

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General and Housing to which was referred House Bill
3 No. 276 entitled “An act relating to creating a rental housing registry”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 20 V.S.A. § 2678 is added to read:

8 § 2678. RENTAL HOUSING REGISTRATION

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

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

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

18 (3) the location of the unit;

19 (4) the year built;

20 (5) the type of rental unit;

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

- 1 (7) the school property account number;
2 (8) the accessibility of the unit; and
3 (9) any other information the Department deems appropriate.

4 (b) Exceptions.

- 5 (1) Unit licensed or registered with another program.

6 (A) Local rental housing health and safety program.

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

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

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

1 (C) Registered mobile home lot.

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

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

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

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

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

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

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

4 (C) housing provided to a person who provides personal care to the
5 owner or a member of the owner’s household;

6 (D) housing provided as a benefit of farm employment, as defined in
7 9 V.S.A. § 4469a(a)(3).

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

13 (c) Administration.

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

18 (2) Upon request, and at least annually, a municipal, district, or other
19 local government entity that operates a rental housing health and safety
20 program that requires registration of a rental housing unit and a fee for
21 inclusion on its registry shall provide to the Department of Housing and

1 Community Development the data for each unit that is required pursuant to
2 subsection (a) of this section.

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

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

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

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

9 **(B)** to nonprofit organizations; or

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

12 **(3)** The Department:

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

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

19 (e) Rental Housing Safety Special Fund. The Department shall maintain
20 the fees collected pursuant to this section in a special fund entitled the Rental
21 Housing Safety Special Fund, the proceeds of which the Department shall use:

1 (1) to hire authorized staff to administer the registry and registration
2 requirements imposed in this section; and
3 (2) to provide funding to the Department of Public Safety to hire
4 authorized staff to conduct inspections and regulate rental housing pursuant to
5 section 2677 of this title.

6 * * * Penalty for Failure to Register * * *

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

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

12 * * * Positions Authorized * * *

13 Sec. 3. DEPARTMENT OF HOUSING AND COMMUNITY

14 DEVELOPMENT; POSITIONS

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

19 (b) The Department may staff authorized by this section to the extent funds
20 become available from an appropriation for that purpose or from the Rental

1 Housing Safety Special Fund created and maintained pursuant to 20 V.S.A. §
2 2678(e).

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

4 **APPROPRIATION**

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

14 (b) In fiscal year 2024 the amount of \$25,000 is appropriated from the
15 General Fund to the Agency of Digital Services to implement this section.

16 **Sec. 5. EFFECTIVE DATES**

17 (a) This section and Sec. 4 (ADS report) shall take effect on July 1, 2024.

18 (b) Sec. 1 (registration) and Sec. 3 (DHCD positions) take effect on July 1,
19 2025.

20 (c) Sec. 2 (administrative penalty for failure to register) takes effect on July
21 1, 2026.

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE