

1 Introduced by House Committee on General, Housing and Military Affairs

2 Date:

3 Subject: Court procedure; ejection; property of tenant remaining after
4 eviction

5 Statement of purpose of bill as introduced: This bill proposes to permit a
6 landlord to dispose of a tenant's personal property remaining in a leased
7 premises five days after the landlord is legally restored to possession of the
8 premises, or, in the case of an eviction from a mobile home park, ten days after
9 the landlord is legally restored to possession of the premises.

10 An act relating to the disposal of property remaining in a dwelling unit or
11 leased premises following an eviction

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

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

14 § 4854a. PROPERTY OF TENANT REMAINING ON PREMISES AFTER
15 EVICTION

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

1 (1) ~~15 days after a writ of possession is served pursuant to this chapter~~
2 five days after the landlord is legally restored to possession of the dwelling unit
3 or leased premises by a writ of possession issued pursuant to this chapter; or

4 (2) in the case of an eviction brought pursuant to 10 V.S.A. chapter 153,
5 ~~40 days after a writ of possession issued for failure to pay rent into court~~
6 ~~pursuant to subsection 4853a(h) of this title is served~~ ten days after the
7 landlord is legally restored to possession of the leased premises by a writ of
8 possession issued for failure to pay rent into court pursuant to section 4853a of
9 this title.

10 (b) ~~Notwithstanding subsection (a) of this section, if the court stays the~~
11 ~~execution of a writ of possession issued pursuant to this chapter, then a~~
12 ~~landlord may dispose of any personal property remaining in a dwelling unit or~~
13 ~~leased premises without notice or liability to the tenant or owner of the~~
14 ~~personal property five days after the landlord is legally restored to possession~~
15 ~~of the dwelling unit or leased premises. [Repealed.]~~

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on July 1, 2015.