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H.708

Introduced by Committee on Government Operations

Date:

Subject: Municipal government; municipal charters; City of Burlington;
amendment

Statement of purpose of bill as introduced: This bill proposes to approve an amendment to the charter of the City of Burlington to authorize the City Council to adopt an ordinance prohibiting the eviction of residential tenants without just cause.

An act relating to the approval of an amendment to the charter of the City of Burlington

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

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment to the charter of the City of Burlington as set forth in this act. The voters approved the proposal of amendment on March 2, 2021.

Sec. 2. 24 App. V.S.A. chapter 3 is amended to read:

CHAPTER 3. CITY OF BURLINGTON

* * *

1 § 48. ENUMERATED

2 The City Council shall have power:

3 * * *

4 (66)(A) To provide by ordinance protections for residential tenants, as
5 defined in 9 V.S.A. chapter 137, from eviction without “just cause,” where
6 “just cause” shall include:

7 (i) a tenant’s material breach of a written rental agreement;

8 (ii) a tenant’s violation of State statutes regulating tenant
9 obligations in residential rental agreements;

10 (iii) nonpayment of rent;

11 (iv) a tenant’s failure to accept written, reasonable, good faith
12 renewal terms;

13 (v) substantial damage to the property by the tenant, members of
14 the tenant’s household, or guests;

15 (vi) behavior of the tenant, members of the tenant’s household, or
16 guests that adversely affects the health and safety of the other tenants, the
17 landlord, or the landlord’s representative; and

18 (vii) criminal activity on the premises of the rental property or any
19 criminal threat against the landlord or the landlord’s representative.

20 (B) The ordinance shall exclude from “just cause” the expiration of a
21 rental agreement as the sole grounds for termination of tenancy. In addition to

1 the exemptions in 9 V.S.A. chapter 137, the ordinance shall exempt from this
2 provision, subject to mitigation provisions, sublets and in-unit rentals as well
3 as the following properties, but not limited to:

4 (i) owner-occupied duplexes and triplexes;

5 (ii) those being withdrawn from the rental market, including
6 properties to be occupied by the owner or an immediate family member as a
7 primary residence or properties being sold for owner-occupied use; and

8 (iii) those in need of substantial renovations that preclude
9 occupancy.

10 (C) The ordinance shall include provisions that:

11 (i) mitigate potential negative impacts on tenants and property
12 owners, including requirements of adequate notice and reasonable relocation
13 expenses that shall not exceed the value of one month's rent or another amount
14 negotiated by the landlord and tenant;

15 (ii) provide for a one-year probational period after initial
16 occupancy;

17 (iii) limit unreasonable rent increases to prevent de facto evictions
18 or nonrenewals, although this shall not be construed to limit rents beyond the
19 purpose of preventing individual evictions; and

20 (iv) mitigate potential impacts on small landlords.

