

1 H.172

2 Introduced by Representatives Martin of Wolcott, Wilson of Manchester, and

3 Woodward of Johnson

4 Referred to Committee on

5 Date:

6 Subject: Commerce and trade; residential rental agreements; termination of

7 tenancy

8 Statement of purpose of bill as introduced: This bill proposes to create an

9 expedited eviction process and to allow a landlord to obtain a wage

10 withholding order against a tenant for overdue rent.

11 An act relating to expedited termination of tenancy

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

13 Sec. 1. 9 V.S.A. § 4468 is amended to read:

14 § 4468. TERMINATION OF TENANCY; ACTION FOR POSSESSION

15 If the tenant remains in possession after termination of the rental agreement,

16 without the express consent of the landlord, the landlord may bring an action

17 for possession, damages, and costs under ~~subchapter 3 of 12 V.S.A.~~

18 chapter 169 of Title 12, subchapter 3. The court shall hold a hearing on the

19 action within 30 days after the termination of the rental agreement.

1 Sec. 2. 9 V.S.A. § 4455a is added to read:

2 § 4455a. OVERDUE RENT; WAGE WITHHOLDING

3 (a) A landlord may obtain a wage withholding order against a tenant from  
4 the Civil Division of the Superior Court to recover rent that is more than  
5 60 days overdue. Upon a finding that rent is rightfully due the landlord and  
6 has not been paid, the Court shall issue the order. The wage withholding order  
7 shall direct current and subsequent employers of the tenant to pay a portion of  
8 the tenant's wages directly to the Civil Division of the Superior Court until the  
9 tenant's rental obligation is satisfied.

10 (b) The Court shall transmit all wage withholding orders issued under this  
11 section to the tenant's employers. Upon receipt of a wage withholding order,  
12 an employer shall:

13 (1) withhold from the wages paid to the tenant the amount specified in  
14 the order for each wage period;

15 (2) forward the withheld wages to the Court within seven working days  
16 after wages are withheld, specifying the date the wages were withheld; and

17 (3) retain a record of all withheld wages.

18 Sec. 3. EFFECTIVE DATE

19 This act shall take effect on July 1, 2013.