency, appointed  
23          by the executive director of the housing finance agency;  
24          m. Two members of the legislative assembly appointed by the chairman of the  
25          legislative management. The members may not represent the same political  
26          party, and one member must be from the senate and one from the house of  
27          representatives;  
28          n. One city commissioner or one city council member, appointed by the executive  
29          director of the housing finance agency; and  
30          o. One county commissioner, appointed by the executive director of the housing  
31          finance agency.

- 1       2. The residential rental advisory committee shall:
- 2           a. Provide guidance to the housing finance agency to reduce the statewide rate of
- 3           eviction;
- 4           b. Develop and promote a residential tenant bill of rights;
- 5           c. Regularly review, update, and promote the housing finance agency's guidelines
- 6           relating to landlord and tenant rights within this state;
- 7           d. Regularly review, update, and promote informational resources for tenants and
- 8           landlords within this state; and
- 9           e. Provide guidance to the state and city and county governments to improve tenant
- 10          and landlord relationships.
- 11       3. The residential rental advisory committee may apply for and receive public and private
- 12          funding to carry out the duties of this section.
- 13       4. The executive director of the housing finance agency shall select new members to
- 14          serve on the residential rental advisory committee on the last Thursday in December
- 15          of each even-numbered year.