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1	S.257
2	Introduced by Senator Nitka
3	Referred to Committee on
4	Date:
5	Subject: Commerce and trade; residential rental agreements; subleases
6	Statement of purpose of bill as introduced: This bill proposes to require a
7	landlord's consent for all sublease agreements and to clarify that the statutory
8	provisions governing residential rental agreements do not apply to individuals
9	residing in a rented dwelling without either a rental agreement or the landlord's
10	consent.
1.1	
11	An act relating to residential rental agreements
12	It is hereby enacted by the General Assembly of the State of Vermont:
13	Sec. 1. 9 V.S.A. § 4451 is amended to read:
14	§ 4451. DEFINITIONS
15	As used in this chapter:
16	* * *
17	(4) "Landlord" means the owner, lessor, or where applicable, the
18	sublessor or the owner's agent of a residential dwelling unit or the building of
19	which it is a part.

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1	(9) "Tenant" means a person entitled under a rental agreement with the
2	<u>landlord</u> to occupy a residential dwelling unit to the exclusion of others.
3	(10) "Subtenant" means a person entitled to occupy a dwelling unit to
4	the exclusion of others pursuant to a rental agreement between the subtenant
5	and a tenant, provided that the landlord has consented to the agreement.
6	Sec. 2. 9 V.S.A. § 4452 is amended to read:
7	§ 4452. EXCLUSIONS
8	Unless created to avoid the application of this chapter, this chapter does not
9	apply to any of the following:
10	* * *
11	(7) transient residence in a campground, which for the purposes of as
12	used in this chapter means any property used for seasonal or short-term
13	vacation or recreational purposes on which are located cabins, tents, or
14	lean-tos, or campsites designed for temporary set-up of portable or mobile
15	camping, recreational, or travel dwelling units, including tents, campers, and
16	recreational vehicles such as motor homes, travel trailers, truck campers, and
17	van campers; or
18	(8) transient occupancy in a hotel, motel, or lodgings during the time the
19	occupant is a recipient of General Assistance or Emergency Assistance
20	temporary housing assistance, regardless of whether the occupancy is subject

to a tax levied under 32 V. S.A. chapter 225; or

1	(9) occupants of a dwelling unit who are unable to demonstrate either
2	that they are tenants or that they are occupying the dwelling unit with the
3	<u>landlord's consent</u> .
4	Sec. 3. STATUTORY REVISION
5	The Legislative Council, in its statutory revision capacity pursuant to
6	2 V.S.A. § 424, is authorized to correct instances of the word "tenant"
7	appearing in 9 V.S.A. chapter 137 to "tenant and subtenant" or "tenant or
8	subtenant" as necessary to effect the intent of Sec. 1 of this act (amending
9	9 V.S.A. § 4451).
10	Sec. 4. EFFECTIVE DATE
11	This act shall take effect on July 1, 2016.