

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” means a rental agreement, written or oral, embodying  
12 terms and conditions concerning the use and occupancy of a dwelling unit and  
13 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 \* \* \*

21 (7) transient residence in a campground, which for the purposes of this  
22 chapter means any property used for seasonal or short-term vacation or

1 recreational purposes on which are located cabins, tents, or lean-tos, or  
2 campsites designed for temporary set-up of portable or mobile camping,  
3 recreational, or travel dwelling units, including tents, campers, and recreational  
4 vehicles such as motor homes, travel trailers, truck campers, and van campers;

5 ~~or~~

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

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

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

13 § 4456b. SUBLEASES; LANDLORD AND TENANT RIGHTS AND

14 OBLIGATIONS

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

19 (2) If the terms of a written rental agreement prohibit subleasing the  
20 dwelling unit, notwithstanding any provision of 13 V.S.A. § 3705(a) to the  
21 contrary, the landlord may give a person who is not a tenant and is occupying  
22 the dwelling unit without right or permission notice against trespass pursuant

1 to 13 V.S.A. § 3705(a). If the individual fails to vacate the premises upon  
2 receiving the notice, he or she shall be in violation of 13 V.S.A. § 3705(a) and  
3 may be prosecuted under that subsection. This subsection shall not be  
4 construed to limit the rights and remedies available to a landlord pursuant to  
5 this chapter.

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

9 Sec. 4. EFFECTIVE DATE

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

11

12 (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

FOR THE COMMITTEE