1   TO THE HOUSE OF REPRESENTATIVES:

2   The Committee on General and Housing to which was referred House Bill

3   No. 276 entitled "An act relating to creating a rental housing registry"

4   respectfully reports that it has considered the same and recommends that the

5   bill be amended by striking out all after the enacting clause and inserting in

6   lieu thereof the following:

7   Sec. 1. 20 V.S.A. § 2678 is added to read:

8   § 2678. RENTAL HOUSING REGISTRATION

9   (a) Registration. Except as otherwise provided in subsection (b) of this

10   section, annually on or before March 1, the owner of each unit of rental

11   housing that in the previous year was leased or offered for lease shall pay to

12   the Department of Housing and Community Development an annual

13   registration fee of $35.00 per unit and provide the following information:

14   (1) the name and mailing address of the owner, landlord, and property

15   manager of the unit, as applicable;

16   (2) the phone number and electronic mail address of the owner,

17   landlord, and property manager of the unit, as available;

18   (3) the location of the unit;

19   (4) the year built;

20   (5) the type of rental unit;

21   (6) the number of units in the building;

1   (7) the school property account number;

2   (8) the accessibility of the unit; and

3   (9) any other information the Department deems appropriate.

4   (b) Exceptions.

5   (1) Unit registered with another program.

6   (A) The registration requirement imposed in subsection (a) of this

7   section does not apply to a unit that is currently registered with a municipal,

8   district, or other local government rental housing health and safety program

9   that requires the owner to register the unit and provide the data required in

10 subsection (a) of this section.

11   (B) The fee requirement imposed in subsection (a) of this section

12 does not apply to a unit that is currently registered with a municipal, district, or

13 other local government rental housing health and safety program that requires

14 the owner to register the unit and provide the data required in subsection (a) of

15 this section and for which program the owner is required to pay a registration

16 fee.

17   (2) Mobile homes.

18   (A) The registration requirement imposed in subsection (a) of this

19 section does not apply to a mobile home lot within a mobile home park if:

20   (i) the owner has registered the lot with the Department of

21 Housing and Community Development; and

1   (ii) the owner does not own a mobile home on the lot.

2   (B) An owner of a mobile home lot within a mobile home park who

3   has registered the lot with the Department and who owns a mobile home on the

4   lot that is available for rent or rented shall register the property with the

5   Department pursuant to subsection (a) of this section and pay a fee equal to the

6   fee required, less any fee paid within the previous 12 months pursuant to

7   10 V.S.A. § 6254(c).

8   (C) An owner of a mobile home who rents the mobile home, whether

9   or not located in a mobile home park, shall register pursuant to this section.

10   (3) Unit not offered to general public. The registration and fee

11   requirements imposed in subsection (a) of this section do not apply to a unit

12   that an owner provides to another person, whether or not for consideration, if,

13   and only to the extent that, the owner does not otherwise make the unit

14   available for lease to the general public, and includes:

15   (A) housing provided to a member of the owner's family or personal

16   acquaintances;

17   (B) housing provided to a person who is not related to a member of

18   the owner's household and who occupies the housing as part of a nonprofit

19   home-sharing program; and

20   (C) housing provided to a person who provides personal care to the

21   owner or a member of the owner's household.

1   (4) Licensed lodging establishment. The registration and fee

2   requirements imposed in subsection (a) of this section do not apply to a

3   lodging establishment, as defined in 18 V.S.A. § 4301, that is required to be

4   licensed by the Department of Health.

5   (5) Nonwinterized, seasonal units. The registration and fee

6   requirements imposed in subsection (a) of this section do not apply to a

7   seasonal unit that is unheated and unavailable for rent during the winter

8   months.

9   (6) Housing provided as a benefit of farm employment. The registration

10   and fee requirements imposed in subsection (a) of this section do not apply to a

11   unit of housing that is provided as a benefit of farm employment, as defined in

12   9 V.S.A. § 4469a(a)(3).

13   (c) Administration.

14   (1) The Department of Housing and Community Development shall

15   maintain the registry of rental housing data in coordination with the

16   Department of Public Safety, the Department of Health, the Enhanced 911

17   Board, and the Department of Taxes.

18   (2) Upon request, and at least annually, a municipal, district, or other

19   local government entity that operates a rental housing health and safety

20   program that requires registration of a rental housing unit and a fee for

21   inclusion on its registry shall provide to the Department of Housing and

1   Community Development the data for each unit that is required pursuant to

2   subsection (a) of this section.

3   (3)(A) The data the Department collects pursuant to this section is

4   exempt from public inspection and copying pursuant to 1 V.S.A. § 317(c)(1).

5   (B) The Department:

6   (i) may disclose data it collects pursuant to this section only to

7   other State, municipal, or regional government entities; nonprofit

8   organizations; or other persons for the purposes of protecting public health and

9   safety;

10   (ii) shall not disclose data it collects pursuant to this section for a

11   commercial purpose; and

12   (iii) shall require, as a condition of receiving data collected

13   pursuant to this section, that a person to whom the Department discloses the

14   data takes steps necessary to protect the privacy of persons whom the data

15   concerns and to prevent further disclosure.

16   (d) Rental Housing Safety Special Fund. The Department shall maintain

17   the fees collected pursuant to this section in a special fund entitled the Rental

18   Housing Safety Special Fund, the proceeds of which the Department shall use:

19   (1) to hire authorized staff to administer the registry and registration

20   requirements imposed in this section; and

1   (2) to provide funding to the Department of Public Safety to hire

2   authorized staff to conduct inspections and regulate rental housing pursuant to

3   section 2677 of this title.

4   * * * Penalty for Failure to Register * * *

5   Sec. 2. 20 V.S.A. § 2678(e) is added to read:

6   (e) Failure to register; penalty. The Department of Housing and

7   Community Development shall impose an administrative penalty of not more

8   than $200.00 per unit for an owner of rental housing who knowingly fails to

9   register or pay the fee required pursuant to this section.

10   * * * Registration; Prospective Repeal * * *

11   Sec. 3. REPEAL

12   20 V.S.A. § 2678(b)(8) (exemption for housing provided as a benefit of

13   farm employment) is repealed.

14   * * * Positions Authorized * * *

15   Sec. 4. DEPARTMENT OF HOUSING AND COMMUNITY

16   DEVELOPMENT; POSITIONS

17   (a) The Department of Housing and Community Development is

18   authorized to create one full-time classified position and one half-time

19   classified position to design and implement the registry created in, and to

20   administer and enforce the registry requirements of, 20 V.S.A. § 2678.

1   (b) The Department may hire additional staff authorized by this section to

2   the extent funds become available from the Rental Housing Safety Special

3   Fund created and maintained pursuant to 20 V.S.A. § 2678(d).

4   Sec. 5. EFFECTIVE DATES

5   (a) This section, Sec. 1 (registration) and Sec. 4 (DHCD positions) take

6   effect on passage.

7   (b) Sec. 2 (administrative penalty for failure to register) takes effect on July

8   1, 2024.

9   (c) Sec. 3 (repeal of registration exemption for housing provided as a

10   benefit of farm employment) takes effect on July 1, 2026.

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17   (Committee vote: _____)

18   _____

19   Representative _____

20   FOR THE COMMITTEE