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H.276

Introduced by Representatives Stevens of Waterbury and Chesnut-Tangerman  
of Middletown Springs

Referred to Committee on

Date:

Subject: Housing

Statement of purpose of bill as introduced: This bill proposes to create a  
registration requirement and registry for rental housing in this State.

An act relating to creating a rental housing registry

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

~~Sec. 1. 9 V.S.A. § 2478 is added to read:~~

~~§ 2478. STATE RENTAL HOUSING REGISTRY; HOUSING DATA~~

~~(a) The Department of Housing and Community Development, in  
coordination with the Division of Fire Safety, the Department of Health, the  
Enhanced 911 Board, and the Department of Taxes, shall create and maintain a  
registry of the rental housing in this State, which includes a “dwelling unit” as  
defined in 9 V.S.A. § 4451 and a “short-term rental” as defined in 18 V.S.A.  
§ 4501.~~

1 ~~(b) The Department of Housing and Community Development shall require~~  
2 for each unit that is registered the following data:

3 (1) the name of the owner or landlord;

4 (2) phone number, electronic mail, and mailing address of the landlord,

5 as available;

6 (3) location of the unit;

7 (4) year built;

8 (5) type of rental unit;

9 (6) number of units in the building;

10 (7) school property account number;

11 (8) accessibility of the unit; and

12 (9) any other information the Department deems appropriate.

13 (c) Upon request of the Department of Housing and Community  
14 Development, and at least annually, a municipal, district, or other local  
15 government entity that operates a rental housing health and safety program that  
16 requires registration of a rental housing unit and a fee for inclusion on the  
17 registry shall provide to the Department the data for each unit that is required  
18 pursuant to subsection (b) of this section.

19 (d) The registry, and data collected by the registry, shall be protected  
20 pursuant to 1 V.S.A. § 317 (c)(2) and may only be released to specifically  
21 designated persons who, in the discretion of the Department, shall use such

1 ~~data to further the public good. Registry data may not be disclosed to entities~~  
2 for the purposes of solicitation campaigns without express authority granted by  
3 the Department. Data about a specific unit may be disclosed to the owner or  
4 operator of the rental unit regulated by the registry for the purpose of  
5 informing the owner or operator of its registry status.

6 Sec. 2. 3 V.S.A. § 2479 is added to read:

7 § 2479. RENTAL HOUSING REGISTRATION

8 (a) Except as provided in subsection (c) of this section, an owner of rental  
9 housing that is subject to 9 V.S.A. chapter 137 shall:

10 (1) file with the Department of Taxes the landlord certificate required  
11 for the renter's rebate or the renter credit program; and

12 (2) within 30 days after filing the certificate, register, provide the  
13 information required by subsection 2478(b) of this title, and pay to the  
14 Department of Housing and Community Development an annual registration  
15 fee of \$35.00 per rental unit, unless the owner has within the preceding  
16 12 months:

17 (A) registered the unit pursuant to subsection (b) of this section; or

18 (B) registered the unit with a municipal, district, or other local  
19 government entity that operates a rental housing health and safety program  
20 with a rental registry that complies with subsection 2478(b) of this title.

1 ~~(b) Except as provided in subsection (c) of this section, an owner of a~~  
2 ~~short-term rental, as defined in 18 V.S.A. § 4301, shall, annually, within~~  
3 ~~30 days after renting a unit, register with and pay to the Department of~~  
4 ~~Housing and Community Development an annual registration fee of \$35.00~~  
5 ~~per rental unit, unless the owner has within the preceding 12 months:~~

6 ~~(1) registered the unit pursuant to subsection (a) of this section; or~~

7 ~~(2) registered the unit with a municipal, district, or other local~~  
8 ~~government entity that operates a rental housing health and safety program~~  
9 ~~with a rental registry that complies with subsection 2478(b) of this title.~~

10 ~~(c)(1) An owner of a mobile home lot within a mobile home park who has~~  
11 ~~registered the lot with the Department of Housing and Community~~  
12 ~~Development and who does not own a mobile home on the lot is exempt from~~  
13 ~~registering the lot pursuant to this section.~~

14 ~~(2) An owner of a mobile home lot within a mobile home park who has~~  
15 ~~registered the lot with the Department and who owns a mobile home on the lot~~  
16 ~~that is available for rent or rented shall register the property with the~~  
17 ~~Department and pay a fee equal to the fee required by subdivision (a)(2) of this~~  
18 ~~section less any fee paid within the previous 12 months pursuant to 10 V.S.A.~~  
19 ~~§ 6254(c).~~

20 ~~(3) An owner of a mobile home who rents the mobile home, whether~~  
21 ~~located in a mobile home park, shall register pursuant to this section.~~

1 ~~(d) An owner of rental housing who fails to register pursuant to this section~~  
2 ~~shall pay a late registration fee of \$150.00 and may be subject to~~  
3 ~~administrative penalties not to exceed \$5,000.00 for each violation.~~

4 (e) The Department of Housing and Community Development shall  
5 maintain the registration fees collected pursuant to this section in a special  
6 fund entitled the Rental Housing Safety Special Fund, the proceeds of which  
7 the Department shall use:

8 (1) to hire authorized staff to administer the registry and registration  
9 requirements imposed in this section and in section 2478 of this title; and

10 (2) to provide funding to the Department of Public Safety to hire  
11 authorized staff to conduct inspections and regulate rental housing pursuant to  
12 20 V.S.A. chapter 173, subchapter 2.

13 Sec. 3. DEPARTMENT OF PUBLIC SAFETY POSITIONS

14 (a) The Department of Public Safety is authorized to create five full-time,  
15 classified Inspector positions in order to conduct rental housing health and  
16 safety inspections and enforcement pursuant to 20 V.S.A. chapter 173,  
17 subchapter 2.

18 (b) In fiscal year 2024, the amount of \$200,000.00 is appropriated from the  
19 General Fund to the Department of Public Safety as one-time startup funding  
20 to hire one or more Inspector positions authorized pursuant to subsection (a) of  
21 this section.

1 ~~(c) The Department may hire additional Inspectors authorized by this~~  
2 ~~section to the extent funds become available from the Rental Housing Safety~~  
3 ~~Special Fund created and maintained pursuant to 3 V.S.A. § 2479.~~

4 Sec. 4. DEPARTMENT OF HOUSING AND COMMUNITY

5 DEVELOPMENT; POSITIONS

6 (a) ~~The Department of Housing and Community Development is~~  
7 ~~authorized to create one full-time classified position and one half-time~~  
8 ~~classified position to administer and enforce the registry requirements created~~  
9 ~~in 3 V.S.A. § 2478.~~

10 (b) ~~In fiscal year 2024, the amount of \$200,000.00 is appropriated from the~~  
11 ~~General Fund to the Department of Housing and Community Development as~~  
12 ~~one-time startup funding to hire one or more of the positions authorized~~  
13 ~~pursuant to subsection (a) of this section.~~

14 (c) ~~The Department may hire additional staff authorized by this section to~~  
15 ~~the extent funds become available from the Rental Housing Safety Special~~  
16 ~~Fund created and maintained pursuant to 3 V.S.A. § 2479.~~

17 Sec. 5. EFFECTIVE DATES

18 (a) ~~This section and Sec. 1 (rental housing registry) shall take effect on~~  
19 ~~passage.~~

20 (b) ~~The following sections take effect on July 1, 2023:~~

21 ~~(1) Sec. 3 (DPS positions).~~

1 ~~(2) Sec. 4 (DHCD positions).~~

2 ~~(c) Sec. 2 (rental housing registration) shall take effect on January 1, 2024.~~

*\* \* \* Rental Housing Registration \* \* \**

*Sec. 1. 20 M.S.A. § 2678 is added to read:*

*§ 2678. RENTAL HOUSING REGISTRATION*

*(a) Registration. Except as otherwise provided in subsection (b) of this section, annually on or before March 1, the owner of each unit of rental housing that in the previous year was leased or offered for lease shall pay to the Department of Housing and Community Development an annual registration fee of \$35.00 per unit and provide the following information:*

*(1) the name and mailing address of the owner, landlord, and property manager of the unit, as applicable;*

*(2) the phone number and electronic mail address of the owner, landlord, and property manager of the unit, as available;*

*(3) the location of the unit;*

*(4) the year built;*

*(5) the type of rental unit;*

*(6) the number of units in the building;*

*(7) the school property account number;*

*(8) the accessibility of the unit; and*

~~*(9) any other information the Department deems appropriate.*~~

(b) Exceptions.

(1) Unit licensed or registered with another program.

(A) Local rental housing health and safety program.

(i) The registration requirement imposed in subsection (a) of this section does not apply to a unit that is currently registered with a municipal, district, or other local government rental housing health and safety program that requires the owner to register the unit and provide the data required in subsection (a) of this section.

(ii) The fee requirement imposed in subsection (a) of this section does not apply to a unit that is currently registered with a municipal, district, or other local government rental housing health and safety program that requires the owner to register the unit and provide the data required in subsection (a) of this section and for which program the owner is required to pay a registration fee.

(B) Licensed lodging establishment. The registration and fee requirements imposed in subsection (a) of this section do not apply to a lodging establishment, as defined in 18 V.S.A. § 4301, that is required to be licensed by the Department of Health.

(C) Registered mobile home lot.

(i) The registration requirement imposed in subsection (a) of this section does not apply to a mobile home lot within a mobile home park if:



~~(I) the owner has registered the lot with the Department of Housing and Community Development pursuant to 10 V.S.A. § 6254; and~~

~~(II) the owner does not own a mobile home on the lot.~~

~~(ii) An owner of a mobile home lot within a mobile home park who has registered the lot with the Department and who owns a mobile home on the lot that is available for rent or rented shall register the property with the Department pursuant to subsection (a) of this section and pay a fee equal to the fee required, less any fee paid within the previous 12 months pursuant to 10 V.S.A. § 6254(c).~~

~~(2) Unit not offered to general public. The registration and fee requirements imposed in subsection (a) of this section do not apply to a unit that an owner provides to another person, whether or not for consideration, if, and only to the extent that, the owner does not otherwise make the unit available for lease to the general public, and includes:~~

~~(A) housing provided to a member of the owner's family or personal acquaintances;~~

~~(B) housing provided to a person who is not related to a member of the owner's household and who occupies the housing as part of a nonprofit home-sharing program;~~

~~(C) housing provided to a person who provides personal care to the owner or a member of the owner's household, and~~

~~(D) housing provided as a benefit of farm employment, as defined in 9 V.S.A. § 4469a(a)(3).~~

~~(3) Non-permanent residence; inadequate facilities. The registration and fee requirements imposed in subsection (a) of this section do not apply to a unit that is not designed or constructed for use as a permanent residence, including a unit that does not have adequate potable water or sanitation facilities, electricity, heat, or insulation.~~

~~(c) Administration.~~

~~(1) The Department of Housing and Community Development shall maintain the registry of rental housing data in coordination with the Department of Public Safety, the Department of Health, the Enhanced 911 Board, and the Department of Taxes.~~

~~(2) Upon request, and at least annually, a municipal, district, or other local government entity that operates a rental housing health and safety program that requires registration of a rental housing unit and a fee for inclusion on its registry shall provide to the Department of Housing and Community Development the data for each unit that is required pursuant to subsection (a) of this section.~~

~~(d) Protection, permissible use, and disclosure of data.~~

~~(1) The data the Department collects pursuant to this section is exempt from public inspection and copying pursuant to 1 V.S.A. § 317(c)(1).~~

~~(2) The Department may only disclose data it collects pursuant to this section:~~

~~(A) to other State, municipal, or regional government entities;~~

~~(B) to nonprofit organizations; or~~

~~(C) to other persons for the purposes of protecting public health and safety.~~

~~(3) The Department:~~

~~(A) shall not disclose data it collects pursuant to this section for a commercial purpose; and~~

~~(B) shall require, as a condition of receiving data collected pursuant to this section, that a person to whom the Department discloses the data takes steps necessary to protect the privacy of persons whom the data concerns and to prevent further disclosure.~~

~~(e) Rental Housing Safety Special Fund. The Department shall maintain the fees collected pursuant to this section in a special fund entitled the Rental Housing Safety Special Fund, the proceeds of which the Department shall use to design and implement the registry created in, and to administer and enforce the registry requirements of, this section.~~

*\*\*\* Penalty for Failure to Register \*\*\**

*Sec. 2. 20 V.S.A. § 2678(e) is added to read:*

*(e) Failure to register; penalty. The Department of Housing and Community Development shall impose an administrative penalty of not more than \$200.00 per unit for an owner of rental housing who knowingly fails to register or pay the fee required pursuant to this section.*

*\*\*\* Positions Authorized \*\*\**

*Sec. 3. DEPARTMENT OF HOUSING AND COMMUNITY*

*DEVELOPMENT; POSITIONS*

*(a) The Department of Housing and Community Development is authorized to create one full-time classified position and one half-time classified position to design and implement the registry created in, and to administer and enforce the registry requirements of, 20 V.S.A. § 2678.*

*(b) The Department may hire staff authorized by this section to the extent funds become available from an appropriation for that purpose or from the Rental Housing Safety Special Fund created and maintained pursuant to 20 V.S.A. § 2678(e).*

*\*\*\* ADS; Project Scope \*\*\**

*Sec. 4. AGENCY OF DIGITAL SERVICES; PROJECT SCOPE*

*APPROPRIATION*

~~(a) On or before January 15, 2024, the Agency of Digital Services, in coordination with the Department of Housing and Community Development and the Rental Housing Advisory Board, shall conduct a project assessment, through and including a Request for Information, to assess the costs for creating and maintaining a rental housing registration database consistent with Sec. 1 of this act, and shall report its findings, recommendations, and cost estimates to the House Committees on General and Housing and on Appropriations and the Senate Committees on Economic Development, Housing and General Affairs and on Appropriations.~~

~~(b) In fiscal year 2024 the amount of \$25,000.00 is appropriated from the General Fund to the Agency of Digital Services to implement this section.~~

~~\* \* \* Crisis Standards of Housing; Homelessness Response Analysis \* \* \*~~

~~Sec. 5. CRISIS STANDARDS OF HOUSING~~

~~On or before November 1, 2023, the Department for Children and Families shall develop and submit a plan to implement crisis standards for housing to the House Committees on Human Services and on General and Housing and to the Senate Committees on Economic Development, Housing and General Affairs and on Health and Welfare. In developing the plan, the Department shall consult with stakeholders who specialize in homelessness prevention and mitigation, including those organizations who participated in developing the~~

Vermont Roadmap to End Homelessness developed pursuant to 2016 Acts and Resolves No. 172, Sec. B.1102(a).

*Sec. 6. HOMELESSNESS RESPONSE SYSTEMS ANALYSIS*

(a) On or before September 1, 2023, the Agency of Human Services shall convene a working group, including individuals with lived experience of homelessness, local and statewide representatives of the Continuums of Care Program, representatives of housing- and homelessness-related organizations, to review, develop, and provide recommendations on Vermont's homelessness response and prevention programs and governance system, including any success measures that incorporate recent and relevant assessments and statewide plans.

(b)(1) On or before March 1, 2024, the working group established pursuant to subsection (a) of this section shall submit its findings and recommendations to the House Committees on Human Services and on General and Housing and to the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs to align with the federal goal to reduce homelessness by 25 percent by 2025, in accordance with the Federal Strategic Plan to Prevent and End Homelessness, including strategies to:

(A) address racial and other disparities, as well as the multiplier effects of two or more concurrent risk factors, among people experiencing homelessness,

~~(B) justify State and local action through research of quantitative and qualitative data, including the perspectives of individuals who have or are currently experiencing homelessness;~~

~~(C) eliminate the silos between State and local governments and organizations; public, private, and philanthropic sectors; and individuals who have or are currently experiencing homelessness;~~

~~(D) increase the supply of and access to safe, affordable, and accessible housing and tailored supports for individuals at risk of or currently experiencing homelessness;~~

~~(E) improve response systems to meet the urgent crisis of homelessness, especially unsheltered homelessness; and~~

~~(F) reduce the risk of housing instability for households most likely to experience homelessness.~~

~~(2) On or before January 1, 2024, the working group shall submit an interim report on its work pursuant to subdivision (1) of this subsection (b) to the House Committees on Human Services and on General and Housing and to the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs.~~

**Sec. 7. EFFECTIVE DATES**

~~(a) This section and Secs. 5–6 (crisis housing; homelessness) shall take effect on passage.~~

~~(b) Sec. 4 (ADS report) shall take effect on July 1, 2023.~~

~~(c) Sec. 1 (registration) and Sec. 3 (DHCD positions) take effect on July 1, 2025.~~

~~(d) Sec. 2 (administrative penalty for failure to register) takes effect on March 1, 2020.~~

*\* \* \* Rental Housing Registry; ADS; Project Scope \* \* \**

*Sec. 1. RENTAL HOUSING REGISTRY; PROJECT SCOPE; REPORT*

*(a) The Agency of Digital Services, in coordination with the Department of Housing and Community Development and the Rental Housing Advisory Board, shall conduct a project assessment, through and including a Request for Information, to assess the design, implementation, and associated costs for creating and maintaining a rental housing registry, including:*

*(1) using an existing framework, including the landlord certificate and associated data collected pursuant to 32 V.S.A. § 6069; and*

*(2) using a new framework for an annual registration requirement for long-term and short-term rental housing.*

*(b) For each assessment, the report shall address:*

*(1) the operating cost, including the amount of any new registration fee, necessary to support the design, implementation, and maintenance of a registry;*



(2) the technological requirements and associated administrative costs for transferring data between a registry and other registration and licensing programs, including local housing programs and other State registries or sources of housing data; and

(3) the technological requirements and recommended best practices for ensuring data security and privacy.

(c) On or before December 15, ~~2021~~ 2023, the Agency, Department, and Board shall report their findings, recommendations, and cost estimates to the House Committees on General and Housing, on Ways and Means, and on Appropriations and the Senate Committees on Economic Development, Housing and General Affairs, on Finance, and on Appropriations.

*Sec. 2. AGENCY OF DIGITAL SERVICES; PROJECT SCOPE*

*APPROPRIATION*

In fiscal year 2024, the amount of \$25,000.00 is appropriated from the General Fund to the Agency of Digital Services to implement Sec. 1 of this act.

~~\*\*\* Crisis Standards of Housing: Homelessness Response Analysis \*\*\*~~

~~Sec. 3. CRISIS STANDARDS OF HOUSING~~

~~On or before November 1, 2023, the Department for Children and Families shall develop and submit a plan to implement crisis standards for housing to the House Committees on Human Services and on General and Housing and to the Senate Committees on Economic Development, Housing and General~~

~~Affairs and on Health and Welfare. In developing the plan, the Department shall consult with stakeholders who specialize in homelessness prevention and mitigation, including those organizations who participated in developing the Vermont Roadmap to End Homelessness developed pursuant to 2016 Acts and Resolves No. 172, Sec. B.1102(a).~~

*Sec. 4. HOMELESSNESS RESPONSE SYSTEMS ANALYSIS*

~~(a) On or before September 1, 2023, the Agency of Human Services shall convene a working group including individuals with lived experience of homelessness, local and statewide representatives of the Continuums of Care Program, and representatives of housing- and homelessness-related organizations, to review, develop, and provide recommendations on Vermont's homelessness response and prevention programs and governance system, including any success measures that incorporate recent and relevant assessments and statewide plans.~~

~~(b)(1) On or before March 1, 2024, the working group established pursuant to subsection (a) of this section shall submit its findings and recommendations to the House Committees on Human Services and on General and Housing and to the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs to align with the federal goal to reduce homelessness by 25 percent by 2025, in accordance with the Federal Strategic Plan to Prevent and End Homelessness, including strategies to.~~

~~(A) address racial and other disparities, as well as the multiplier effects of two or more concurrent risk factors, among people experiencing homelessness;~~

~~(B) justify State and local action through research of quantitative and qualitative data, including the perspectives of individuals who have or are currently experiencing homelessness;~~

~~(C) eliminate the silos between State and local governments and organizations; public, private, and philanthropic sectors; and individuals who have or are currently experiencing homelessness;~~

~~(D) increase the supply of and access to safe, affordable, and accessible housing and tailored supports for individuals at risk of or currently experiencing homelessness;~~

~~(E) improve response systems to meet the urgent crisis of homelessness, especially unsheltered homelessness, and~~

~~(F) reduce the risk of housing instability for households most likely to experience homelessness.~~

~~(2) On or before January 1, 2024, the working group shall submit an interim report on its work pursuant to subdivision (1) of this subsection to the House Committees on Human Services and on General and Housing and to the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs.~~

~~Sec. 5.~~ *Sec. 3. EFFECTIVE DATES*

*This act shall take effect on passage, except that Sec. 2 (ADS appropriation)  
shall take effect on July 1, 2023.*