

H.256

An act relating to disposal of property following an eviction, and fair housing and public accommodations

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

Sec. 1. 12 V.S.A. § 4854a is amended to read:

§ 4854a. PROPERTY OF TENANT REMAINING ON PREMISES AFTER
EVICTON

(a) A landlord may dispose of any personal property remaining in a dwelling unit or leased premises without notice or liability to the tenant or owner of the personal property:

(1) 15 days after a writ of possession is served pursuant to this chapter or upon the landlord being legally restored to possession of the dwelling unit or leased premises pursuant to this chapter, whichever is later; or

(2) in the case of an eviction brought pursuant to 10 V.S.A. chapter 153, 40 days after a writ of possession issued for failure to pay rent into court pursuant to subsection 4853a(h) of this title is served or upon the landlord being legally restored to possession of the leased premises by a writ of possession issued for failure to pay rent into court pursuant to subsection 4853a(h) of this title, whichever is later.

(b) Notwithstanding subsection (a) of this section, if the court stays the execution of a writ of possession issued pursuant to this chapter, then a landlord may dispose of any personal property remaining in a dwelling unit or

leased premises without notice or liability to the tenant or owner of the personal property ~~five days~~ one day after the landlord is legally restored to possession of the dwelling unit or leased premises.

Sec. 2. 9 V.S.A. § 4506 is amended as follows:

§ 4506. ENFORCEMENT; CIVIL ACTION; RETALIATION PROHIBITED

* * *

(e) Retaliation prohibited. A person shall not coerce, threaten, interfere, or otherwise discriminate against any individual ~~because that individual:~~

(1) who has opposed any act or practice that is prohibited under section 4502 or 4503 of this title;

(2) who has lodged a complaint or has testified, assisted, or participated in any manner with the Human Rights Commission in an investigation of acts or practices prohibited by ~~chapter 139 of this title~~ this chapter;

(3) who is known by the person to be about to lodge a complaint, testify, assist, or participate in any manner in an investigation of acts or practices prohibited by ~~chapter 139 of this title~~ this chapter;

(4) who is exercising or enjoying a right granted or protected by this chapter; or

~~(4)~~(5) who is believed by the person to have acted as described in subdivisions (1) through ~~(3)~~(4) of this subsection.

Sec. 3. EFFECTIVE DATES

(a) Sec. 1 shall take effect on July 1, 2015, and shall apply to ejectment actions beginning on or after that date.

(b) This section and Sec. 2 shall take effect on passage.