

1 H.360

2 Introduced by Representatives Stevens of Waterbury, Baker of West Rutland,

3 Botzow of Pownal, Moran of Wardsboro, South of

4 St. Johnsbury and Trombley of Grand Isle

5 Referred to Committee on

6 Date:

7 Subject: Housing; landlord and tenant; rental housing agreements; utilities for
8 common areas

9 Statement of purpose: This bill proposes to create a process for payment of
10 utilities that are provided to an area outside a dwelling unit but billed through
11 the tenant's utility meter.

12 An act relating to payment for utility services to areas outside dwelling
13 units

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 9 V.S.A. § 4457a is added to read:

16 § 4457a. UTILITY SERVICE OUTSIDE DWELLING UNIT

17 (a) If a landlord has knowledge that a tenant's utility meter for gas or
18 electric service measures utility that services an area outside the tenant's
19 dwelling unit, the landlord shall do both the following:

20 (1) Disclose the condition to the tenant.

1 (2) Arrange for payment for the utility service to cover the service
2 provided to the area outside the tenant's dwelling unit.

3 (b) Arrangements for payment as required under subsection (a) of this
4 section shall be one of the following:

5 (1) The landlord becomes the sole customer of record for the tenant's
6 meter.

7 (2) The area served outside the tenant's dwelling unit becomes
8 separately metered, and the landlord becomes the customer of record for
9 service to that area.

10 (3) The tenant agrees to pay for the service provided through the
11 tenant's meter that serves an area outside the tenant's dwelling unit.

12 (c) A landlord who fails to comply with subsection (a) of this section shall
13 be liable to the tenant in a civil action under this section. The court order may
14 include ordering the landlord to:

15 (1) Become the sole customer of record with the utility for the tenant's
16 meter.

17 (2) Reimburse the tenant for payments the tenant made for utility service
18 for areas outside the tenant's dwelling unit.

19 (d) Nothing in this section limits any other remedy available to a landlord
20 or tenant under other provisions of this chapter, the rental agreement, or
21 applicable statutory or common law.