

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General and Housing to which was referred House Bill  
3 No. 639 entitled “An act relating to disclosure of flood history of real property  
4 subject to sale” respectfully reports that it has considered the same and  
5 recommends that the bill be amended by striking out all after the enacting  
6 clause and inserting in lieu thereof the following:

7 \* \* \* Flood Risk Disclosure \* \* \*

8 Sec. 1. 27 V.S.A. § 380 is added to read:

9 § 380. DISCLOSURE OF INFORMATION; CONVEYANCE OF REAL

10 ESTATE

11 (a) Prior to or as part of a contract for the conveyance of real property, the  
12 seller shall provide the buyer with the following information:

13 (1) whether the real property is located in a Federal Emergency  
14 Management Agency mapped flood hazard area; and

15 (2) whether the real property was subject to flooding while the seller  
16 possessed the property.

17 (b) The failure of the seller to provide the buyer with the information  
18 required under subsection (a) of this section is grounds for the buyer to  
19 terminate the contract prior to transfer of title or occupancy, whichever occurs  
20 earlier.

1       (c) A buyer of real estate who fails to receive the information required to be  
2       disclosed by a seller under subsection (a) of this section may bring an action to  
3       recover from the seller the amount of the buyer’s damages and reasonable  
4       attorney’s fees. The buyer may also seek punitive damages when the seller  
5       knowingly failed to provide the required information.

6       (d) A seller shall not be liable for damages under this section for any error,  
7       inaccuracy, or omission of any information required to be disclosed to the  
8       buyer under subsection (a) of this section when the error, inaccuracy, or  
9       omission was based on information provided by a public body or by another  
10       person with a professional license or special knowledge who provided a  
11       written report that the seller reasonably believed to be correct and that was  
12       provided by the seller to the buyer.

13       (e) Noncompliance with the requirements of this section shall not affect the  
14       marketability of title of a real property.

15       Sec. 2. 9 V.S.A. § 4466 is added to read:

16       § 4466. REQUIRED DISCLOSURE

17       A landlord shall disclose in advance of entering a rental agreement with a  
18       tenant whether any portion of the premises offered for rent is located in a  
19       Federal Emergency Management Agency mapped flood hazard area. This  
20       notice shall be provided in a separate written document given to the tenant at  
21       or before execution of the lease.

1 Sec. 3. 10 V.S.A. § 6236(e) is amended to read:

2 (e) All mobile home lot leases shall contain the following:

3 \* \* \*

4 (8) Notice that the mobile home park is in a flood hazard area if any lot  
5 within the mobile home park is wholly or partially located in a flood hazard  
6 area according to the flood insurance rate map effective for the mobile home  
7 park at the time the proposed lease is furnished to a prospective leaseholder.  
8 This notice shall be provided in a clear and conspicuous manner in a separate  
9 written document attached as an addendum to the proposed lease.

10 Sec. 4. 10 V.S.A. § 6201 is amended to read:

11 § 6201. DEFINITIONS

12 As used in this chapter, ~~unless the context requires otherwise:~~

13 (1) “Mobile home” means:

14 (A) a structure or type of manufactured home, including the  
15 plumbing, heating, air-conditioning, and electrical systems contained in the  
16 structure, that is:

- 17 (i) built on a permanent chassis;
- 18 (ii) designed to be used as a dwelling with or without a permanent  
19 foundation when connected to the required utilities;
- 20 (iii) transportable in one or more sections; and





1           (2) “Adaptable” means a residential unit that complies with the  
2           requirements for a Type A Unit or a Type B Unit set forth in section 1103 or  
3           1104, respectively, of the 2017 ICC Standard for Accessible and Useable  
4           Buildings and Facilities or a similar standard adopted by the Access Board by  
5           rule pursuant to section 2901 of this chapter.

6           (3) “ICC” means the International Code Council.

7           (4) “Small residential building” means a single-family dwelling,  
8           including a single-family dwelling with an attached accessory dwelling unit; an  
9           apartment building, rooming house, cooperative, condominium, or other  
10           residential buildings consisting of three residential units or less; or an  
11           accessory dwelling unit.

12           (5) “Visitable” means a residential unit that complies with the  
13           requirements for a Type C Unit set forth in section 1105 of the 2017 ICC  
14           Standard for Accessible and Useable Buildings and Facilities or a similar  
15           standard adopted by the Access Board by rule pursuant to section 2901 of this  
16           chapter.

17           § 2911. SMALL RESIDENTIAL BUILDINGS; ACCESSIBILITY

18                   REQUIREMENTS

19           (a) Any small residential building that is constructed in Vermont on or after  
20           July 1, 2025 shall comply with the following requirements:

1           (1) All residential units that are located partially or wholly on the  
2           ground floor or are accessible by an elevator or lift shall be adaptable or  
3           accessible units.

4           (2) Any residential unit that is not located on the ground floor and is not  
5           accessible by an elevator or a lift shall be a visitable unit.

6           (b)(1) Any structure that is converted into a small residential building on or  
7           after July 1, 2025 shall comply with the requirements of subsection (a) of this  
8           section to the maximum extent feasible. Each existing element, space, or  
9           common area that is altered shall comply with the requirements of subsection  
10          (a) of this section to the extent applicable.

11          (2) Full compliance with the requirements of this subsection shall not be  
12          required in the rare circumstance in which a person can demonstrate that it is  
13          structurally impracticable to meet the requirements of this subsection. If full  
14          compliance would be structurally impracticable, compliance shall be required  
15          to the extent that it is structurally practicable. The burden of proving the  
16          impracticability is on the person who designed, constructed, or converted the  
17          small residential building.

18          (3) The Access Board may exempt a small residential building from  
19          compliance with the requirements of this subsection if the Board determines  
20          that compliance with the requirements:





1 “accessible” means a dwelling that complies with the requirements for an  
2 accessible unit set forth in section 1102 of the 2017 ICC Standard for  
3 Accessible and Useable Buildings and Facilities or a similar standard adopted  
4 by the Access Board by rule pursuant to 20 V.S.A. § 2901.

5 \* \* \*

6 \* \* \* Housing Accountability \* \* \*

7 Sec. 7. VERMONT STATEWIDE AND REGIONAL HOUSING TARGETS  
8 PROGRESS; REPORT

9 (a) Upon publication of the Statewide Housing Needs Assessment setting  
10 out the statewide and regional housing targets required pursuant to 24 V.S.A.  
11 § 4348a, the Department of Housing and Community Development, in  
12 coordination with regional planning commissions, shall develop metrics for  
13 measuring progress toward the statewide and regional housing targets,  
14 including:

15 (1) for any housing target, a timeline separating the target into discrete  
16 steps with specific deadlines; and

17 (2) for any regional housing target:

18 (A) a rate measuring progress toward the total needed housing  
19 investment published in the regional plan for a region subject to the regional  
20 housing target by separate measure for each of price, quality, unit size or type,  
21 and zoning district, as applicable; and

1           (B) steps taken to achieve any actions recommended to satisfy the  
2           regional housing needs published in the regional plan for a region subject to  
3           the regional housing target.

4           (b) The Department shall employ the metrics developed under subsection  
5           (a) of this section to set annual goals for achieving the statewide and regional  
6           housing targets required pursuant to 24 V.S.A. § 4348a.

7           (c) Within one year following publication of the Statewide Housing Needs  
8           Assessment setting out the statewide and regional housing targets required  
9           pursuant to 24 V.S.A. § 4348a and annually thereafter through 2030, the  
10           Department shall publish a report on progress toward the statewide and  
11           regional housing targets, including:

12           (1)(A) annual and cumulative progress toward the statewide and  
13           regional housing targets based on the metrics developed pursuant to subsection  
14           (a) of this section; and

15           (B) for any statewide or regional housing target the Department  
16           determines may not practicably be measured by any of the metrics developed  
17           pursuant to subsection (a) of this section, an explanation that the statewide or  
18           regional housing target may not practicably be measured by the Department’s  
19           metrics and a description of the status of progress toward the statewide or  
20           regional housing target;

1           (2) progress toward the annual goals for the year of publication set  
2           pursuant to subsection (b) of this section;

3           (3) an overall assessment whether, in the Department’s discretion,  
4           annual progress toward the statewide and regional housing targets is  
5           satisfactory based on the measures under subdivisions (1) and (2) of this  
6           subsection and giving due consideration to the complete timeline for achieving  
7           the statewide and regional housing targets; and

8           (4) if the Department determines pursuant to subdivision (c)(3) of this  
9           section that annual progress toward the statewide and regional housing targets  
10          is not satisfactory, recommendations for accelerating progress. The  
11          Department shall specifically consider whether the creation of a process that  
12          permits developers to propose noncompliant housing developments under  
13          certain conditions, like a builder’s remedy, or a cause of action would be likely  
14          to accelerate progress.

15          (d) The Department shall have broad discretion to determine any timeline  
16          or annual goal under subsection (a) or (b) of this section, provided the  
17          Department determines that any step in a timeline or annual goal, when  
18          considered together with the other steps or annual goals, will reasonably lead  
19          to achievement of the statewide or regional housing targets published in the  
20          Statewide Housing Needs Assessment.



1           (3) a representative of Vermont Legal Aid with experience defending  
2 tenants in evictions actions;

3           (4) a representative of the Vermont Landlords Association;

4           (5) a representative of the Department of Housing and Community  
5 Development; and

6           (6) a representative of the Judiciary.

7           (c) Powers and duties. The Committee shall study issues with Vermont’s  
8 landlord-tenant laws and current evictions process, including the following  
9 issues:

10           (1) whether Vermont’s landlord-tenant laws require modernization;

11           (2) the impact of evictions policies on rental housing availability;

12           (3) whether current termination notice periods and evictions processing  
13 timelines reflect the appropriate balance between landlord and tenant interests;

14           (4) practical obstacles to the removal of unlawful occupants; and

15           (5) whether existing bases for termination are properly utilized,

16 including specifically 9 V.S.A. § 4467(b)(2) (termination for criminal activity,  
17 illegal drug activity, or acts of violence).

18           (d) Assistance. For purposes of scheduling meetings and preparing  
19 recommended legislation, the Committee shall have the assistance of the  
20 Office of Legislative Operations and the Office of Legislative Counsel.

1       (e) Report. On or before December 15, 2024, the Committee shall report to  
2       the Senate Committee on Economic Development, Housing and General  
3       Affairs with its findings and any recommendations for legislative action, which  
4       may be in the form of proposed legislation.

5       (f) Meetings.

6           (1) The ranking member of the Senate shall call the first meeting of the  
7       Committee to occur on or before August 31, 2024.

8           (2) The Committee shall select a chair from among its members at the  
9       first meeting.

10          (3) A majority of the membership shall constitute a quorum.

11          (4) The Committee shall cease to exist upon submission of its findings  
12       and any recommendations for legislative action.

13       (g) Compensation and reimbursement.

14           (1) For attendance at meetings during adjournment of the General  
15       Assembly, a legislative member of the Committee serving in the member's  
16       capacity as a legislator shall be entitled to per diem compensation and  
17       reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than  
18       6 meetings.

19           (2) Other members of the Committee shall be entitled to per diem  
20       compensation and reimbursement of expenses as permitted under 32 V.S.A.  
21       § 1010 for not more than 6 meetings

