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H.436

Introduced by Representatives O’Sullivan of Burlington, Connor of Fairfield,
Christie of Hartford, Burke of Brattleboro, Carr of Brandon,
Cina of Burlington, Donovan of Burlington, Emmons of
Springfield, Fields of Bennington, Hill of Wolcott, Howard of
Rutland City, Kitzmiller of Montpelier, Lanpher of Vergennes,
McCormack of Burlington, McCullough of Williston, Stevens
of Waterbury, Stuart of Brattleboro, Till of Jericho, Troiano of
Stannard, Walz of Barre City, Weed of Enosburgh, and
Yantachka of Charlotte

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 that has been certified by the
Vermont affiliate of the National Alliance for Recovery Residences to vacate
the premises immediately 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

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

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

3 § 4456. TENANT OBLIGATIONS; USE AND MAINTENANCE OF
4 DWELLING UNIT

5 * * *

6 (e)(1) A tenant of a substance abuse recovery home that has been certified
7 by the Vermont affiliate of the National Alliance for Recovery Residences
8 (NARR) shall enter into a contract with the operator of the home prior to
9 commencing the tenancy that prohibits:

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

12 (B) criminal or illegal activity; and

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

14 (2) Notwithstanding any other provision of law, when a tenant of a
15 substance abuse recovery home that has been certified by the Vermont affiliate
16 of NARR violates the contract entered into with the operator of the home, the
17 operator may give the tenant actual notice to vacate the premises immediately.
18 If the tenant fails to vacate, he or she shall be in violation of 13 V.S.A.
19 § 3705(a), and may be prosecuted for unlawful trespass. This subdivision shall
20 not be construed to limit the rights and remedies available to a landlord
21 pursuant to subsection (f) of this section.

1 (3) As used in this section, “substance abuse recovery home” means a
2 residence for individuals recovering from a substance use disorder, operated
3 for profit or otherwise, which provides an alcohol- and drug-free living
4 environment, peer support, and assistance obtaining addiction and other
5 recovery services.

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

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2017.