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2	Introduced by Representatives Ram of Burlington, Ancel of Calais, Botzow of				
3	Pownal, Bray of New Haven, Donovan of Burlington, Hooper				
4	of Montpelier, Klein of East Montpelier, Lorber of Burlington,				
5	Mitchell of Barnard, Moran of Wardsboro, Shand of				
6	Weathersfield, Smith of Mendon, South of St. Johnsbury,				
7	Spengler of Colchester, Stevens of Waterbury, Till of Jericho,				
8	Waite-Simpson of Essex, Webb of Shelburne, Weston of				
9	Burlington, Wizowaty of Burlington and Zuckerman of				
10	Burlington				
11	Referred to Committee on				
12	Date:				
13	Subject: Housing; landlord and tenant; security deposit; dispute resolution				
14	Statement of purpose: This bill proposes to exclude activity relating to				
15	security deposits for residential rental units from the Accord and Satisfaction				
16	section under the Uniform Commercial Code (Title 9A) to provide tenants with				
17	immediate access to the undisputed portion of a security deposit withheld by a				
18	landlord at the termination of a tenancy, while preserving the tenant's right to				
19	contest the withholding.				

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2009					

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An act to provide fairness to tenants in cases of contested housing security deposit withholding

- 3 It is hereby enacted by the General Assembly of the State of Vermont:
- 4 Sec. 1. 9A V.S.A. § 3-311 is amended to read:
- 5 § 3-311. ACCORD AND SATISFACTION BY USE OF INSTRUMENT

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- 7 (e) This section shall not apply to 9 V.S.A. § 4461, relating to security
- 8 <u>deposits for residential rental units.</u>
 - Sec. 2. 9 V.S.A. § 4467 is amended to read:

§ 4467. TERMINATION OF TENANCY; NOTICE

(a) Termination for nonpayment of rent. The landlord may terminate a tenancy for nonpayment of rent by providing actual notice to the tenant of the date on which the tenancy will terminate which shall be at least 14 days after the date of the actual notice. The rental agreement shall not terminate if the tenant pays or tenders rent due through the end of the rental period in which payment is made or tendered. Acceptance of partial payment of rent shall not constitute a waiver of the landlord's remedies for nonpayment of rent or an accord and satisfaction for nonpayment of rent.

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