

The purpose of the City of Nashua's Housing Code is to maintain minimum standards that are essential to make dwellings safe, sanitary and fit for human habitation. It is also to prevent urban blight and to address the specific responsibilities and duties of owners and occupants.

Can I Be Evicted For Complaining?

You cannot be evicted in retaliation for reporting housing code violations to Code Enforcement unless you have not paid your rent or you have willfully damaged the apartment. In addition, your rent cannot be raised or the terms of your tenancy cannot be substantially changed for reporting a violation. If any of these things happen within six (6) months of reporting a violation, it is presumed that such action is a reprisal against the tenant. This in itself is a violation of the Nashua Housing Code.

What do I need to do to file a Housing Code Complaint?

Housing Code requires that a tenant first inform the landlord in writing regarding any housing code issues they may have, allowing the landlord 14 days to address your concerns. Emergencies such as lack of sanitary facilities, heat, hot water, or electricity should be reported to the landlord immediately. If you are not able to reach the landlord, or you have spoken with the landlord and there has been no response within a few hours, call Code Enforcement.

If you have housing code issues that are not emergencies, you must send your landlord a certified, dated and signed letter listing the problems that you have with your apartment and requesting that the issues be addressed. You must also send a copy of the letter to Code Enforcement. If the issues are then resolved you do not need to take any further action. If the issues are not resolved within 14 days you must call Code Enforcement and refer to your letter.

When Does Code Enforcement Get Involved?

Once Code Enforcement is called for an inspection, one or two things may take place. The Code Enforcement Officer may call the landlord, rather than conduct an inspection right away, and request that the issues be resolved within a specific period of time. The Officer would then remain in touch with the tenant and/or landlord to make sure that repairs are made. Code Enforcement may also schedule an inspection of the apartment and request that the landlord be present during the inspection.

How does the Inspections and the Enforcement Process Work?

During the inspection, the Code Enforcement Officer checks the conditions of the apartment with regard to compliance with the Nashua Housing Code. If there are violations, the Officer will give written and/or verbal notice of the violations to the landlord and require that repairs be made within a specific period of time. If the repairs are not made, formal written citations may be issued and repairs will be required within a shorter period of time. If repairs are still not made, Code Enforcement may prosecute the case in District Court and request that fines be imposed and that administrative costs be reimbursed to the City. If the landlord has been previously prosecuted and the building continues to have serious ongoing housing code violations, Code Enforcement may condemn the building and order it vacated.

What Must a Landlord Provide?

New Hampshire Law, as well as the Housing Code, requires landlords to provide safe, sanitary housing for tenants. Dwellings do not meet these standards if one or more of the following is present:

1. Plumbing that does not work properly and/or lack of sanitary facilities;
2. Bad wiring such as exposed wires, the wrong connectors, bad switches or outlets;
3. Leaking roof or walls;
4. Falling plaster from walls or ceilings;
5. Large holes in floors, walls or ceilings;
6. Porches, stairs, or railings are not structurally sound;
7. Not enough trash barrels to store trash between collections;
8. No running water or no hot water;
9. Leaks in the gas lines and/or defective appliances supplied by the landlord, such as stove/refrigerator

10. Heating facilities are not safe, or do not adequately heat all livable rooms and bathrooms to an average temperature of at least 65 degrees;
11. Windows do not open, do not stay up when opened, and/or do not fit their frames properly;
12. Exterior doors are not weather tight;
13. Insects, mice or rats are present;
14. Smoke detectors do not operate.

Who is responsible for infestation of bugs and rodents?

The City Ordinance is the following: “If the infestation is in one unit (yours) the responsibility lies with you (the tenant). If the infestation goes beyond your unit and into other areas then it is the property owner’s responsibility to treat that particular infestation.” The State Law takes precedence (overrides City Law).

What are the Tenant Responsibilities?

While it may seem that the landlord has the majority of the responsibilities regarding rental property maintenance, the tenant is not entirely excused. Tenants are required by the Nashua Housing Code to keep their apartments sanitary and free from the accumulation of trash/junk. They are also required to keep from overcrowding the apartment and from allowing the presence of rodents and insects (when the extent of the rodent and insect population is caused by, and limited to, the tenant’s apartment alone).

I have bed bugs! What can I do?

If you live in an apartment you are required by NH Law to report it to your landlord, whether in writing, verbally or third party. Giving your landlord/or property manager a notice in writing and keeping a copy for yourself would be the best option. The property owner by law is required to inspect and develop a remediation (abatement) plan within 7 days. If no action is taken by the property owner within those 7 days, you then (tenant/complainant) can file a 540 complaint with the Nashua District Court to compel the property owner to take action.

If you own your own home, hire a pest management professional (PMP) who is knowledgeable about getting rid of bed bugs. Ask for a written integrated pest management (IPM) plan.

Follow all recommendations given by the PMP to effectively treat your unit. Carefully follow preparation instructions.

Ask the PMP for guidance before you get rid of mattresses and furniture. If you have to get rid of furniture, do so properly; bed bugs can spread to other homes if infested furniture is taken into or left against buildings.

Reduce clutter so the PMP can apply pesticides where they need be applied. Leave belongings in place. Put away food and cover dishes, including pet food and dishes.

Use a high efficiency particulate air (HEPA) vacuum cleaner to remove visible live or dead bed bugs, eggs or debris. Dispose of vacuum cleaner bag immediately.

Wash clothing, bedding and pillows in hot water and dry in a dryer until hot and completely dried, which should kill any bugs or eggs. Place clean items in plastic bags or bins to protect from re-infestation.

Permanently cover mattresses and box springs with zippered covers that are sold to prevent dust mites. Pull beds away from the wall and keep bedding off the floor. Place wooden or metal bed legs in glass jars or cover them in a layer of Vaseline to prevent bed bugs from traveling to the bed.

How many cars can you have on your property?

You are allowed one uninspected / unregistered motor vehicle on your property (per lot).

Can I have a commercial vehicle on my property?

Nashua residences are allowed one commercial vehicle on their property and cannot be longer than 24ft.

When can I put my trash barrels out for pick-up?

Barrels can be placed at the curb 24 hours prior to your scheduled pick up and the barrels are to be removed from the sidewalk after pick-up and within a reasonable time.

Can the City tell my neighbor to cut the tree limbs that hang over my property?

No, this is a civil issue between neighbors.

Do I need a permit to put up a fence or wall?

As long as the fence is no taller than 6' and the wall no taller than 4' no permit is required from the Building Department. However, all fences need to be approved by the DPW Engineering Department prior to installation. Line of Sight must be maintained for public safety, as well as preventing placement of the fence in the City right-of-way. Go to the City website DPW Engineering page for a form that must be completed and emailed to DPW for approval.

My neighbor put their fence on the property line. Is that legal?

As long as the fence is not higher than 6' (feet) you can place your fence right on the property line. If it does go beyond that line it is a civil issue between property owners.

I have received a notice from the City's Code Enforcement Officer for violating one of the City's codes. I need more time to correct the problem. What should I do?

Before the deadline expires, call or go to City Hall and speak with the Code Enforcement Department. Based on the circumstances and your good faith effort, the deadline may be extended.