

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred Senate Bill No. 257 entitled “An act relating to residential
4 rental agreements” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 9 V.S.A. § 4451 is amended to read:

8 § 4451. DEFINITIONS

9 As used in this chapter:

10 * * *

11 (9) “Sublease agreement” means a rental agreement, written or oral,
12 embodying terms and conditions concerning the use and occupancy of a
13 dwelling unit and premises between two tenants, a sublessor and a sublessee.

14 (10) “Tenant” means a person entitled under a rental agreement to
15 occupy a residential dwelling unit to the exclusion of others.

16 Sec. 2. 9 V.S.A. § 4452 is amended to read:

17 § 4452. EXCLUSIONS

18 Unless created to avoid the application of this chapter, this chapter does not
19 apply to any of the following:

20 * * *

1 (7) transient residence in a campground, which for the purposes of this
2 chapter means any property used for seasonal or short-term vacation or
3 recreational purposes on which are located cabins, tents, or lean-tos, or
4 campsites designed for temporary set-up of portable or mobile camping,
5 recreational, or travel dwelling units, including tents, campers, and recreational
6 vehicles such as motor homes, travel trailers, truck campers, and van campers;
7 ~~or~~

8 (8) transient occupancy in a hotel, motel, or lodgings during the time the
9 occupant is a recipient of General Assistance or Emergency Assistance
10 temporary housing assistance, regardless of whether the occupancy is subject
11 to a tax levied under 32 V. S.A. chapter 225; or

12 (9) occupancy of a dwelling unit without right or permission by a person
13 who is not a tenant.

14 Sec. 3. 9 V.S.A. 4456b is added to read:

15 § 4456b. SUBLEASE AGREEMENTS; LANDLORD AND TENANT

16 RIGHTS AND OBLIGATIONS

17 (a)(1) A landlord may condition or prohibit subleasing a dwelling unit
18 under the terms of a written rental agreement, and may require a tenant to
19 provide actual notice of any sublessee occupying the dwelling unit.

20 (2) If the terms of the written rental agreement prohibits a tenant from
21 subleasing the dwelling unit, the landlord may provide a person occupying the

1 dwelling unit pursuant to a sublease agreement that was entered into in
2 violation of the rental agreement with notice against trespass pursuant to 13
3 V.S.A. § 3705(a). If the individual fails to vacate the premises upon receiving
4 the notice, he or she shall be in violation of 13 V.S.A. § 3705(a) and may be
5 prosecuted under that subsection. This section shall not be construed to limit
6 the rights and remedies available to a landlord pursuant to this chapter.

7 (b) In the absence of a written rental agreement, a tenant shall provide the
8 landlord with actual notice of the name and contact information of any
9 sublessee occupying the dwelling unit.

10 Sec. 4. EFFECTIVE DATE

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

12
13 (Committee vote: _____)

14 _____
15 Senator _____

16 FOR THE COMMITTEE