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H.365

Introduced by Representatives Helm of Fair Haven, Canfield of Fair Haven,
McCoy of Poultney, and Terenzini of Rutland Town

Referred to Committee on

Date:

Subject: Commerce and trade: unfair housing practices; rental of housing,
exemptions

Statement of purpose of bill as introduced: This bill proposes to allow
landlords to establish and enforce reasonable policies and lease provisions
concerning pets, noise, and conduct that may negatively impact other tenants.

An act relating to landlord policies and lease provisions

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

Sec. 1. 9 V.S.A. § 4504 is amended to read:

§ 4504. RENTAL OF HOUSING; EXEMPTIONS

The provisions of section 4503 of this title relating to the rental of a
dwelling shall not apply:

(1) If the dwelling unit is inadequate, under applicable laws and
ordinances relating to occupancy, to house all persons who intend to live there.

(2) If the dwelling unit is in a building with three or fewer units and the
owner or a member of the owner's immediate family resides in one of the

1 units, provided any notice, statement, or advertisement with respect to the unit
2 complies with subdivision 4503(a)(3) of this title.

3 (3) To the refusal to rent to a person because the person is under the age
4 of majority.

5 (4) To limit a landlord's right to establish and enforce:

6 (A) legitimate business practices necessary to protect and manage the
7 rental property, ~~such as~~ including the use of references; or

8 (B) reasonable policies or lease provisions concerning pets, noise,
9 unsanitary conditions, or other conduct that may negatively impact the health
10 and safety of other tenants, or the ability of other tenants to enjoy their
11 premises. However, ~~this subdivision~~ business practices, policies, or lease
12 provisions shall not be used as a pretext for discrimination in violation of this
13 section.

14 (5) To a religious organization, association, or society, or any nonprofit
15 institution or organization operated, supervised, or controlled by or in
16 conjunction with a religious organization, association, or society, which limits
17 the sale, rental, or occupancy of dwellings which it owns or operates for other
18 than a commercial purpose to persons of the same religion, or from giving
19 preference to such persons, unless membership in that religion is restricted on
20 the basis of race, color, or national origin. The religious restriction or

1 preference must be stated in written policies and procedures of the religious
2 organization, association, or society.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2019.