

1 H.776

2 Introduced by Committee on General, Housing and Military Affairs

3 Date:

4 Subject: Commerce and trade; residential rental agreements; minimum  
5 habitability standards

6 Statement of purpose: This bill proposes to establish minimum habitability  
7 standards for rental housing.

8 An act relating to rental housing

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

10 Sec. 1. 9 V.S.A. chapter 137, §§ 4451–4469 are designated as:

11 Subchapter 1. Rental Agreements

12 Sec. 2. 9 V.S.A. chapter 137, subchapter 2 is added to read:

13 Subchapter 2. Minimum Habitability Standards

14 § 4469a. RENTAL HOUSING; MINIMUM HABITABILITY STANDARDS;

15 GENERAL PROVISIONS

16 (a) The purpose of these standards is to protect the health, safety, and  
17 well-being of the occupants of rental housing by establishing minimum  
18 habitability standards for all residential rental housing in Vermont.

19 (b) Each rental property in the state must comply with all applicable  
20 housing laws and codes, including the laws relating to lead poisoning in

1 18 V.S.A. §§ 1759–1760, the rental housing health code promulgated by the  
2 department of health, the Vermont fire and building safety code promulgated  
3 by the department of public safety, and regulations regarding potable water and  
4 septic systems promulgated by the agency of natural resources.

5 (c) For purposes of this subchapter, “dwelling unit” includes all rental  
6 dwelling units, rooming houses, rooming units, and mobile home  
7 lots used as regular residences.

8 (d) The minimum habitability standards described in this subchapter apply  
9 to all dwelling units in the state. The standards do not apply to transient  
10 occupancy in a hotel, motel, or other lodging licensed by the department of  
11 health during the time the occupancy is subject to a tax levied under  
12 chapter 225 of Title 32.

13 § 4469b. SANITATION FACILITIES

14 (a) Every dwelling unit shall:

15 (1) Contain the unit space to store, prepare, and serve foods in a sanitary  
16 manner.

17 (2) Contain within the unit a flush toilet, sink, and bathtub or shower.

18 (3) Be connected to, and every rental mobile home lot shall have access  
19 to, a supply of potable water sufficient in quantity and pressure to meet the  
20 ordinary needs of the occupants.

1           (4) Be equipped so that each kitchen sink, lavatory sink, shower, and tub  
2 is connected with water-heating facilities capable of safely heating an adequate  
3 yield of water.

4           (5) Be connected to, and every rented mobile home lot shall have access  
5 to, a public sewage system, if available, or to a properly operating subsurface  
6 wastewater disposal system.

7           (b) The owner of any dwelling unit shall provide and maintain appropriate  
8 receptacles for the removal of garbage and rubbish and shall ensure that  
9 arrangements are made for the removal of garbage and rubbish.

10           (c) The owner of a dwelling unit shall ensure that all common spaces are  
11 free from rodent and insect infestation and shall be responsible for the  
12 extermination of rodent and insect infestation in all common spaces and in  
13 each infested dwelling unit if infestation exists in two or more dwelling units.

14           § 4469c. BUILDING SYSTEMS

15           (a) Heating facilities in all dwelling units shall be able to maintain a room  
16 temperature of at least 65 degrees Fahrenheit in all habitable rooms when the  
17 outside temperature is less than 55 degrees Fahrenheit.

18           (b) Every habitable room in a dwelling unit shall have ventilation to the  
19 outdoors, including at least one window or door that can be opened to the  
20 outdoors without tools, and every bathroom shall have ventilation to the  
21 outdoors.

1        (c) Every habitable room in a dwelling unit shall contain at least two  
2        duplex electrical outlets or one duplex electrical outlet and a light fixture, and  
3        each bathroom and entrance shall be adequately lit.

4        § 4469d. STRUCTURAL ELEMENTS

5        Every dwelling unit shall be weather tight, waterproof, rodent proof, and in  
6        good repair.

7        § 4469e. LEAD PAINT

8        (a) Owners of rental housing built before 1978 shall ensure that essential  
9        maintenance practices (EMP) are performed by a person certified to do so,  
10       shall file an EMP compliance statement annually with the department of  
11       health, the owner's insurance carrier, and an adult tenant in each rented unit of  
12       the property, and shall comply with the provisions of chapter 38 of Title 18.

13       (b) No person shall disturb more than one square foot of lead paint using  
14       unsafe work practices in any rental housing unit, unless authorized to do so by  
15       the department of health.

16       § 4469f. LIFE SAFETY

17       (a) Every dwelling unit shall have smoke alarms which shall be directly  
18       wired to the unit's electrical system, and the smoke alarms shall have battery  
19       backup. Smoke alarms installed after June 15, 2009, shall be the photoelectric  
20       type.



