

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred House Bill No. 907 entitled “An act relating to improving
4 rental housing safety” 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. 3 V.S.A. § 2477 is added to read:

8 § 2477. RESIDENTIAL RENTAL HOUSING ADVISORY BOARD

9 (a)(1) The Department of Housing and Community Development shall
10 create the Residential Rental Housing Advisory Board consisting of 11
11 members, each of whom shall be a resident of Vermont and shall be appointed
12 by the Commissioner of the Department, as follows:

13 (A) three members representing landlords, one of whom is a for-
14 profit landlord and one of whom represents a nonprofit housing provider;

15 (B) three members representing tenants;

16 (C) three members representing municipalities; and

17 (D) two members of the public.

18 (2) A member shall serve a term of three years.

19 (3) The Board shall annually elect a chair from among its
20 members.

1 (4) A majority of the Board shall constitute a quorum for transacting
2 business.

3 (5) The Board shall take action by a majority vote of the members
4 present and voting.

5 (b) The Board shall be staffed by the Department, which, along with the
6 Departments of Health and of Public Safety, shall provide support to the Board
7 as required. The Legislative Council shall provide the Board with support, as
8 needed, in regards to recommendations that require legislative action.

9 (c) The Board shall have the following powers and duties:

10 (1) to act as an advisory group to the Governor, General Assembly, and
11 appropriate State agencies on issues related to residential rental housing
12 statutes, policies, and regulations;

13 (2) to report regularly to the Vermont Housing Council on its
14 deliberations and recommendations;

15 (3) to work with appropriate State agencies on developing adequate data
16 on the location and condition of Vermont's rental housing stock;

17 (4) to provide guidance to the State on the implementation of programs,
18 policies, and regulations better to support decent, safe, and sanitary housing,
19 including recommendations for incentives and programs to assist landlords
20 with building repairs;

1 (5) to provide information to community partners, municipalities,
2 landlords, and tenants, including educational materials on applicable rental
3 housing statutes, regulations, and ordinances; and

4 (6) in preparation for a natural disaster, to collect information regarding
5 available resources, disaster-related information, and community needs, and, in
6 the event of a natural disaster, work with government authorities in charge of
7 disaster response and communication.

8 Sec. 2. TASKS OF RESIDENTIAL RENTAL HOUSING ADVISORY
9 BOARD

10 (a) On or before January 15, 2019, the Residential Rental Housing
11 Advisory Board created in 3 V.S.A. § 2477 ~~shall consider, and if it deems~~
12 appropriate shall submit to the General Assembly recommendations for
13 legislation concerning the following issues:

14 (1) a plan for one State agency to be responsible for overseeing all
15 aspects of rental housing code enforcement; and

16 (2) whether to retain or modify current statutory provisions for issuance
17 of health orders for violations of a rental housing health code.

18 (b) On or before December 1, 2019, the Board shall recommend a plan to
19 better support decent, safe, and sanitary housing. The Board shall determine
20 the advisability and, if advisable, a plan for how to implement one or more of
21 the following proposals:

1 (1) professionalize or otherwise improve the current system of town
2 health officers;

3 (2) regionalize rental housing code enforcement;

4 (3) create a public-private system of rental housing code inspections and
5 enforcement;

6 (4) allow self-certification by property owners of compliance with
7 applicable rental housing codes;

8 (5) ~~whether~~ require inspection reports ~~should to~~ utilize a hazard index
9 rating system similar to that used by the Department of Public Safety’s
10 Division of Fire Safety to standardize timelines for repair and amounts of
11 finer; ~~and whether~~

12 (6) require landlords ~~or and~~ tenants, as applicable, to ~~should have to~~
13 submit an action plan for correcting violations within the time limit for ~~repair~~
14 correction;

15 (7) enable a landlord or tenant ~~should be allowed~~ to appeal an inspection
16 report to address habitability issues;

17 (8) make inspection reports available to the public online; and

18 (9) enable a local health officer to file a report of violation in the land
19 records as a lien on the property if a landlord does not comply with the
20 inspection report.

21 Sec. 3. IMPROVING EFFECTIVENESS OF LOCAL HEALTH OFFICERS;

1 REPORT

2 (a) On or before January 15, 2019, the The Department of Health, with
3 input from shall provide the Residential Rental Housing Advisory Board shall
4 provide a report to the General Assembly with preliminary recommendations
5 and a plan on how to improve the effectiveness of with information on the
6 current system for local health officers and the enforcement of Vermont
7 residential rental housing and habitability statutes and regulations, as well as
8 any recommendation it has for how the system could be improved or
9 substantially modified, including The report shall include recommendations
10 for regional approaches to housing code enforcement and for funding.

11 (b) The Department shall develop a system for keeping data about the type
12 and number of complaints concerning violations of the rental safety codes.

13 (c) The Department shall assign a person to be in charge of providing
14 assistance to local health officers in their duties and make the name and contact
15 information of that person available on request.

16 Sec. 4. 18 V.S.A. § 602a is amended to read:

17 § 602a. DUTIES OF LOCAL HEALTH OFFICERS

18 (a) A local health officer, within his or her jurisdiction, shall:

19 (1) upon request of a landlord or tenant, or upon receipt of information
20 regarding a condition that may be a public health hazard, conduct an
21 investigation;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

* * *

Sec. 5. 18 V.S.A. § 603 is added to read:

§ 603. RENTAL HOUSING SAFETY; INSPECTION REPORTS

(a)(1) When conducting an investigation of rental housing, a local health officer:

(A) shall issue a written inspection report on the rental property using the protocols for implementing the Rental Housing Health Code of the Department or the municipality, in the case of a municipality that has established a code enforcement office, which report shall:

(i) contain findings of fact that serve as the basis of one or more violations;

(ii) specify the requirements and timelines necessary to correct a violation;

(iii) provide a notice that the tenant must allow the landlord and agents of the landlord access to the rental unit to make repairs as ordered by the health officer, including that the landlord may enter the unit either with the tenant's consent, which shall not be unreasonably withheld, or between 9 am and 9 pm on no less than 48 hours' notice, and that if the health officer has identified imminent danger, the landlord may have access immediately; and

(iv) provide a notice that the landlord is prohibited from renting the affected unit to a new tenant until the violation is corrected;

1 of a sortable spreadsheet that contains the following information for each rental
2 unit for which the Department received a certificate pursuant to this section:

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

9 Sec. 7. EFFECTIVE DATES

- 10 (a) This section and Sec. 1 (advisory board) shall take effect on passage.
11 (b) The remaining sections shall take effect on July 1, 2018.

12

13

14

15

16

17

18 (Committee vote: _____)

19

20

21

Representative _____

FOR THE COMMITTEE