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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. 3 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. § 4301.

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

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

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

3 as available;

4 (3) location of the unit;

5 (4) year built;

6 (5) type of rental unit;

7 (6) number of units in the building;

8 (7) school property account number;

9 (8) accessibility of the unit; and

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

11 (c) Upon request of the Department of Housing and Community

12 Development, and at least annually, a municipal, district, or other local

13 government entity that operates a rental housing health and safety program that

14 requires registration of a rental housing unit and a fee for inclusion on the

15 registry shall provide to the Department the data for each unit that is required

16 pursuant to subsection (b) of this section.

17 (d) The registry, and data collected by the registry, shall be protected

18 pursuant to 1 V.S.A. § 317 (c)(2) and may only be released to specifically

19 designated persons who, in the discretion of the Department, shall use such

20 data to further the public good. Registry data may not be disclosed to entities

21 for the purposes of solicitation campaigns without express authority granted by

1 the Department. Data about a specific unit may be disclosed to the owner or
2 operator of the rental unit regulated by the registry for the purpose of
3 informing the owner or operator of its registry status.

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

5 § 2479. RENTAL HOUSING REGISTRATION

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

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

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

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

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

19 (b) Except as provided in subsection (c) of this section, an owner of a
20 short-term rental, as defined in 18 V.S.A. § 4301, shall, annually, within
21 30 days after renting a unit, register with and pay to the Department of

1 Housing and Community Development an annual registration fee of \$35.00 per
2 rental unit, unless the owner has within the preceding 12 months:

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

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

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

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

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

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

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

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

7 (2) to provide funding to the Department of Public Safety to hire
8 authorized staff to conduct inspections and regulate rental housing pursuant to
9 20 V.S.A. chapter 173, subchapter 2.

10 Sec. 3. DEPARTMENT OF PUBLIC SAFETY; POSITIONS

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

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

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

1 Sec. 4. DEPARTMENT OF HOUSING AND COMMUNITY

2 DEVELOPMENT; POSITIONS

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

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

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

14 Sec. 5. EFFECTIVE DATES

15 (a) This section and Sec. 1 (rental housing registry) shall take effect on
16 passage.

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

18 (1) Sec. 3 (DPS positions).

19 (2) Sec. 4 (DHCD positions).

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