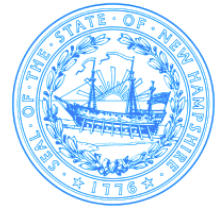




The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

January 25, 2024

The Honorable John Hunt  
Chair, Commerce and Consumer Affairs Committee  
State House, Room 302-304  
Concord, NH 03301

**RE: HB 1144 An Act relative to the requirements for sewage disposal information to be disclosed during real estate transactions**

Dear Chairman Hunt and Members of the Committee:

Thank you for the opportunity to testify on HB 1144. This bill would require disclosure of more detailed information about septic systems for all dwellings and food service establishments during real estate transactions. The New Hampshire Department of Environmental Services (NHDES) supports this bill.

RSA 477:4-d, I is the statute pertaining to the requirements for disclosing information during real estate transactions. Currently, disclosure of information about septic systems is limited. The NHDES often fields complaints from buyers when they obtain more detailed information about their septic system and it does not match their expectations for the property. The most difficult conversations are with people who have purchased a restaurant who learn that the septic system is not sized for the number of seats they need to be profitable.

HB 1144 would require disclosure of more detailed information about the septic system that serves a property so that a buyer has an improved understanding of what they are purchasing. Specifically, the bill would require, for a residential structure, disclosure of the number of bedrooms for which the septic system is approved. For a food service establishment, the required disclosure would be the number of seats for which the septic system is approved. Copies of the most recent state approvals would also need to be disclosed.

Thank you again for the opportunity to comment on HB 1144. Should you have questions or need additional information, please feel free to contact Philip Trowbridge, Administrator of the Land Resources Management Program ([Philip.R.Trowbridge@des.nh.gov](mailto:Philip.R.Trowbridge@des.nh.gov), 271-4898) or Scott Hazelton, Administrator of the Subsurface Systems Bureau ([Scott.A.Hazelton@des.nh.gov](mailto:Scott.A.Hazelton@des.nh.gov), 271-2904).

Sincerely,

Robert R. Scott  
Commissioner

ec: Sponsor of HB 1144: Representative McConkey