

1 H.566

2 Introduced by Representatives Clarkson of Woodstock and Stevens of

3 Waterbury

4 Referred to Committee on

5 Date:

6 Subject: Housing; residential landlord registration

7 Statement of purpose: This bill proposes to require that all landlords register  
8 their rental units with the secretary of state. The bill further proposes to create  
9 a board of residential landlords to provide information to landlords about the  
10 registration process and to investigate failures to register.

11 An act relating to residential housing registration

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

13 Sec. 1. 3 V.S.A. § 122 is amended to read:

14 § 122. OFFICE OF PROFESSIONAL REGULATION

15 An office of professional regulation is created within the office of the  
16 secretary of state. The office shall have a director who shall be appointed by  
17 the secretary of state and shall be an exempt employee. The following boards  
18 or professions are attached to the office of professional regulation:

19 \* \* \*

20 (41) Audiologists and speech-language pathologists





1           (1) To provide information to registrants under this chapter, including  
2           educational materials on applicable rental housing statutes, regulations, and  
3           ordinances.

4           (2) To explain appeal procedures to registrants, to the general public,  
5           and to landlords who have failed to register.

6           (3) To investigate reports of failure to register and fraudulent  
7           registration.

8           (4) To act as an advisory group on issues related to residential rental  
9           housing.

10           (5) In the event of a natural disaster, to work in conjunction with  
11           appropriate local, state, and federal agencies to communicate information  
12           regarding available resources, disaster-related information, and community  
13           needs.

14           § 4903. DEFINITIONS

15           For purposes of this chapter:

16           (1) “Board” means the board of residential rental housing.

17           (2) “Dwelling unit” means a building or the part of a building that is  
18           used as a home, residence, or sleeping place by one or more persons who  
19           maintain a household.

20           (3) “Landlord” means the owner, lessor, or where applicable, the  
21           sublessor of a residential dwelling unit or the building of which it is a part.

1     § 4904. EXCLUSIONS

2         The following are not subject to the provisions of this chapter:

3             (1) Owners or lessors whose occupancy relationships are excluded from  
4             9 V.S.A. chapter 137.

5             (2) Landlords renting a room in their owner-occupied home.

6             (3) Farm employers providing housing as a benefit of farm employment.

7     § 4905. PROHIBITIONS

8         A landlord shall not offer a dwelling unit for lease unless the landlord has  
9         registered in accordance with this chapter.

10    § 4906. PENALTIES

11         (a) Beginning on July 1, 2014, a person who violates section 4905 of this  
12         title shall be subject to a penalty of \$25.00 per week.

13         (b) Beginning on July 1, 2014, a landlord who files a fraudulent registration  
14         form by failing to file an EMP compliance statement with the department of  
15         health shall be assessed a penalty of \$50.00 per week. Nothing in this section  
16         shall limit enforcement pursuant to 18 V.S.A. § 1760a.

17         (c) A landlord assessed a penalty under this section shall have the  
18         opportunity to contest the fine within 30 days of its issuance by making a  
19         request to the board. A written notice of the time and date of the hearing shall  
20         be mailed to the landlord at least 10 days prior to the hearing.

1        (d) Penalties issued under this section shall constitute a lien on the  
2        landlord's real property in the same manner and with the same effect as tax  
3        liens pursuant to 32 V.S.A. § 5061.

4        § 4907. REGISTRATION

5        (a) A landlord with one or more dwelling units is required to furnish the  
6        following information to the secretary of state:

7            (1) The landlord's name, address, telephone number, and e-mail address,  
8            if applicable.

9            (2) The name, address, telephone number, and e-mail address, if  
10          applicable, of the landlord's agent or property manager.

11          (3) For each dwelling unit that a landlord owns, leases, subleases, or has  
12          the right to own, lease, or sublease:

13            (A) The street address and unit number as appropriate.

14            (B) The year the property was built.

15            (C) The number of bedrooms in each unit.

16            (D) Wheelchair accessibility.

17            (E) Parking availability.

18            (F) Whether pets are allowed in the dwelling unit.

19          (4) Certification that each dwelling unit complies with all applicable  
20          rental housing safety laws, including the lead poisoning law, 18 V.S.A. chapter

1 137, and, if applicable, that an EMP compliance statement is on file with the  
2 department of health.

3 (b) The information required under subsection (a) of this section shall be  
4 furnished on forms provided by the board.

5 (c) A copy of the form shall be posted in a prominent place in each  
6 dwelling unit owned by the landlord.

7 § 4908. CHANGE OF OWNERSHIP

8 (a) If a landlord transfers ownership of one or more dwelling units, the  
9 landlord shall furnish the following information to the secretary of state:

10 (1) The landlord's name, address, telephone number, and e-mail address.

11 (2) The name and address of the person to whom ownership was  
12 transferred.

13 (3) The street address and unit number as appropriate, for each dwelling  
14 unit for which ownership was transferred.

15 (b) If a landlord demolishes a dwelling or if the dwelling is destroyed by  
16 natural disaster or otherwise, the landlord shall furnish the following  
17 information to the secretary of state:

18 (1) The landlord's name, address, telephone number, and e-mail address.

19 (2) The street address and unit number as appropriate, for each dwelling  
20 unit demolished or destroyed.

1           (c) If a landlord intends to remove a dwelling unit from the rental market  
2           for a period of one year or more, the landlord shall furnish the following  
3           information to the secretary of state;

4           (1) The landlord's name, address, telephone number, and e-mail address.

5           (2) The street address and unit number as appropriate, for each dwelling  
6           unit that will no longer be offered for rent.