

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House
3 Bill No. 448 entitled “An act relating to approval of amendments to the charter
4 of the City of Burlington” respectfully reports that it has considered the same
5 and recommends that the bill be amended by striking out Sec. 2, 24 App.
6 V.S.A. chapter 3 (City of Burlington), in its entirety and inserting in lieu
7 thereof a new Sec. 2 to read as follows:

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

9 CHAPTER 3. CITY OF BURLINGTON

10 * * *

11 § 48. ENUMERATED

12 The City Council shall have power:

13 * * *

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

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

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

20 (iii) nonpayment of rent;

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

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

5 (vi) behavior of the tenant, members of the tenant’s household, or
6 guests that adversely affects the health and safety of the other tenants, the
7 landlord, or the landlord's representative; and

8 (vii) criminal activity on the premises of the rental property or any
9 criminal threat against the landlord or the landlord's representative.

10 (B) The ordinance shall exclude from “just cause” the expiration of a
11 rental agreement as the sole grounds for termination of tenancy. In addition to
12 the exemptions in 9 V.S.A. chapter 137, the ordinance shall exempt from this
13 provision, subject to mitigation provisions, sublets and in-unit rentals as well
14 as the following properties, but not limited to:

15 (i) owner-occupied duplexes and triplexes;

16 (ii) those being withdrawn from the rental market, including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

19 (iii) those in need of substantial renovations that preclude
20 occupancy; and

1 (iv) properties that are owned by a person who leases not more
2 than four rental units.

3 (C) The ordinance shall include provisions that:

4 (i) mitigate potential negative impacts on tenants and property
5 owners, including requirements of adequate notice and reasonable relocation
6 expenses that shall not exceed the value of one month's rent;

7 (ii) provide for a one-year probational period after initial
8 occupancy; and

9 (iii) limit unreasonable rent increases to prevent de facto evictions
10 or nonrenewals, although this shall not be construed to limit rents beyond the
11 purpose of preventing individual evictions.

12 (D) The ordinance shall define what is "reasonable" and "adequate
13 notice" in defining "just cause" and shall require that landlords provide notice
14 of just cause and other legal requirements as part of the rental agreement.

15 (67) To regulate thermal energy systems in residential and commercial
16 buildings, including assessing carbon impact or alternative compliance
17 payments, for the purpose of reducing greenhouse gas emissions throughout
18 the City. No assessment of carbon impact or alternative compliance payment
19 shall be imposed unless previously authorized by a majority of the legal voters
20 of the City voting on the question at an annual or special City meeting duly
21 warned for that purpose.

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE