

Sec. X. 32 V.S.A. § 6061 is amended to read:

§ 6061. DEFINITIONS

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(7) ~~"Allocable rent" means for any housesite and for any taxable year 21 percent of the gross rent. "Gross rent" means the rent actually paid during the taxable year by the individual or other members of the household solely for the right of occupancy of the housesite during the taxable year. "Allocable rent" shall not include payments made under a written homesharing agreement pursuant to a nonprofit homesharing program, or payments for a room in a nursing home in any month for which Medicaid payments have been made on behalf of the claimant to the nursing home for room charges.~~ "Fair market rent" means the fair market rent for the county in which the claimant resides, as determined by the U.S. Department of Housing and Urban Development pursuant to 42 U.S.C. § 1437f as of June 30 of the taxable year. When calculating a renter credit, the Commissioner shall use the fair market rent corresponding with a number of bedrooms equal to the number of exemptions claimed under subdivision 5811(21)(C) of this title for the taxable year.

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(18) "Extremely low-income family" means the same as defined in 42 U.S.C. § 1437a(b). "Extremely low-income limit" means the limit determined by the U.S. Department of Housing and Urban Development pursuant to 42 U.S.C. § 1437a as of June 30 of the taxable year.

(19) "Very low-income family" means the same as defined in 42 U.S.C. § 1437a(b). "Very low-income limit" means the limit determined by the U.S. Department of Housing and Urban Development pursuant to 42 U.S.C. § 1437a as of June 30 of the taxable year.

Sex. X. 32 V.S.A. § 6062(a) is amended to read:

(a) ~~In the case of a renter credit claim based solely on allocable rent, the claimant shall have rented property for at least one month during the entire taxable year; provided, however, a claimant who owned a homestead which was sold in the taxable year prior to April 1 may file a renter credit claim. If two or more individuals of a household are able to meet the qualifications for a claimant hereunder, they may determine among them who the claimant shall be. Any disagreement under this subsection shall be referred to the Commissioner and his or her decision shall be final. Claimants with a filing status of married filing separately for income tax purposes shall not be eligible to file a renter claim. A household may have multiple renter credit claimants, but the fair market rent used to calculate a renter credit shall be limited by the number of personal income tax exemptions for which the claimant would be eligible for income tax purposes under subdivision 6061(7) of this chapter.~~ Claimants with a filing status of married filing separately for income tax purposes shall not be eligible to file a renter claim. A household may have multiple renter credit claimants, but the fair market rent used to calculate a renter credit shall be limited by the number of personal income tax exemptions for which the claimant would be eligible for income tax purposes under subdivision 6061(7) of this chapter.

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Sec. X. 32 V.S.A. § 6066 is amended to read:

§ 6066. COMPUTATION OF PROPERTY TAX CREDIT

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(b) An eligible claimant who rented the homestead, ~~whose household income does not exceed \$47,000.00, and who submits a certificate of allocable rent shall be entitled to a credit against the claimant's tax liability under chapter 151 of this title equal to the amount by which the allocable rent upon the claimant's housesite exceeds a percentage of the claimant's household income for the taxable year as follows:~~

(1) For renters that qualify as part of an extremely low-income family, ten percent of fair market rent.

(2) Renters that qualify as part of a very low-income family shall instead be entitled to ten percent of fair market rent, reduced by a proportion equal to the difference between the claimant's income and the extremely low-income limit, divided by the difference between the very low-income limit and extremely low-income limit.

(3) Renters with incomes greater than the very low-income limit shall not receive a renter credit.

(4) For purposes of this subsection, "income" shall have the same meaning as "modified adjusted gross income" as the term is defined in 26 U.S.C. § 36B(d)(2).

(5) The amount of credit shall be prorated for the number of months in which a claimant rented a homestead and for any rent subsidy received by the claimant. The proration is based on the actual rent paid by the claimant and the subsidy. Notwithstanding any provision of this subsection to the contrary, a renter credit shall be a minimum of \$100.00 and maximum of \$2,500.00.

~~If household income (rounded to the nearest dollar) is:~~

	<del>then the taxpayer is entitled to</del>
	<del>credit for allocable rent paid in</del>
	<del>excess of this percent of that income:</del>

<del>\$ 0 - 9,999.00</del>	<del>2.0</del>
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<del>\$10,000.00 - 24,999.00</del>	<del>4.5</del>
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<del>\$25,000.00 - 47,000.00</del>	<del>5.0</del>
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~~In no event shall the credit exceed the amount of the allocable rent.~~

(c) To be eligible for an adjustment or credit under this chapter, the claimant:

(1) must have been domiciled in this State during the entire taxable year;

(2) may not be a person claimed as a dependent by any taxpayer under the federal Internal Revenue Code during the taxable year; and

(3) in the case of a renter, shall have rented property ~~during the entire taxable year~~ for at least one calendar month in the taxable year.

Sec. X. 32 V.S.A. § 6069 is amended to read:

#### § 6069. LANDLORD CERTIFICATE

(a) On or before January 31 of each year, the owner of land rented as a portion of a homestead in the prior calendar year shall furnish a certificate of rent to the Department of Taxes and to each claimant who owned a portion of the homestead and rented that land as a portion of a homestead in the prior calendar year. The certificate shall indicate the proportion of total property tax on that parcel which was assessed for municipal property tax, for local share property tax, and for statewide property tax.

(b) The owner of each rental property consisting of more than one rented homestead shall, on or before January 31 of each year, furnish a certificate of rent to the Department of Taxes and to each person who rented a homestead from the owner at any time during the preceding calendar year. All other owners of rented homestead units shall furnish such certificate upon request of the renter. If a renter moves prior to December 31, the owner may either provide the certificate to the renter at the time of moving or mail the certificate to the forwarding address if one has been provided by the renter or in the absence of a forwarding address, to the last known address.

(c) A certificate under this section shall be in a form prescribed by the Commissioner and shall include the name of the renter, the address and any property tax parcel identification number of the homestead, notice of the requirements for eligibility for the property tax credit provided by this chapter, and any additional information that the Commissioner determines is appropriate.

(d)(1) An owner who knowingly fails to furnish a certificate to the Department or a renter as required by this section shall be liable to the Commissioner for a penalty of \$200.00 for each failure to act. ~~An owner shall be liable to the Commissioner for a penalty equal to the greater of \$200.00 or the excess amount reported who:~~

~~(A) willfully furnishes a certificate that reports total allocable rent in excess of the actual amount paid; or~~

~~(B) reports a total amount of allocable rent that exceeds by 10 percent or more the actual amount paid.~~

(2) Penalties under this subsection shall be assessed and collected in the manner provided in chapter 151 for the assessment and collection of the income tax.

(e) Failure to receive a rent certificate shall not disqualify a renter from the benefits provided by this chapter.

(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.

#### Sec. X. EFFECTIVE DATE

Notwithstanding 1 V.S.A. § 214, this Act shall take effect retroactively on January 1, 2020 and apply to taxable years beginning on January 1, 2020 and thereafter.