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H.751

Introduced by Representatives O’Sullivan of Burlington, Buxton of
Tunbridge, Christie of Hartford, Gonzalez of Winooski, Pearson
of Burlington, Poirier of Barre City, Stuart of Brattleboro, and
Till of Jericho

Referred to Committee on

Date:

Subject: Housing; residential rental agreement; substance abuse recovery home

Statement of purpose of bill as introduced: This bill proposes to require a
tenant of a substance abuse recovery home to vacate the premises within
two hours after he or she violates the terms of his or her contract with the
home’s operator.

An act relating to residential rental agreements for substance abuse recovery
homes

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

Sec. 1. 9 V.S.A. § 4456 is amended to read:

§ 4456. TENANT OBLIGATIONS; USE AND MAINTENANCE OF
DWELLING UNIT

* * *

1 (e)(1) A tenant of a substance abuse recovery home shall enter into a
2 contract with the operator of the home prior to commencing the tenancy that
3 prohibits:

4 (A) the use of alcohol or drugs for which the tenant does not have a
5 valid prescription;

6 (B) criminal or illegal activity; and

7 (C) acts that threaten the health or safety of other tenants.

8 (2) Notwithstanding any other provision of law, when a tenant of a
9 substance abuse recovery home violates the contract entered into with the
10 operator of the home, the operator may give the tenant actual notice to vacate
11 the premises within two hours. If the tenant fails to vacate, he or she shall be
12 in violation of 13 V.S.A. § 3705(a), and may be prosecuted for unlawful
13 trespass. This subdivision shall not be construed to limit the rights and
14 remedies available to a landlord pursuant to subsection (f) of this section.

15 (3) As used in this section, “substance abuse recovery home” means a
16 residence for individuals who are recovering from a substance abuse disorder,
17 operated for profit or otherwise, that is free of alcohol and illegal drug use.

18 (f) If a tenant acts in violation of this section, the landlord is entitled to
19 recover damages, costs, and reasonable attorney’s fees, and the violation shall
20 be grounds for termination under subsection 4467(b) of this title.

1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on July 1, 2016.