I	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	<u>ESTATE</u>
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	(iv)(I) at least eight feet wide, 40 feet long, or when erected has at
2	least 320 square feet; or
3	(II) if the structure was constructed prior to June 15, 1976, at
4	least eight feet wide or 32 feet long; or
5	(B) any structure that meets all the requirements of this
6	subdivision (1) except the size requirements, and for which the manufacturer
7	voluntarily files a certification required by the U.S. Department of Housing
8	and Urban Development and complies with the construction and safety
9	standards established under Title 42 of the U.S. Code.
10	(C) [Repealed.]
11	(2) "Mobile home park" means any parcel of land under single or
12	common ownership or control that contains, or is designed, laid out, or adapted
13	to accommodate, more than two mobile homes. "Mobile home park" does not
14	mean premises used solely for storage or display of mobile homes. Mobile
15	home park does not mean any parcel of land under the ownership of an
16	agricultural employer who may provide up to four mobile homes used by full-
17	time workers or employees of the agricultural employer as a benefit or
18	condition of employment or any parcel of land used solely on a seasonal basis
19	for vacation or recreational mobile homes.
20	* * *

<u>title.</u>
(14) "Flood insurance rate map" means, for any mobile home park, the
official flood insurance rate map describing that park published by the Federal
Emergency Management Agency on its website.
* * * Accessibility Standards * * *
Sec. 5. 20 V.S.A. chapter 174 is amended to read:
CHAPTER 174. ACCESSIBILITY STANDARDS FOR PUBLIC
BUILDINGS AND, PARKING, AND RESIDENTIAL BUILDINGS WITH
THREE OR FEWER UNITS
Subchapter 1. Public Buildings and Parking
* * *
Subchapter 2. Residential Buildings with Three or Fewer Units
§ 2910. DEFINITIONS
As used in this subchapter:
(1) "Accessible" means a residential unit that complies with the
requirements for an accessible unit set forth in section 1102 of the 2017 ICC
Standard for Accessible and Useable Buildings and Facilities or a similar
standard adopted by the Access Board by rule pursuant to section 2901 of this
chapter.

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	<u>REQUIREMENTS</u>
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	(A) would be prohibitively costly in relation to the normal cost of the
2	total project; and
3	(B) would threaten or destroy the historic significance of a historic
4	building or structure.
5	(4) The provisions of subdivisions (2) and (3) of this subsection shall
6	not apply to any newly constructed small residential building.
7	(c) A small residential building constructed, converted, or altered in
8	accordance with the requirements of this section shall not be modified in any
9	way that would reduce its compliance with the requirements of subsections (a)
10	or (b) of this section, as applicable, during any subsequent repairs, renovations,
11	alterations, or additions.
12	(d) The Access Board shall adopt rules as necessary to implement the
13	provisions of this section.
14	Sec. 6. 24 V.S.A. § 4010 is amended to read:
15	§ 4010. DUTIES
16	(a) In the operation of or management of housing projects, an authority
17	shall at all times observe the following duties with respect to rentals and tenant
18	selection:
19	* * *
20	(6) When renting or leasing accessible dwelling accommodations, it
21	shall give priority to tenants with a disability. As used in this subdivision (6),

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	(e) If the statewide and regional housing targets are not published in the
2	Statewide Housing Needs Assessment published in 2024, the Department shall
3	develop and publish the required housing targets within six months following
4	publication of the Statewide Housing Needs Assessment. Any reference to the
5	statewide and regional housing targets published in the Statewide Housing
6	Needs Assessment in this section shall be deemed to refer to the housing
7	targets published under this subsection, and any reference to the date of
8	publication of the Statewide Housing Needs Assessment in this section shall be
9	deemed to refer to the date of publication of the housing targets published
10	under this subsection.
11	[* * * Landlord-Tenant Study * * *
12	Sec. 8. LANDLORD-TENANT LAW; STUDY COMMITTEE; REPORT
13	(a) Creation. There is created the Landlord-Tenant Law Study Committee
14	to review and consider modernizing the landlord-tenant laws and evictions
15	
	processes in Vermont.
16	<ul><li>(b) Membership. The Committee is composed of the following members:</li></ul>
<ul><li>16</li><li>17</li></ul>	
	(b) Membership. The Committee is composed of the following members:
17	(b) Membership. The Committee is composed of the following members:  (1) three current members of the House of Representatives, not all from

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	<u>issues:</u>
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	<u>6 meetings.</u>
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

1	(3) Payments to members of the Committee authorized under this
2	subsection shall be made from monies appropriated to the General Assembly.]
3	* * * Effective Date * * *
4	Sec. 9. EFFECTIVE DATE
5	This act shall take effect on July 1, 2024.
6	and that after passage the title of the bill be amended to read: "An act relating
7	to flood risk disclosure, accessibility standards, housing accountability, and
8	landlord-tenant laws"
9	
10	
11	
12	
13	
14	
15	(Committee vote:)
16	
17	Representative
18	FOR THE COMMITTEE