

VIDEO AND AUDIO RECORDING EQUIPMENT NOTIFICATION TO ALL SELLERS AND BUYERS

IT IS A CLASS B FELONY TO RECORD ANYONE WITHOUT THEIR CONSENT. IF YOUR HOME HAS VIDEO OR AUDIO SURVEILLANCE OF ANY KIND, INCLUDING CAMERA DOORBELLS, ALEXA OR SIMILAR EQUIPMENT, IT NEEDS TO BE DISARMED, TURNED OFF, OR REMOVED PRIOR TO ALL SHOWINGS AND OPEN HOUSES.

NH State Law states, RSA 570-A:2 provides as follows:

It is a Class B felony if

1. Without the consent of all parties to a communication - including an oral communication;
2. A person willfully intercepts or endeavors to intercept any telecommunication or oral communication.

BUYERS should expect that recording equipment is present in all properties they visit.

Accordingly, it is recommended that BUYER and SELLER act as follows:

1. SELLER should disable all audio or video recording equipment prior to all showings or obtain the advanced written consent of the BUYER and BUYER's Agent to be recorded.
2. PROSPECTIVE SELLER's agent should advise the prospective seller to consult with an attorney if SELLER intends to have active any audio or video recording equipment during showings because doing so may expose the SELLER to criminal and civil penalties.
3. A BUYER should be very careful because a SELLER may choose not to disclose the existence of active recording devices notwithstanding the law.
4. PROSPECTIVE BUYER's agent should advise the prospective BUYER to not disclose any confidential information until BUYER is in a secure environment such as the agent's car or office.

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