



State of Vermont
Department of Taxes
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Agency of Administration

MEMORANDUM

TO: Rep. Helen Head, Chair, House Committee on General, Housing, and Military Affairs

FROM: Doug Farnham, Director of Policy, Outreach, and Legislative Affairs
Vermont Department of Taxes

DATE: February 7, 2018

RE: Comments on draft bill: an act relating to improving rental housing safety

The Department of Taxes would like to comment on the draft bill 18-0849, An act relating to improving rental housing safety, which is currently before to the House Committee on General, Housing, and Military Affairs. Our comments relate to Sec. 6, which reads:

Sec. 6. 32 V.S.A. § 6069 is amended to read:
§ 6069. LANDLORD CERTIFICATE

* * *

(f) Annually, on or before October 31, the Department shall prepare, and make available to a member of the public upon request, a database in the form of a sortable spreadsheet that contains the following information for each rental unit for which the Department received a certificate pursuant to this section:

- (1) name of owner or landlord;
- (2) mailing address of landlord;
- (3) location of rental unit;
- (4) type of rental unit;
- (5) number of units in building; and
- (6) School Property Account Number.

The Department of Taxes' position is that this proposal could undermine voluntary landlord compliance due to privacy concerns, and consequently impact vulnerable Vermonters who receive a renter rebate. It would require an exception to the Department's confidentiality statute under 32 V.S.A. § 3102. This is of particular concern for the requested number of units, since this information could be used to calculate landlords' income. Taxes has already had reports of small unit rental landlords who are reluctant to provide their renters with this certificate out of privacy concerns. Publishing the data publicly would exacerbate that situation and could impact renters by delaying their rebates.

Additionally, the Department of Taxes does not currently have the technical capacity to publish all Landlord Certificate data. Only electronically filed Landlord Certificates are maintained in a database. We also accept paper form filings. The Department is considering importing the paper form data into our electronic database, but the potential output of such a data-entry project may not be worth the administrative resources that the project would require.

Thank you for the opportunity to voice our concerns. I am available to testify on this issue at your convenience.

