

Final Proposed Filing - Coversheet

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

All forms shall be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

PLEASE REMOVE ANY COVERSHEET OR FORM NOT REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

2022 Vermont Residential Rental Housing Health & Safety Code

_____/s/ Robert T. Sponable_____, on 2/1/2023
(signature) (date)

Printed Name and Title:

Robert T. Sponable, Deputy Director - Division of Fire Safety, Department of Public Safety

RECEIVED BY: _____

- Coversheet
- Adopting Page
- Economic Impact Analysis
- Environmental Impact Analysis
- Strategy for Maximizing Public Input
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)
- ICAR Minutes
- Copy of Comments
- Responsiveness Summary

1. TITLE OF RULE FILING:

2022 Vermont Residential Rental Housing Health & Safety Code

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

P

3. ADOPTING AGENCY:

Division of Fire Safety - Department of Public Safety

4. PRIMARY CONTACT PERSON:

(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).

Name: Executive Director - Michael Desrochers

Agency: Division of Fire Safety

Mailing Address: 45 State Drive, Waterbury, VT 05671

Telephone: 802-479-7539 Fax: 802-479-7562

E-Mail: michael.desrochers@vermont.gov

Web URL *(WHERE THE RULE WILL BE POSTED)*:

<https://firesafety.vermont.gov/>

5. SECONDARY CONTACT PERSON:

(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).

Name: Deputy Director - Robert T. Sponable

Agency: Division of Fire Safety

Mailing Address: 45 State Drive, Waterbury, VT 05671

Telephone: 802-479-7566 Fax: 802-479-7562

E-Mail: robert.sponable@vermont.gov

6. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE, EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

7. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

(Act 181), 20 V.S.A. § 2677(a).

8. EXPLANATION OF HOW THE RULE IS WITHIN THE AUTHORITY OF THE AGENCY:

This rule currently resides within the Department of Health. (ACT 181) signed into law this year transfers primary regulatory authority to enforce the rental health and safety code to the Division of Fire Safety.

9. THE FILING HAS NOT CHANGED SINCE THE FILING OF THE PROPOSED RULE.

10. THE AGENCY HAS NOT INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.

11. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE NOT RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.

12. THE AGENCY HAS INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.

13. THE AGENCY HAS INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.

14. CONCISE SUMMARY (150 WORDS OR LESS):

The primary intent and focus of this rule is to update and transfer responsibility of the Vermont Residential Rental Housing Rule from the Department of Health to the Department of Public Safety, Division of Fire Safety. These rules are only amended to identify address changes and contact information. These rules otherwise are not changed.

15. EXPLANATION OF WHY THE RULE IS NECESSARY:

These rules are necessary to assist in maintaining a safe and healthy environment in residential rental housing in the State of Vermont. The legislature enacted Act 181 to professionalize the inspection/enforcement program which has been enforced by local health officers, many who are volunteers.

16. EXPLANATION OF HOW THE RULE IS NOT ARBITRARY:

This rule does not single out any one entity. This rule applies a fair and unbiased application to all entities in the State of Vermont that are subject to the application of the Vermont Residential Rental Housing

Code and in conjunction with the Vermont Fire & Building Safety Code. The program is complaint based only, thus inspections are only conducted in response to alleged unsafe/unhealthy living conditions.

17. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

Residential building owners, tenants, property management companies, trade professionals, Agency of Commerce and Community Development, municipalities, Department of Health, Agency of Natural Resources, Agency of Commerce and Community Development, Division of Historic Preservation, Vermont Association of Realtors, Legal Aid, Local Fire Departments and Local Health Officers.

18. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):

There will be no adverse effect from the current rules. The rules should not add any significant costs as compared to the current rules in place. Although the inspections will be more comprehensive we are likely to see more violations needing to be repaired.

19. A HEARING WAS HELD.

20. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING, PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION.

Date: 5/5/2023

Time: 10:00 AM

Street Address: Vermont Fire Academy, 93 Davison Drive, Pittsford, VT

Zip Code: 05763

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

21. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):
5/15/2023

KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE
SEARCHABILITY OF THE RULE NOTICE ONLINE).

Rental

Housing Safety

Residential

Health Safety

Dwelling Units



State of Vermont
Department of Public Safety
45 State Drive
Waterbury, Vermont 05671-1300
<http://dps.vermont.gov/>

DATE: September 14, 2023

SUBJECT: Signatory Authority for Purposes of Authorizing Administrative Rules
Residential Rental Housing Health & Safety Code

I hereby designate Robert Sponable as signatory to fulfill the duties of The Department of Public Safety/Division of Fire Safety (In regard to the Residential Rental Housing Health & Safety Code) as the adopting authority for administrative rules under the Vermont Administrative Procedure Act, Title 3, Chapter 25 of the Vermont Statutes Annotated during my absence.

A handwritten signature in blue ink that reads "Jennifer Morrison". The signature is written in a cursive style and is positioned above a horizontal line.

Jennifer Morrison
Commissioner of Public Safety

Adopting Page

Instructions:

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

1. TITLE OF RULE FILING:

2022 Vermont Residential Rental Housing Health & Safety Code

2. ADOPTING AGENCY:

Division of Fire Safety - Department of Public Safety

3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment if the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

15P035 Rental Housing Health Code 11/15/2015



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: Wednesday, February 22, 2023, virtually via Microsoft Teams

Members Present: Chair Sean Brown, Brendan Atwood, Jared Adler, Jennifer Mojo, John Kessler, Diane Sherman, Michael Obuchowski, Donna Russo-Savage and Nicole Dubuque

Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome, and introductions – including new Committee member Nicole Dubuque.
- Review and approval of minutes from the January 9, 2023 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-6 to follow.
 1. 2022 Vermont Residential Rental Housing Health & Safety Code, Department of Public Safety, Division of Fire Safety, page 2
 2. Inflation Adjustment for Private Non-Medical Institutions, Agency of Human Services, Department of Vermont Health Access, page 3
 3. District Quality Standards, Agency of Education, page 4
 4. Reach Up Eligibility Rules, Agency of Human Services, Department for Children and Families, page 5
 5. Reach Up Services Rules, Agency of Human Services, Department for Children and Families, page 6
- Next scheduled meeting is Monday, March 13, 2023 at 2:00 p.m.
- 3:35 p.m. meeting adjourned.

Proposed Rule: 2022 Vermont Residential Rental Housing Health & Safety Code, Department of Public Safety, Division of Fire Safety

Presented By: Robert Sponable

Motion made to accept the rule by Brendan Atwood, seconded by John Kessler, and passed unanimously with the following recommendations:

1. Throughout the Filing: Check all dates for appropriateness.
2. Proposed Filing – Coversheet:
 - a. #12: Clarify and include more information.
 - b. #7: Include more information, such as the new positions created in the Act, the increased resources and the professionalized full-time, trained, experienced staff that public safety will be operating under. Change ‘this year’ to ‘2022’ if appropriate.
 - c. #8: Include the word ‘and’ between ‘identify’ and ‘address change’ if appropriate.
 - d. #10: Respond to the three criteria as defined in the statute referenced:
 - i. Is it based in fact?
 - ii. Is it rationally connected to those facts?
 - iii. Is it sensible to a reasonable person?
 - e. #11: Change the ‘Department of Health’ to the ‘Agency of Human Services’.
 - f. #13: Hold a public hearing and include relevant information throughout the filing.
3. Economic Impact Analysis
 - a. Provide more information.
 - b. Identify relevant entities and the effects on those groups.
 - c. Clarify impact to small business based upon the definition in statute.
4. Environmental Impact Analysis
 - a. #4 and #5: Consider any net benefits.
 - b. Note that the increased inspections increase number of inspectors, which may lead to additional compliance issues which are beneficial to public health and safety and may also be an additional cost.
5. Public Input:
 - a. Expand list of entities that you plan to reach out to inform directly that a public hearing will be available.
6. Proposed Rule:
 - a. Create a red-line version of the slight shift in the how the purpose was described and the introduction to the rule and what has changed and what hasn’t.

Economic Impact Analysis

Instructions:

In completing the economic impact analysis, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule; estimates the costs and benefits for each category of people enterprises and government entities affected by the rule; compares alternatives to adopting the rule; and explains their analysis concluding that rulemaking is the most appropriate method of achieving the regulatory purpose. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Rules affecting or regulating schools or school districts must include cost implications to local school districts and taxpayers in the impact statement, a clear statement of associated costs, and consideration of alternatives to the rule to reduce or ameliorate costs to local school districts while still achieving the objectives of the rule (see 3 V.S.A. § 832b for details).

Rules affecting small businesses (excluding impacts incidental to the purchase and payment of goods and services by the State or an agency thereof), must include ways that a business can reduce the cost or burden of compliance or an explanation of why the agency determines that such evaluation isn’t appropriate, and an evaluation of creative, innovative or flexible methods of compliance that would not significantly impair the effectiveness of the rule or increase the risk to the health, safety, or welfare of the public or those affected by the rule.

1. TITLE OF RULE FILING:

2022 Vermont Residential Rental Housing Health & Safety Code

2. ADOPTING AGENCY:

Division of Fire Safety - Department of Public Safety

3. CATEGORY OF AFFECTED PARTIES:

LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:

Residential Building Owners, Residential Rental Tenants. There should be no economic impact with the adoption of this rule, other than what already exists with the current rule. This simply changes the Department that will have oversight over this rule.

4. IMPACT ON SCHOOLS:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS CLEARLY STATING ANY ASSOCIATED COSTS:

No impact on schools.

5. *ALTERNATIVES: CONSIDERATION OF ALTERNATIVES TO THE RULE TO REDUCE OR AMELIORATE COSTS TO LOCAL SCHOOL DISTRICTS WHILE STILL ACHIEVING THE OBJECTIVE OF THE RULE.*

No impact on schools.

6. *IMPACT ON SMALL BUSINESSES:*

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON SMALL BUSINESSES (EXCLUDING IMPACTS INCIDENTAL TO THE PURCHASE AND PAYMENT OF GOODS AND SERVICES BY THE STATE OR AN AGENCY THEREOF):

No Impact on small business (25 employees or less), unless the small business functions as a rental housing provider and/or management company, therefore the small business would see the same impacts as a building owner and/or landlord.

7. *SMALL BUSINESS COMPLIANCE: EXPLAIN WAYS A BUSINESS CAN REDUCE THE COST/BURDEN OF COMPLIANCE OR AN EXPLANATION OF WHY THE AGENCY DETERMINES THAT SUCH EVALUATION ISN'T APPROPRIATE.*

No Impact on small business.

8. *COMPARISON:*

COMPARE THE IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:

No Impact on small business.

9. *SUFFICIENCY: DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

There are no significant changes that would create an increase in costs to small business or schools. The general cost of residential rental housing projects/installations/modifications and code compliance will be based on labor costs, components and material cost, as it is currently done now. Labor costs should remain consistent with current and regional trends and component and material costs may vary based

on availability, shipping costs and delays created by supply chain issues.

Environmental Impact Analysis

Instructions:

In completing the environmental impact analysis, an agency analyzes and evaluates the anticipated environmental impacts (positive or negative) to be expected from adoption of the rule; compares alternatives to adopting the rule; explains the sufficiency of the environmental impact analysis. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Examples of Environmental Impacts include but are not limited to:

- Impacts on the emission of greenhouse gases
- Impacts on the discharge of pollutants to water
- Impacts on the arability of land
- Impacts on the climate
- Impacts on the flow of water
- Impacts on recreation
- Or other environmental impacts

1. TITLE OF RULE FILING:

2022 Vermont Residential Rental Housing Health & Safety Code

2. ADOPTING AGENCY:

Division of Fire Safety - Department of Public Safety

3. GREENHOUSE GAS: *EXPLAIN HOW THE RULE IMPACTS THE EMISSION OF GREENHOUSE GASES (E.G. TRANSPORTATION OF PEOPLE OR GOODS; BUILDING INFRASTRUCTURE; LAND USE AND DEVELOPMENT, WASTE GENERATION, ETC.):*

No Impact

4. WATER: *EXPLAIN HOW THE RULE IMPACTS WATER (E.G. DISCHARGE / ELIMINATION OF POLLUTION INTO VERMONT WATERS, THE FLOW OF WATER IN THE STATE, WATER QUALITY ETC.):*

This rule will aid in identifying concerns/violations with potable water systems (wells & municipal water systems) and the relevant water waste & discharge systems, thereby improving any environmental impacts that are consistent with these types of systems.

5. **LAND:** *EXPLAIN HOW THE RULE IMPACTS LAND (E.G. IMPACTS ON FORESTRY, AGRICULTURE ETC.):*

Identifying and correcting waste water deficiencies/violations to minimize environmental impacts to land and waterways.

6. **RECREATION:** *EXPLAIN HOW THE RULE IMPACTS RECREATION IN THE STATE:*

No Impact

7. **CLIMATE:** *EXPLAIN HOW THE RULE IMPACTS THE CLIMATE IN THE STATE:*

No Impact

8. **OTHER:** *EXPLAIN HOW THE RULE IMPACT OTHER ASPECTS OF VERMONT'S ENVIRONMENT:*

The rule will provide "subject matter expert" inspectors that will likely increase the number of inspections performed and would likely increase the, number of, and the identification of compliance issues. This would inherently create additional costs to the respective building owners to gain compliance.

9. **SUFFICIENCY:** *DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

No Impact

Public Input Maximization Plan

Instructions:

Agencies are encouraged to hold hearings as part of their strategy to maximize the involvement of the public in the development of rules. Please complete the form below by describing the agency's strategy for maximizing public input (what it did do, or will do to maximize the involvement of the public).

This form must accompany each filing made during the rulemaking process:

1. TITLE OF RULE FILING:

2022 Vermont Residential Rental Housing Health & Safety Code

2. ADOPTING AGENCY:

Division of Fire Safety - Department of Public Safety

3. PLEASE DESCRIBE THE AGENCY'S STRATEGY TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE, LISTING THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO COMPLY WITH THAT STRATEGY:

This is a relabeling/reassigning of an existing rule that was created and administered by the Department of Health. The Division is creating a separate page on our website that will be dedicated to this set of rules. This is the initial process to transfer the rule to the Division of Fire Safety, with a full rule content review with possible amendments to be completed within the next 2 years. The Division of Fire Safety will also be scheduling a public hearing to provide an opportunity for input from the general public and any other interested party. The hearing will be advertised as required and our intent is to notify the following groups to ensure they have been provided the opportunity to provide input on the rule; Vermont Leagues of Cities & Towns, Vermont Legal Aid, Vermont Landlord Association, Vermont Affordable Housing Coalition, Vermont Housing and Conservation Board, municipal housing groups/committees, et.al.

Public Input

- 4. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:**

Department of Health, Agency of Human Services.

Division of Fire Safety.

Incorporation by Reference

THIS FORM IS ONLY REQUIRED WHEN INCORPORATING MATERIALS BY REFERENCE. PLEASE REMOVE PRIOR TO DELIVERY IF IT DOES NOT APPLY TO THIS RULE FILING:

Instructions:

In completing the incorporation by reference statement, an agency describes any materials that are incorporated into the rule by reference and how to obtain copies.

This form is only required when a rule incorporates materials by referencing another source without reproducing the text within the rule itself (e.g., federal or national standards, or regulations).

Incorporated materials will be maintained and available for inspection by the Agency.

1. TITLE OF RULE FILING:

2022 Vermont Residential Rental Housing Health & Safety Code

2. ADOPTING AGENCY:

Division of Fire Safety - Department of Public Safety

3. DESCRIPTION (*DESCRIBE THE MATERIALS INCORPORATED BY REFERENCE*):

Current rules as created into rule by the Vermont Department of Health.

4. FORMAL CITATION OF MATERIALS INCORPORATED BY REFERENCE:

5. OBTAINING COPIES: (*EXPLAIN WHERE THE PUBLIC MAY OBTAIN THE MATERIAL(S) IN WRITTEN OR ELECTRONIC FORM, AND AT WHAT COST*):

Division of Fire Safety, 45 State Drive, Waterbury, VT 05671

6. MODIFICATIONS (*PLEASE EXPLAIN ANY MODIFICATION TO THE INCORPORATED MATERIALS E.G., WHETHER ONLY PART OF THE MATERIAL IS ADOPTED AND IF SO, WHICH PART(S) ARE MODIFIED*):

The existing Rule has only been modified to include the contact information for the Division of Fire Safety and to add a new cover and index.

Run Spell Check

Rental Housing Rules – Public Hearing

May 5th, 2023, 10:00am – 12:00pm

- Question was posed from a member physically present. Rural Health Officers often receive infestation complaints. Moving forward will they continue to receive these types of complaints?

Answer – These types of complaints would continue to be addressed as they have been but should be reported to the Division of Fire Safety as the Division will be required to track these inspections.

- Tom Badowski – Zoning Administrator/Health Officer, Berlin – Currently works hand in hand with the Division of Fire Safety with inspections. Champions the movement to the Division of Fire Safety.
- Jess Hyman – Champlain Valley Office of Economic Opportunities, Statewide Housing Advocacy Program – Will tents or campers being used as primary residences be covered under this code? **There is no definition of public building within the document. Could that be added?** Should residents continue to send complaints directly to their town health officer or to the Division of Fire Safety? How will that be communicated to folks? Also, how will the inspection reports get routed back to the tenants?

Answer – Complaints should be forwarded to the local town health officer and then sent to us. We will have a fillable complaint form posted on our home page in multiple languages. Once our new database is implemented, the public will be able to access the inspection reports themselves. In the meantime, they will need to contact the Regional Office to obtain the inspection reports. “Public Building” definition is available at the Division’s Website.

- Alka Dev – THO Norwich – Alka would like to see a proactive approach to inspections as she has seen that tenants are afraid to complain officially because they have no where to go should their residence be deemed uninhabitable. She would like to try to come up with some way to get to the problem early enough that it can be resolved before it ends up with significant costs and damage to the property.

Answer – The Division will be including multiple links and information sheets as part of the inspection report/checklist, which will be made available to building owners and tenants.

- Sharon Kelley – Do all complaint reports get sent to DFS?
 Answer – If the building meets the public building definition, then a copy should be sent to DFS. A single-family owner-occupied home would still be handled locally. That’s not to say that DFS cannot be used as a sounding board for these issues. If we can assist you, we will.
- Jess Hyman – Where does transitional emergency housing fit in?
 Answer – If it’s a hotel and it’s being used, it falls under our jurisdiction. If a complaint is received, we will need to be part of that process.
- Terry Francis – S. Burlington – Are the new Fire Marshals going to be designated as an individual Town Health Officer at large?
 Answer – The Fire Marshals will have a designated inspection district. If there is a community with no Health Officer, the Fire Marshal will fill that role.
- Sharon Kelley – In the case of hoarding in a non-rental, if you can’t get to the electrical panel, do we notify the State?
 Answer – We have no authority over hoarding in a non-rental. In a rental situation, we would typically issue administrative penalties. We would need to build partnerships with groups that provide counseling on hoarding.
- Krestin Sterling - What type of certification or licensing will these DFS inspectors have when doing the Rental Housing inspections?
 Answer – They will be trained as Fire Marshals. NFPA certified or Pro Board certified as Fire Inspectors. They will have a concentration in duties to the rental housing program. We also employ Master Licensed electricians and plumbers.
- Jim Haff – Killington – Could we partner with your department to provide training for new employees? planner@killingtontown.com
 Answer – We currently assist several municipalities with the training of their fire inspectors. **We can speak with Jim offline about the specifics.**

- Leah Burdick – VT Legal Aid Attorney – How does DFS plan to educate the public on the proper process to report complaints? Is DFS considering substantive changes to the Rules? For example, the punitive nature of the bedbug rules have the effect of actually discouraging early reporting and immediate treatment of the property. Sometimes renters are put in the position of hiring exterminators who are not particularly qualified to deal with bedbug infestations, leading to a waste of time and money. Would DFS consider creating a list of qualified exterminators?

Answer – We are still working on our internal processes. Outreach will be necessary on how to file a complaint as well as receiving a report. They will be able to phone in complaints to their regional office. We are not considering any substantive changes to our rules. We can absolutely work people to create a master list of qualified exterminators. We cannot solicit contractors; however, we can supply a list.

- Krestin Sterling – Will current municipal programs be changed?

Answer – We don't expect any municipalities to change the way they do business. We will work collectively with all of you and if we can help your program, we will.

- Leah Burdick – **Will the town health officer manual need to be updated? It was published in 2019.**

Answer – Yes, we will work with the health department to make the necessary updates.

###



Annotated
Text

2022

Residential Rental Housing Health & Safety Code



Vermont Department of Public Safety

DIVISION OF FIRE SAFETY

firesafety.vermont.gov

EFFECTIVE DATE:

Introduction

Residential fires account for approximately 75% of all fire related fatalities in the United States with 64% of these fires in One-Two Family Dwellings. On average, a fire department responded to a fire somewhere in the US every 23 seconds in 2021. A home structure fire was reported every 93 seconds, a home fire death occurred every three hours and eight minutes, and a home fire injury occurred every 47 minutes.

Vermont has some of the strongest smoke and carbon monoxide alarm laws in the country spanning all residential occupancies including single-family owner-occupied homes. Fire behavior has dramatically changed over the years primarily because of the introduction of synthetics, plastics, open floor plans, tight construction and larger fuel content. These few factors alone contribute to rapid and intense fire and smoke spread, high levels of carbon monoxide production and extreme temperature rise in your structure. These factors have significantly reduced your evacuation time to less than 3 minutes compared to 8 minutes 20 years ago. It is critical to have properly installed and maintained smoke alarms and carbon monoxide alarms in your home or rental property. Properly installed and maintained smoke alarms increase your chance of surviving a home fire by more than 50%. Residential Home Fire Sprinkler Systems are the most reliable and passive fire protection technology available today. Home fire sprinklers contain the fire to the point of origin, reduce the temperature of the fire so flashover does not occur, fills the gap in time between when a call for help is made and the fire department arrives and most importantly it saves lives, property and reduces the impact to our environment.

ACT 181-Rental housing health and safety and affordable housing.

On June 7, 2022, Governor Scott signed into law Act 181 transferring primary responsibility of Rental Housing Safety from local Health Officers to the Division of Fire Safety. This program is complaint driven and will allow the Division of Fire Safety to respond to allegations of unhealthy/unsafe living conditions. The division will establish a network of partners and engage in public fire safety education to ensure we continue to keep Vermonters safe and healthy where they live, work and play.

Vermont Residential Rental Housing Health and Safety Code

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1 - Authority

- **Act No. 181**
- This code is adopted under the authority of 20 V.S.A., Chapter 172
- Vermont Fire and Safety Building Code-2015

2 - Purpose

The purpose of this code is to protect the health, safety, and well-being of the occupants of rental housing. These rules in combination with the currently adopted Vermont Fire and Building Safety Code , establishes minimum safety, health and habitability standards that all residential rental housing in Vermont must conform to. Additional information about these rules and their application may be obtained from the contact information below:

Division of Fire Safety. 45 State Drive, Waterbury, VT 05671

Telephone: 802-479-7561

Website: www.firesafety.vermont.gov

3 - Scope

- 3.1** This Rental Housing Health and Safety Code shall apply to all rented dwellings, dwelling units, rooming houses, rooming units, and mobile home lots used as a regular residence.
- 3.2** This code does not apply to a licensed lodging establishment when the occupancy is subject to meals and rooms tax pursuant to 32 V.S.A. Ch. 225. This code does not apply to tents or similar structures provided to persons choosing to live in such shelters as part of what is primarily an educational or experiential opportunity.

4 - Definitions

- 4.1** **“Common Space”** means all interior passageways, hallways, foyers, stairways, basements and other rooms in a dwelling or rooming house used or intended for use by the occupants of more than one dwelling unit or rooming unit.
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recyclable, in a manner consistent with 10 V.S.A. § 6605k. Food residual may include pre-consumer and post-consumer food scraps. "Food residual" does not mean meat and meat-related products when the food residuals are composted by a resident on site.

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- 4.6 **"Immediate Family"** means a person's parents, spouse, domestic partner, children and siblings.
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- 4.16** “**Premises**” means the buildings, grounds and facilities associated with a dwelling, dwelling unit, rooming house or rooming unit and the grounds, areas and facilities associated with a rented mobile home lot that are held out for the use of occupants generally or whose use is promised to the occupant.
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- 4.22** “**Trash**” means combustible and noncombustible waste materials that are not composted or recycled. This includes any products not included in the definitions of “Food Residual or Food Scrap” or “Recyclables.”
- 4.23** “**Ventilation**” means the adequate supply and removal of air to and from a space through windows, skylights, doors, grilles, ducts, or mechanical devices.

- 4.24** “**Violation**” means any condition in or on the premises of a rented dwelling, rooming unit, rooming house or rented mobile home lot which fails to meet any requirement of this code.
- 4.25** “**Watertight**” means so constructed that the structure is substantially impermeable to water.
- 4.26** “**Weathertight**” means so constructed that the structure resists weather and excludes rain and snow and prevents the infiltration of air.

5 - Sanitation Facilities

- 5.1 Kitchen Facilities:** Every dwelling unit shall contain within the unit space to store, prepare and serve foods in a sanitary manner, including the presence of a kitchen sink.
- 5.2 Bathroom Facilities:**
- 5.2.1** Every dwelling unit shall contain within the unit a flush toilet, sink and bathtub or shower located in a room or rooms separate from the habitable rooms and which affords privacy.
- 5.2.2 Shared Bathroom Facilities:** The occupants of not more than two dwelling units which are located within the same dwelling may share bathroom facilities under the following circumstances:
- 5.2.2.1** Neither of the two dwelling units contains more than two habitable rooms. However, for the purpose of this section, a kitchen with not more than 60 square feet of floor area is not counted as a room: and
- 5.2.2.2** The habitable room area of each dwelling unit aggregates not more than 300 square feet: and
- 5.2.2.3** The toilet and sink are within a room separate from the habitable rooms, which affords privacy, and which is accessible to the occupants of each dwelling unit without going through the dwelling unit of another person or outside the dwelling; and
- 5.2.2.4** The bathtub or shower is within a room separate from the habitable rooms, which affords privacy, and which is accessible to the occupants of each dwelling unit without going through the dwelling unit of another person or outside the dwelling.
- 5.2.3 Rooming Houses:**
- 5.2.3.1** Every rooming house shall be equipped with at least one toilet and one sink for each 10 persons and one bathtub or shower for each eight persons or fraction thereof living within the rooming house, including members of the immediate family of the owner if they share use of the facilities.

5.2.3.2 Every toilet, sink and bathtub or shower required by this section shall be located in a room or rooms which: afford privacy and are separate from the habitable rooms and are accessible from a common hall without going outside the rooming house and are not more than one story removed from the rooming unit of any occupant intended to share the facilities.

5.3 Non-absorbent Surfaces: The floor and counter surfaces of every bathroom and kitchen in dwelling units and rooming houses shall be constructed and maintained to be a smooth, non-corrosive, non-absorbent and waterproof covering. This shall not prohibit the use of carpeting for floors in kitchens and bathrooms, or the use of wood for floors in kitchens, provided the following qualifications are met:

5.3.1 Carpeting must contain a solid, nonabsorbent, water repellent backing which will prevent the passage of moisture through it to the floor below: and

5.3.2 Wood flooring must have a water-resistant finish and have no cracks to allow the accumulation of dirt and food, or the harborage of insects.

5.4 Water Supply/Wastewater Disposal:

5.4.1 Supply: Every rented mobile home lot shall have access to, and every dwelling unit or rooming house shall be connected to a supply of water sufficient in quantity and pressure to meet the ordinary needs of the occupant(s).

5.4.2 Potable Water: Water provided to a rented mobile home lot and to every kitchen sink, bathroom sink and bathtub or shower in a dwelling unit or rooming house shall be from a public water supply system that is monitored and regulated by the Water Supply Division of the Vermont Department of Environmental Conservation, or a private supply free from impurities in amounts sufficient to cause disease or harmful physiological effects as per Vermont Department of Health testing guidelines for private water supplies. Any health-based contaminant in a private water supply that is found to be elevated shall be treated to reduce levels to existing maximum contaminant levels (MCL) or Vermont Health Advisories where no MCL exists.

5.4.3 Hot Water: Every kitchen sink, lavatory sink, shower, and tub-shower combination shall be connected with water heating facilities in working order that are capable of safely heating an adequate yield of water. Shower and tub-shower combinations must be plumbed to be able to achieve a hot water temperature greater than or equal to 100°F and remain less than 120°F at the fixture.

5.4.4 Water Supply Deficiencies: Owners of dwellings, rooming houses and rented mobile home lots with short-term deficiencies in water quality or quantity must provide occupants with an alternate, adequate, and accessible supply of water for drinking and sanitation until a regular source of water is made available.

5.4.5 Sewage Disposal: Owners of rented mobile home lots shall provide hook-up to and owners of all dwellings and rooming houses shall connect all kitchen sinks, toilets, bathroom sinks, bathtubs, showers, washing machines and dishwashers to a public sewage system if available, or to a properly operating subsurface wastewater disposal system. Each wastewater disposal system shall be operated so that sewage does not back up into the dwelling, flow to the ground surface or directly into surface water.

5.4.6 Plumbing Connections: All plumbing systems shall be maintained in good repair.

5.5 Sanitary Conditions for Trash, Recyclables, and Food Scraps:

5.5.1 Facilities:

5.5.1.1 Trash, recyclables, and food scraps that are placed outside a dwelling or rooming house shall be stored in durable, cleanable receptacles. Receptacles for trash and food scrapes shall also be watertight and have properly fitting covers.

5.5.1.2 The owner of any dwelling or rooming house shall provide and maintain appropriate receptacles for the removal of trash, recyclables, and food scraps in accordance with 10 V.S.A. Ch. 159.

5.5.2 Collection of trash, recyclables, and food scraps:

5.5.2.1 The owner of any dwelling or rooming house shall assure that arrangements are made for the removal of trash, recyclables, and food scraps in accordance with 10 V.S.A. Ch. 159.

5.5.2.2 Trash, recyclables, and food scraps shall be removed from dwellings and rooming houses as often as is necessary to maintain a sanitary structure, not less than once every week.

5.5.3 Responsibilities:

5.5.3.1 Owner Responsibilities: The owner of every dwelling or rooming house shall be responsible for maintaining in a clean and sanitary condition free of trash, recyclables, and food scraps all common areas as well as any other part of the premises not used as a dwelling space.

5.5.3.2 Occupant Responsibilities: The occupant of every dwelling unit or rooming unit shall be responsible for maintaining in a clean and sanitary condition and free of trash, recyclables, and food scraps that part of the premises which he or she exclusively occupies.

6 - Pest and Bedbug Control and Management

6.1 Owner Responsibilities:

6.1.1 The owner of a dwelling shall maintain all common spaces free from infestation.

6.1.2 The owner of a dwelling shall be responsible for extermination of infestation in all common spaces.

6.1.3 The owner of a dwelling shall be responsible for extermination of any infestation in any dwelling unit when infestation in a dwelling unit is caused by his or her failure to maintain the dwelling or infestation exists in two or more of the dwelling units in any dwelling.

6.1.4 The owner of a rooming house shall maintain all rooming units and common spaces free from infestation and shall be responsible for extermination.

6.2 Occupant Responsibilities: The occupant of each dwelling unit shall maintain that part of the dwelling he or she exclusively occupies free from infestation and shall be responsible for extermination when the infestation is caused by his or her failure to maintain the dwelling unit except as provided for in Section 6.1.3.

6.3 Extermination of Pest Animals and Bedbugs: Extermination shall be accomplished by eliminating the harborage place of pests and bedbugs, by removing or making inaccessible materials that may serve as their food or breeding ground and by treatments including but not limited to poisoning, spraying, fumigating, heat treating, or trapping.

7 - Heating Heating facilities/systems in all residential rental dwelling units and rooming houses shall meet the following standards:

7.1 Heating facilities/systems shall be provided when the outside temperature is less than 55°F(13°C).

7.2 Heating facilities/systems shall be properly functioning and in good repair.

7.3 Heating facilities/systems shall be able to maintain a room temperature of at least 65°F (18°C) in all habitable rooms, kitchens, and bathrooms. The maintenance of required heating levels shall be accomplished without overheating one room as a means of meeting minimum heating requirements for adjacent rooms. The temperature may be read and the requirement shall be met at a point three feet above floor level and three feet from an exterior wall.

7.4 Heating facilities/systems shall be vented to the outside of the building. Unvented fuel fired space heaters are prohibited in all residential rental dwelling units or rooming houses.

7.5 Every owner who provides heat as part of the rental agreement to occupants of dwelling units or rooming units shall always maintain the provided heat to all habitable rooms, kitchens, and bathrooms when the outside temperature is less than 55°F (13°C).

8 - Natural and Mechanical Ventilation

- 8.1** To ensure the health and safety of the occupants, the owner of residential rental dwelling units and rooming houses shall provide ventilation to the outdoors as follows, so as to not endanger the health and safety of the occupants:
- 8.1.1** Every habitable room shall include at least one window or door in good repair located on an outside wall that is capable of being opened to admit fresh air.
- 8.1.2** Screens shall be provided for all operable windows and for doors that are providing ventilation when a window is not available. All screens shall be maintained in good repair and be free from tears, holes, or other imperfections of either screen or frame that would admit insects such as flies or mosquitoes.
- 8.1.3** All hallways and stairways in common spaces shall be adequately ventilated.
- 8.1.4** Every bath, toilet or shower room shall be ventilated by direct access with the external air either by window, airshaft, or ventilation fan. If a ventilation fan is used, it shall be vented directly to the exterior of the building and be of sufficient size to prevent the buildup of moisture.
- 8.1.5** All clothing dryers shall be vented directly to the exterior of the building.
- 8.2 Use of vaporizers/humidifiers:** Vaporizers/humidifiers shall not be used by dwelling or rooming house occupants or owners in such ways that cause an elevated relative humidity (Above 60%), promoting the growth of microorganisms and visible mold.

9 - Lighting and Electricity

- 9.1** Every habitable room in a dwelling unit or rooming house other than a kitchen shall contain at least two duplex electrical outlets or one duplex electrical outlet and one electrical light fixture.
- 9.2** Every kitchen in a dwelling unit or rooming house shall contain at least one electric light fixture and two duplex electrical outlets.
- 9.3** Every other room in a dwelling unit or rooming house shall contain at least one electric light fixture.
- 9.4** All building entrances in dwellings or rooming houses and all common areas in rooming houses or dwellings containing two or more dwelling units shall be adequately lighted to provide for safe and reasonable use and safe access and egress to and from the building.
- 9.5** All electrical systems in dwellings, rooming houses and on rented mobile home lots shall be maintained in safe working condition.

10 - Structural Elements

- 10.1** Every owner of a dwelling or rooming house shall provide and maintain the foundation, floors, walls, doors, windows, ceilings, roof, staircases, chimneys and other structural elements of his or her dwelling, dwelling unit, rooming house, or rooming unit so that it is weathertight, watertight, rodent proof and in good repair.
- 10.2** Every occupant of a dwelling or rooming house shall exercise reasonable care in the use of the structural elements of the building to maintain it in good working condition.
- 10.3** Every dwelling, dwelling unit, rooming house, or rooming unit shall be maintained to be free from the regular or periodic appearance of standing water or excessive moisture, which may result in visible mold growth.

11 - Mobile Homes on Rented Lots

- 11.1** It shall be the responsibility of the owner of a rented mobile home lot to provide connection to electrical services, water supply and sewage disposal to a location on each lot from which these services can be connected to the mobile home.
 - 11.1.1** Electrical Services: The mobile home lot owner is responsible for installation and maintenance of the electrical service to the main electrical panel in the home.
 - 11.1.2** Water Supply: The mobile home lot owner is responsible for the maintenance of water lines to a point at which the lines surface under the mobile home.
 - 11.1.3** Sewage Disposal: The mobile home lot owner is responsible for the maintenance of the sewage disposal system to the point where it surfaces from the ground to service the mobile home

12 - General Responsibilities

- 12.1** **Owners:**
 - 12.1.1** No owner shall let to another for occupancy any dwelling, dwelling unit, rooming house, rooming unit or mobile home lot which does not comply with the requirements of this code. It shall be the responsibility of the owner to maintain all premises in compliance with this code.
 - 12.1.2** No owner shall cause any water, sewer, equipment, or utility which is required by this regulation to be removed, shut off or discontinued for any occupied dwelling, dwelling unit, rooming house, rooming unit, or mobile home lot except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies.

12.1.3 No rental agreement containing any provision purporting to transfer responsibilities between owner and occupant other than as imposed herein, shall be effective for the purposes of this codes

12.2 Occupants:

12.2.1 No occupant shall use or occupy his or her dwelling unit, rooming unit or rented mobile home lot in such a way as to cause non-compliance with this code.

12.2.2 Every occupant shall exercise reasonable care in the use of his or her dwelling unit, rooming unit or rented mobile home lot and shall maintain it in such a manner that it does not create a health hazard for his or her neighbors.

12.3 Existing structures and premises that do not comply with the provisions of this code shall be altered or repaired to achieve compliance in accordance with this code and the currently adopted Vermont Fire & Building Safety Code.

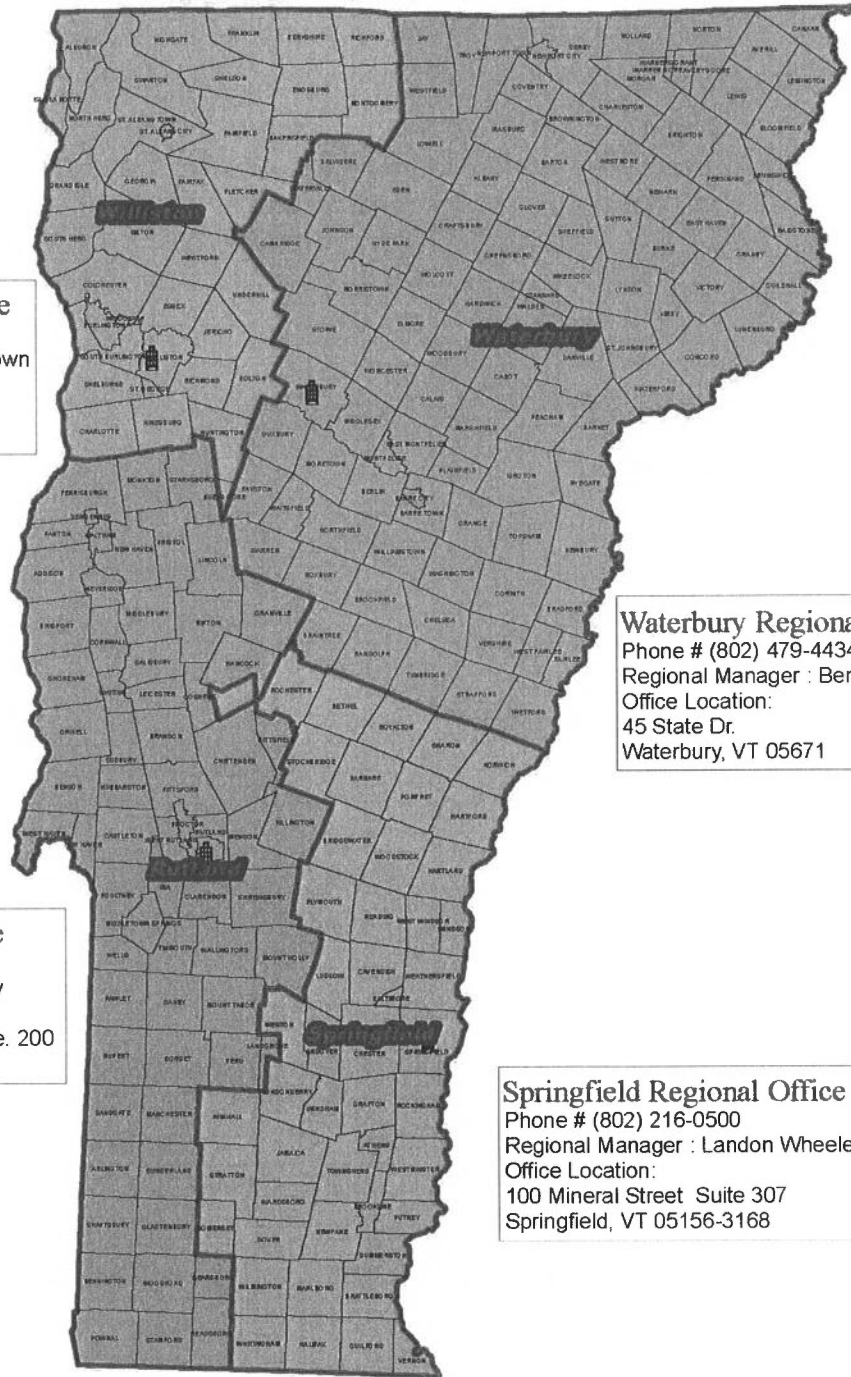


VERMONT DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE SAFETY
 Office of the State Fire Marshal, State Fire Academy and State HAZMAT Team



www.firesafety.vermont.gov

State Fire Marshal's Regional Offices



Williston Regional Office
 Phone # (802) 879-2300
 Regional Manager : William Brown
 Office Location:
 380 Hurricane Lane Suite 101
 Williston, VT 05495

Waterbury Regional Office
 Phone # (802) 479-4434
 Regional Manager : Ben Moffatt
 Office Location:
 45 State Dr.
 Waterbury, VT 05671

Rutland Regional Office
 Phone # (802) 786-5867
 Regional Manager : GJ Garrow
 Office Location:
 56 Howe Street Building A Ste. 200
 Rutland, VT 05701-3449

Springfield Regional Office
 Phone # (802) 216-0500
 Regional Manager : Landon Wheeler
 Office Location:
 100 Mineral Street Suite 307
 Springfield, VT 05156-3168

Chief McLaughlin 5/2022

The Division of Fire Safety has four regional offices:

Waterbury:

45 State Drive
Waterbury, VT 05676
Main Phone: (802) 479-4434
Toll Free: (888) 870-7888
Fax: (802) 479-4446

Rutland:

56 Howe St. Building A, Suite 200
Rutland, VT 05701
Main Phone: (802) 786-5867
Toll Free: (888) 370-4834
Fax: (802) 768-5872

Springfield:

100 Mineral St. Suite 307
Springfield, VT 05156
Main Phone: (802)-216-0500
Fax: (802) 216-0511

Williston:

380 Hurricane Lane Suite 101
Williston, VT 05495
Main Phone: (802) 879-2300
Toll Free: (800) 366-8325
Fax: (802) 879-2312

The Division of Fire Safety Central Office is:

45 State Drive, Waterbury, VT 05676
Main Phone: (802) 479-7561
Toll Free: (800) 640-2106
Fax: (802) 479-7562

www.firesafety.vermont.gov



Clean
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2022

Residential Rental Housing Health & Safety Code



Vermont Department of Public Safety

DIVISION OF FIRE SAFETY

firesafety.vermont.gov

EFFECTIVE DATE:

Introduction

Residential fires account for approximately 75% of all fire related fatalities in the United States with 64% of these fires in One-Two Family Dwellings. On average, a fire department responded to a fire somewhere in the US every 23 seconds in 2021. A home structure fire was reported every 93 seconds, a home fire death occurred every three hours and eight minutes, and a home fire injury occurred every 47 minutes.

Vermont has some of the strongest smoke and carbon monoxide alarm laws in the country spanning all residential occupancies including single-family owner-occupied homes. Fire behavior has dramatically changed over the years primarily because of the introduction of synthetics, plastics, open floor plans, tight construction and larger fuel content. These few factors alone contribute to rapid and intense fire and smoke spread, high levels of carbon monoxide production and extreme temperature rise in your structure. These factors have significantly reduced your evacuation time to less than 3 minutes compared to 8 minutes 20 years ago. It is critical to have properly installed and maintained smoke alarms and carbon monoxide alarms in your home or rental property. Properly installed and maintained smoke alarms increase your chance of surviving a home fire by more than 50%. Residential Home Fire Sprinkler Systems are the most reliable and passive fire protection technology available today. Home fire sprinklers contain the fire to the point of origin, reduce the temperature of the fire so flashover does not occur, fills the gap in time between when a call for help is made and the fire department arrives and most importantly it saves lives, property and reduces the impact to our environment.

ACT 181-Rental housing health and safety and affordable housing.

On June 7, 2022, Governor Scott signed into law Act 181 transferring primary responsibility of Rental Housing Safety from local Health Officers to the Division of Fire Safety. This program is complaint driven and will allow the Division of Fire Safety to respond to allegations of unhealthy/unsafe living conditions. The division will establish a network of partners and engage in public fire safety education to ensure we continue to keep Vermonters safe and healthy where they live, work and play.

Vermont Residential Rental Housing Health and Safety Code

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1 - Authority

- **Act No. 181**
- This code is adopted under the authority of 20 V.S.A., Chapter 172
- Vermont Fire and Safety Building Code-2015

2 - Purpose

The purpose of this code is to protect the health, safety, and well-being of the occupants of rental housing. These rules in combination with the currently adopted Vermont Fire and Building Safety Code , establishes minimum safety, health and habitability standards that all residential rental housing in Vermont must conform to. Additional information about these rules and their application may be obtained from the contact information below:

Division of Fire Safety. 45 State Drive, Waterbury, VT 05671

Telephone: 802-479-7561

Website: www.firesafety.vermont.gov

3 - Scope

- 3.1** This Rental Housing Health and Safety Code shall apply to all rented dwellings, dwelling units, rooming houses, rooming units, and mobile home lots used as a regular residence.
- 3.2** This code does not apply to a licensed lodging establishment when the occupancy is subject to meals and rooms tax pursuant to 32 V.S.A. Ch. 225. This code does not apply to tents or similar structures provided to persons choosing to live in such shelters as part of what is primarily an educational or experiential opportunity.

4 - Definitions

- 4.1** **“Common Space”** means all interior passageways, hallways, foyers, stairways, basements and other rooms in a dwelling or rooming house used or intended for use by the occupants of more than one dwelling unit or rooming unit.
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- 4.22** “**Trash**” means combustible and noncombustible waste materials that are not composted or recycled. This includes any products not included in the definitions of “Food Residual or Food Scrap” or “Recyclables.”
- 4.23** “**Ventilation**” means the adequate supply and removal of air to and from a space through windows, skylights, doors, grilles, ducts, or mechanical devices.

- 4.24 **“Violation”** means any condition in or on the premises of a rented dwelling, rooming unit, rooming house or rented mobile home lot which fails to meet any requirement of this code.
- 4.25 **“Watertight”** means so constructed that the structure is substantially impermeable to water.
- 4.26 **“Weathertight”** means so constructed that the structure resists weather and excludes rain and snow and prevents the infiltration of air.

5 - Sanitation Facilities

- 5.1 **Kitchen Facilities:** Every dwelling unit shall contain within the unit space to store, prepare and serve foods in a sanitary manner, including the presence of a kitchen sink.
- 5.2 **Bathroom Facilities:**
- 5.2.1 Every dwelling unit shall contain within the unit a flush toilet, sink and bathtub or shower located in a room or rooms separate from the habitable rooms and which affords privacy.
- 5.2.2 **Shared Bathroom Facilities:** The occupants of not more than two dwelling units which are located within the same dwelling may share bathroom facilities under the following circumstances:
- 5.2.2.1 Neither of the two dwelling units contains more than two habitable rooms. However, for the purpose of this section, a kitchen with not more than 60 square feet of floor area is not counted as a room: and
- 5.2.2.2 The habitable room area of each dwelling unit aggregates not more than 300 square feet: and
- 5.2.2.3 The toilet and sink are within a room separate from the habitable rooms, which affords privacy, and which is accessible to the occupants of each dwelling unit without going through the dwelling unit of another person or outside the dwelling; and
- 5.2.2.4 The bathtub or shower is within a room separate from the habitable rooms, which affords privacy, and which is accessible to the occupants of each dwelling unit without going through the dwelling unit of another person or outside the dwelling.
- 5.2.3 **Rooming Houses:**
- 5.2.3.1 Every rooming house shall be equipped with at least one toilet and one sink for each 10 persons and one bathtub or shower for each eight persons or fraction thereof living within the rooming house, including members of the immediate family of the owner if they share use of the facilities.

5.2.3.2 Every toilet, sink and bathtub or shower required by this section shall be located in a room or rooms which: afford privacy and are separate from the habitable rooms and are accessible from a common hall without going outside the rooming house and are not more than one story removed from the rooming unit of any occupant intended to share the facilities.

5.3 Non-absorbent Surfaces: The floor and counter surfaces of every bathroom and kitchen in dwelling units and rooming houses shall be constructed and maintained to be a smooth, non-corrosive, non-absorbent and waterproof covering. This shall not prohibit the use of carpeting for floors in kitchens and bathrooms, or the use of wood for floors in kitchens, provided the following qualifications are met:

5.3.1 Carpeting must contain a solid, nonabsorbent, water repellent backing which will prevent the passage of moisture through it to the floor below: and

5.3.2 Wood flooring must have a water-resistant finish and have no cracks to allow the accumulation of dirt and food, or the harborage of insects.

5.4 Water Supply/Wastewater Disposal:

5.4.1 Supply: Every rented mobile home lot shall have access to, and every dwelling unit or rooming house shall be connected to a supply of water sufficient in quantity and pressure to meet the ordinary needs of the occupant(s).

5.4.2 Potable Water: Water provided to a rented mobile home lot and to every kitchen sink, bathroom sink and bathtub or shower in a dwelling unit or rooming house shall be from a public water supply system that is monitored and regulated by the Water Supply Division of the Vermont Department of Environmental Conservation, or a private supply free from impurities in amounts sufficient to cause disease or harmful physiological effects as per Vermont Department of Health testing guidelines for private water supplies. Any health-based contaminant in a private water supply that is found to be elevated shall be treated to reduce levels to existing maximum contaminant levels (MCL) or Vermont Health Advisories where no MCL exists.

5.4.3 Hot Water: Every kitchen sink, lavatory sink, shower, and tub-shower combination shall be connected with water heating facilities in working order that are capable of safely heating an adequate yield of water. Shower and tub-shower combinations must be plumbed to be able to achieve a hot water temperature greater than or equal to 100°F and remain less than 120°F at the fixture.

5.4.4 Water Supply Deficiencies: Owners of dwellings, rooming houses and rented mobile home lots with short-term deficiencies in water quality or quantity must provide occupants with an alternate, adequate, and accessible supply of water for drinking and sanitation until a regular source of water is made available.

5.4.5 Sewage Disposal: Owners of rented mobile home lots shall provide hook-up to and owners of all dwellings and rooming houses shall connect all kitchen sinks, toilets, bathroom sinks, bathtubs, showers, washing machines and dishwashers to a public sewage system if available, or to a properly operating subsurface wastewater disposal system. Each wastewater disposal system shall be operated so that sewage does not back up into the dwelling, flow to the ground surface or directly into surface water.

5.4.6 Plumbing Connections: All plumbing systems shall be maintained in good repair.

5.5 Sanitary Conditions for Trash, Recyclables, and Food Scraps:

5.5.1 Facilities:

5.5.1.1 Trash, recyclables, and food scraps that are placed outside a dwelling or rooming house shall be stored in durable, cleanable receptacles. Receptacles for trash and food scrapes shall also be watertight and have properly fitting covers.

5.5.1.2 The owner of any dwelling or rooming house shall provide and maintain appropriate receptacles for the removal of trash, recyclables, and food scraps in accordance with 10 V.S.A. Ch. 159.

5.5.2 Collection of trash, recyclables, and food scraps:

5.5.2.1 The owner of any dwelling or rooming house shall assure that arrangements are made for the removal of trash, recyclables, and food scraps in accordance with 10 V.S.A. Ch. 159.

5.5.2.2 Trash, recyclables, and food scraps shall be removed from dwellings and rooming houses as often as is necessary to maintain a sanitary structure, not less than once every week.

5.5.3 Responsibilities:

5.5.3.1 Owner Responsibilities: The owner of every dwelling or rooming house shall be responsible for maintaining in a clean and sanitary condition free of trash, recyclables, and food scraps all common areas as well as any other part of the premises not used as a dwelling space.

5.5.3.2 Occupant Responsibilities: The occupant of every dwelling unit or rooming unit shall be responsible for maintaining in a clean and sanitary condition and free of trash, recyclables, and food scraps that part of the premises which he or she exclusively occupies.

6 - Pest and Bedbug Control and Management

6.1 Owner Responsibilities:

6.1.1 The owner of a dwelling shall maintain all common spaces free from infestation.

6.1.2 The owner of a dwelling shall be responsible for extermination of infestation in all common spaces.

6.1.3 The owner of a dwelling shall be responsible for extermination of any infestation in any dwelling unit when infestation in a dwelling unit is caused by his or her failure to maintain the dwelling or infestation exists in two or more of the dwelling units in any dwelling.

6.1.4 The owner of a rooming house shall maintain all rooming units and common spaces free from infestation and shall be responsible for extermination.

6.2 **Occupant Responsibilities:** The occupant of each dwelling unit shall maintain that part of the dwelling he or she exclusively occupies free from infestation and shall be responsible for extermination when the infestation is caused by his or her failure to maintain the dwelling unit except as provided for in Section 6.1.3.

6.3 **Extermination of Pest Animals and Bedbugs:** Extermination shall be accomplished by eliminating the harborage place of pests and bedbugs, by removing or making inaccessible materials that may serve as their food or breeding ground and by treatments including but not limited to poisoning, spraying, fumigating, heat treating, or trapping.

7 - Heating Heating facilities/systems in all residential rental dwelling units and rooming houses shall meet the following standards:

7.1 Heating facilities/systems shall be provided when the outside temperature is less than 55°F(13°C).

7.2 Heating facilities/systems shall be properly functioning and in good repair.

7.3 Heating facilities/systems shall be able to maintain a room temperature of at least 65°F (18°C) in all habitable rooms, kitchens, and bathrooms. The maintenance of required heating levels shall be accomplished without overheating one room as a means of meeting minimum heating requirements for adjacent rooms. The temperature may be read and the requirement shall be met at a point three feet above floor level and three feet from an exterior wall.

7.4 Heating facilities/systems shall be vented to the outside of the building. Un-vented fuel fired space heaters are prohibited in all residential rental dwelling units or rooming houses.

7.5 Every owner who provides heat as part of the rental agreement to occupants of dwelling units or rooming units shall always maintain the provided heat to all habitable rooms, kitchens, and bathrooms when the outside temperature is less than 55°F (13°C).

8 - Natural and Mechanical Ventilation

- 8.1** To ensure the health and safety of the occupants, the owner of residential rental dwelling units and rooming houses shall provide ventilation to the outdoors as follows, so as to not endanger the health and safety of the occupants:
- 8.1.1** Every habitable room shall include at least one window or door in good repair located on an outside wall that is capable of being opened to admit fresh air.
- 8.1.2** Screens shall be provided for all operable windows and for doors that are providing ventilation when a window is not available. All screens shall be maintained in good repair and be free from tears, holes, or other imperfections of either screen or frame that would admit insects such as flies or mosquitoes.
- 8.1.3** All hallways and stairways in common spaces shall be adequately ventilated.
- 8.1.4** Every bath, toilet or shower room shall be ventilated by direct access with the external air either by window, airshaft, or ventilation fan. If a ventilation fan is used, it shall be vented directly to the exterior of the building and be of sufficient size to prevent the buildup of moisture.
- 8.1.5** All clothing dryers shall be vented directly to the exterior of the building.
- 8.2** **Use of vaporizers/humidifiers:** Vaporizers/humidifiers shall not be used by dwelling or rooming house occupants or owners in such ways that cause an elevated relative humidity (Above 60%), promoting the growth of microorganisms and visible mold.

9 - Lighting and Electricity

- 9.1** Every habitable room in a dwelling unit or rooming house other than a kitchen shall contain at least two duplex electrical outlets or one duplex electrical outlet and one electrical light fixture.
- 9.2** Every kitchen in a dwelling unit or rooming house shall contain at least one electric light fixture and two duplex electrical outlets.
- 9.3** Every other room in a dwelling unit or rooming house shall contain at least one electric light fixture.
- 9.4** All building entrances in dwellings or rooming houses and all common areas in rooming houses or dwellings containing two or more dwelling units shall be adequately lighted to provide for safe and reasonable use and safe access and egress to and from the building.
- 9.5** All electrical systems in dwellings, rooming houses and on rented mobile home lots shall be maintained in safe working condition.

10 - Structural Elements

- 10.1** Every owner of a dwelling or rooming house shall provide and maintain the foundation, floors, walls, doors, windows, ceilings, roof, staircases, chimneys and other structural elements of his or her dwelling, dwelling unit, rooming house, or rooming unit so that it is weathertight, watertight, rodent proof and in good repair.
- 10.2** Every occupant of a dwelling or rooming house shall exercise reasonable care in the use of the structural elements of the building to maintain it in good working condition.
- 10.3** Every dwelling, dwelling unit, rooming house, or rooming unit shall be maintained to be free from the regular or periodic appearance of standing water or excessive moisture, which may result in visible mold growth.

11 - Mobile Homes on Rented Lots

- 11.1** It shall be the responsibility of the owner of a rented mobile home lot to provide connection to electrical services, water supply and sewage disposal to a location on each lot from which these services can be connected to the mobile home.
 - 11.1.1** Electrical Services: The mobile home lot owner is responsible for installation and maintenance of the electrical service to the main electrical panel in the home.
 - 11.1.2** Water Supply: The mobile home lot owner is responsible for the maintenance of water lines to a point at which the lines surface under the mobile home.
 - 11.1.3** Sewage Disposal: The mobile home lot owner is responsible for the maintenance of the sewage disposal system to the point where it surfaces from the ground to service the mobile home

12 - General Responsibilities

12.1 Owners:

- 12.1.1** No owner shall let to another for occupancy any dwelling, dwelling unit, rooming house, rooming unit or mobile home lot which does not comply with the requirements of this code. It shall be the responsibility of the owner to maintain all premises in compliance with this code.
- 12.1.2** No owner shall cause any water, sewer, equipment, or utility which is required by this regulation to be removed, shut off or discontinued for any occupied dwelling, dwelling unit, rooming house, rooming unit, or mobile home lot except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies.

12.1.3 No rental agreement containing any provision purporting to transfer responsibilities between owner and occupant other than as imposed herein, shall be effective for the purposes of this codes

12.2 Occupants:

12.2.1 No occupant shall use or occupy his or her dwelling unit, rooming unit or rented mobile home lot in such a way as to cause non-compliance with this code.

12.2.2 Every occupant shall exercise reasonable care in the use of his or her dwelling unit, rooming unit or rented mobile home lot and shall maintain it in such a manner that it does not create a health hazard for his or her neighbors.

12.3 Existing structures and premises that do not comply with the provisions of this code shall be altered or repaired to achieve compliance in accordance with this code and the currently adopted Vermont Fire & Building Safety Code.

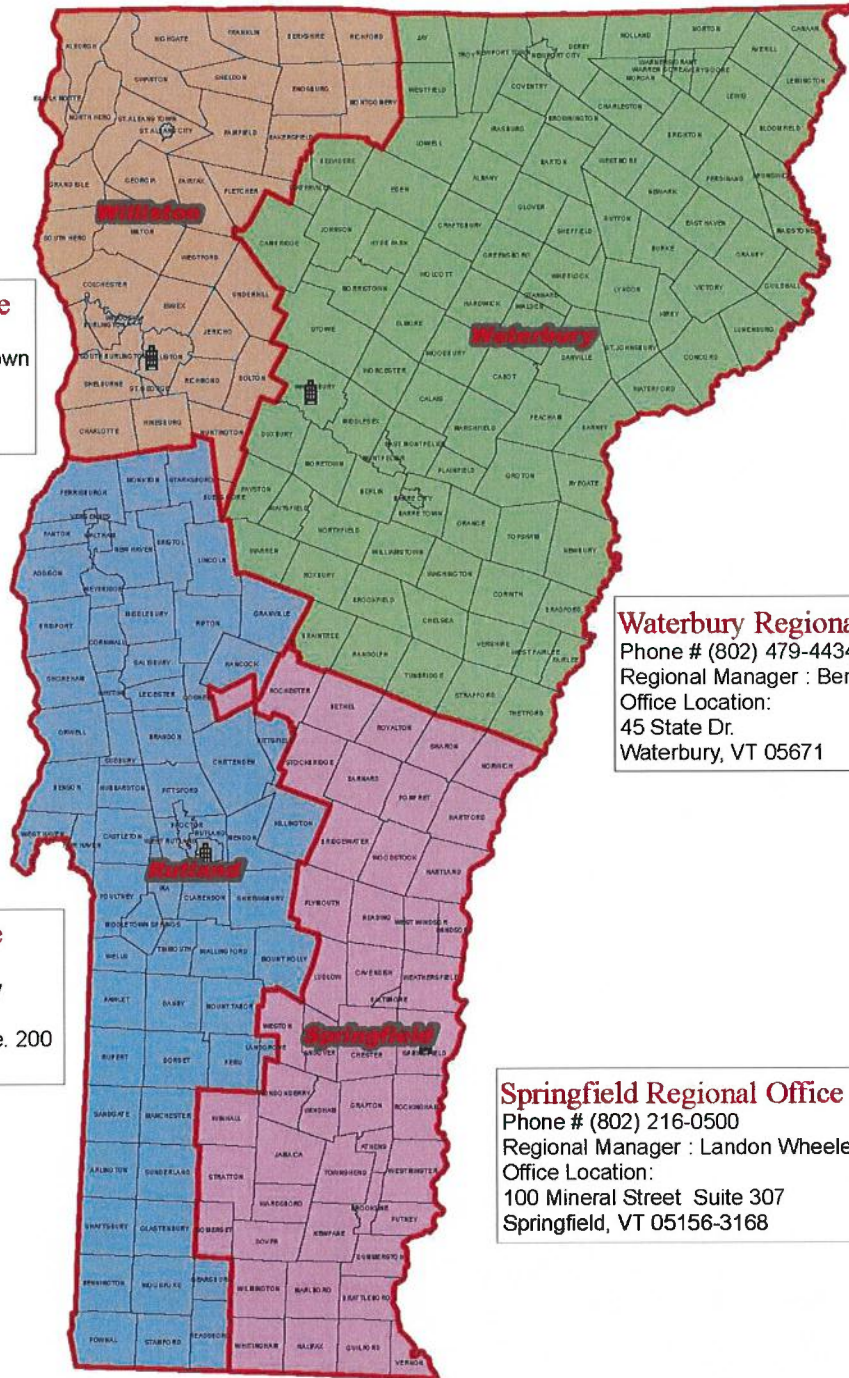


VERMONT DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE SAFETY
 Office of the State Fire Marshal, State Fire Academy and State HAZMAT Team



www.firesafety.vermont.gov

State Fire Marshal's Regional Offices



Williston Regional Office
 Phone # (802) 879-2300
 Regional Manager : William Brown
 Office Location:
 380 Hurricane Lane Suite 101
 Williston, VT 05495

Waterbury Regional Office
 Phone # (802) 479-4434
 Regional Manager : Ben Moffatt
 Office Location:
 45 State Dr.
 Waterbury, VT 05671

Rutland Regional Office
 Phone # (802) 786-5867
 Regional Manager : GJ Garrow
 Office Location:
 56 Howe Street Building A Ste. 200
 Rutland, VT 05701-3449

Springfield Regional Office
 Phone # (802) 216-0500
 Regional Manager : Landon Wheeler
 Office Location:
 100 Mineral Street Suite 307
 Springfield, VT 05156-3168

Chief McLaughlin 5/2022

The Division of Fire Safety has four regional offices:

Waterbury:

45 State Drive
Waterbury, VT 05676
Main Phone: (802) 479-4434
Toll Free: (888) 870-7888
Fax: (802) 479-4446

Rutland:

56 Howe St. Building A, Suite 200
Rutland, VT 05701
Main Phone: (802) 786-5867
Toll Free: (888) 370-4834
Fax: (802) 768-5872

Springfield:

100 Mineral St. Suite 307
Springfield, VT 05156
Main Phone: (802)-216-0500
Fax: (802) 216-0511

Williston:

380 Hurricane Lane Suite 101
Williston, VT 05495
Main Phone: (802) 879-2300
Toll Free: (800) 366-8325
Fax: (802) 879-2312

The Division of Fire Safety Central Office is:

45 State Drive, Waterbury, VT 05676
Main Phone: (802) 479-7561
Toll Free: (800) 640-2106
Fax: (802) 479-7562

www.firesafety.vermont.gov

No. 181. An act relating to rental housing health and safety and affordable housing.

(S.210)

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

* * * Department of Public Safety; Authority for Rental Housing

Health and Safety * * *

Sec. 1. 20 V.S.A. chapter 172 is added to read:

CHAPTER 172. RENTAL HOUSING HEALTH AND SAFETY

§ 2676. DEFINITION

As used in this chapter, “rental housing” means:

(1) a “premises” as defined in 9 V.S.A. § 4451 that is subject to 9 V.S.A. chapter 137 (residential rental agreements); and

(2) a “short-term rental” as defined in 18 V.S.A. § 4301 and subject to 18 V.S.A. chapter 85, subchapter 7.

§ 2677. RENTAL HOUSING; RULES; INSPECTIONS; PENALTY

(a) Rules. The Commissioner of Public Safety may adopt rules to prescribe standards for the health, safety, sanitation, and fitness for habitation of rental housing that the Commissioner determines are necessary to protect the public, property owners, and property against harm.

(b) Inspections.

(1) After adopting rules pursuant to subsection (a) of this section, the Commissioner shall design and implement a complaint-driven system to conduct inspections of rental housing.

(2) When conducting an inspection, the Commissioner shall:

(A) issue a written inspection report on the unit or building that:

(i) contains findings of fact that serve as the basis of one or more violations;

(ii) specifies the requirements and timelines necessary to correct a violation;

(iii) provides notice that the landlord is prohibited from renting the affected unit to a new tenant until the violation is corrected; and

(iv) provides notice in plain language that the landlord or agents of the landlord must have access to the rental unit to make repairs as ordered by the Commissioner consistent with the access provisions in 9 V.S.A. § 4460;

(B) provide a copy of the inspection report to the landlord, to the person who requested the inspection, and to any tenants who are affected by a violation:

(i) electronically, if the Department has an electronic mailing address for the person; or

(ii) by first-class mail, if the Department does not have an electronic mailing address for the person;

(C) if an entire building is affected by a violation, provide a notice of inspection directly to the individual tenants, and may also post the notice in a common area, that specifies:

(i) the date of the inspection;

(ii) that violations were found and must be corrected by a certain date;

(iii) how to obtain a copy of the inspection electronically or by first-class mail; and

(iv) if the notice is posted in a common area, that the notice shall not be removed until authorized by the Commissioner; and

(D) make the inspection report available as a public record.

(c) Penalties. If the person responsible for a violation does not comply with the requirements and timelines specified in an inspection report issued pursuant to subsection (b) of this section, the Commissioner may impose an administrative penalty that is reasonably related to the severity of the violation, not to exceed \$1,000.00 per violation.

* * * Positions Authorized * * *

Sec. 2. DEPARTMENT OF PUBLIC SAFETY; POSITIONS

(a) The Department of Public Safety is authorized to create five full-time classified Inspector positions in order to conduct rental housing health and safety inspections and enforcement pursuant to 20 V.S.A. chapter 172.

(b) The Department may hire the Inspectors authorized by this section with funds appropriated for that purpose in this act.

* * * Conforming Changes to Current Law Governing the Department of
Health, State Board of Health, and Local Health Officials * * *

Sec. 3. 18 V.S.A. chapter 11 is amended to read:

CHAPTER 11. LOCAL HEALTH OFFICIALS

* * *

§ 602a. DUTIES OF LOCAL HEALTH OFFICERS

(a) A local health officer, within his or her jurisdiction, shall:

(1) ~~upon request of a landlord or tenant, or upon receipt of information~~ regarding a condition that may be a public health hazard, conduct an investigation;

(2) enforce the provisions of this title, the rules promulgated, and permits issued thereunder;

(3) prevent, remove, or destroy any public health hazard; or mitigate any significant public health risk in accordance with the provisions of this title;

(4) in consultation with the Department, take the steps necessary to enforce all orders issued pursuant to chapter 3 of this title; and

(5) have the authority to assist the Department of Public Safety in inspecting rental housing pursuant to 20 V.S.A. chapter 172, provided that if the local health officer inspects a rental property without an inspector from the Division, the officer shall issue an inspection report in compliance with 20 V.S.A § 2677(b)(2).

(b) Upon discovery of violation or a public health hazard or public health risk that involves a public water system, a food or lodging establishment, or any other matter regulated by Department rule, the local health officer shall immediately notify the Division of Environmental Health. Upon discovery of any other violation, public health hazard, or public health risk, the local health officer shall notify the Division of Environmental Health within 48 hours of discovery of such violation or hazard and of any action taken by the officer.

§ 603. ~~RENTAL HOUSING SAFETY; INSPECTION REPORTS~~

~~(a)(1) When conducting an investigation of rental housing, a local health officer shall issue a written inspection report on the rental property using the protocols for implementing the Rental Housing Health Code of the Department or the municipality, in the case of a municipality that has established a code enforcement office.~~

~~(2) A written inspection report shall:~~

~~(A) contain findings of fact that serve as the basis of one or more violations;~~

~~(B) specify the requirements and timelines necessary to correct a violation;~~

~~(C) provide notice that the landlord is prohibited from renting the affected unit to a new tenant until the violation is corrected; and~~

~~(D) provide notice in plain language that the landlord and agents of the landlord must have access to the rental unit to make repairs as ordered by the health officer consistent with the access provisions in 9 V.S.A. § 4460.~~

~~(3) A local health officer shall:~~

~~(A) provide a copy of the inspection report to the landlord and any tenants affected by a violation by delivering the report electronically, in person, by first class mail, or by leaving a copy at each unit affected by the deficiency; and~~

~~(B)(i) if a municipality has established a code enforcement office, provide information on each inspection according to a schedule and in a format adopted by the Department in consultation with municipalities that have established code enforcement offices; or~~

~~(ii) if a municipality has not established a code enforcement office, provide information on each inspection to the Department within seven days of issuing the report using an electronic system designed for that purpose, or within 14 days by mail if the municipality is unable to utilize the electronic system.~~

~~(4) If an entire property is affected by a violation, the local health officer shall post a copy of the inspection report in a common area of the property and include a prominent notice that the report shall not be removed until authorized by the local health officer.~~

~~(5) A municipality shall make an inspection report available as a public record.~~

~~(b)(1) A local health officer may impose a civil penalty of not more than \$200.00 per day for each violation that is not corrected by the date provided in the written inspection report, or when a unit is re-rented to a new tenant prior to the correction of a violation.~~

~~(2)(A) If the cumulative amount of penalties imposed pursuant to this subsection is \$800.00 or less, the local health officer, Department of Health, or State's Attorney may bring a civil enforcement action in the Judicial Bureau pursuant to 4 V.S.A. chapter 29.~~

~~(B) The waiver penalty for a violation in an action brought pursuant to this subsection is 50 percent of the full penalty amount.~~

~~(3) If the cumulative amount of penalties imposed pursuant to this subsection is more than \$800.00, or if injunctive relief is sought, the local health officer, Department of Health, or State's Attorney may commence an action in the Civil Division of the Superior Court for the county in which a violation occurred.~~

~~(c) If a local health officer fails to conduct an investigation pursuant to section 602a of this title or fails to issue an inspection report pursuant to this section, a landlord or tenant may request that the Department, at its discretion, conduct an investigation or contact the local board of health to take action.~~

[Repealed.]

* * *

* * * Transition Provisions * * *

Sec. 4. RENTAL HOUSING HEALTH AND SAFETY; TRANSITION
PROVISIONS

(a) Notwithstanding any provision of law to the contrary:

(1) Until the Commissioner of Public Safety adopts rules governing rental housing health and safety pursuant to 20 V.S.A. § 2677, the Department of Health, local officials authorized by law, and the Department of Public Safety have concurrent authority to enforce the Vermont Rental Housing Health Code adopted by the Department of Health pursuant to 18 V.S.A. § 102, 3 V.S.A. § 3003(a), and 3 V.S.A. § 801(b)(11).

(2) The Commissioner of Public Safety may immediately adopt a rule incorporating the Rental Housing Health Code without following the procedures otherwise required for general rulemaking in 3 V.S.A. chapter 25.

(3) Except as provided in subdivision (2) of this subsection, the Commissioner of Public Safety shall comply with the requirements for general rulemaking in 3 V.S.A. chapter 25 when adopting rules governing rental housing health and safety.

(b) Upon the adoption of rules governing rental housing health and safety pursuant to the authority in 20 V.S.A. § 2677:

(1) the Department of Public Safety is the State government entity with primary authority to enforce State laws governing rental housing health and safety;

(2) the Department of Public Safety and local officials have concurrent authority to enforce State and local laws governing rental housing health and safety pursuant to 18 V.S.A. chapter 11; 20 V.S.A. chapter 172, subchapter 2; 24 V.S.A. chapters 83 and 123; and applicable municipal law; and

(3) the Department of Health, the State Board of Health, and local health officials have concurrent authority to enforce State and local laws governing public health hazards and public health risks, as those terms are defined in 18 V.S.A. § 2, pursuant to 18 V.S.A. chapters 1, 3, and 11.

* * * Vermont Housing Investments * * *

Sec. 5. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM;

PURPOSE

(a) Recognizing that Vermont's rental housing stock is some of the oldest in the country and that much of it needs to be updated to meet code requirements and other standards, the Vermont Rental Housing Improvement Program is intended to incentivize private apartment owners to make significant improvements to both housing quality and weatherization by providing grants and forgivable loans that are matched in part by the property owner.

(b) The Program seeks to take the lessons learned from the successful Re-housing Recovery Program established with funds provided by the Federal CARES Act and implement them in a State-funded program.

Sec. 6. 10 V.S.A. chapter 29, subchapter 3 is added to read:

Subchapter 3. Housing; Investments

§ 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

(a) Creation of program.

(1) The Department of Housing and Community Development shall design and implement a Vermont Rental Housing Improvement Program, through which the Department shall award funding to statewide or regional nonprofit housing organizations, or both, to provide competitive grants and forgivable loans to private landlords for the rehabilitation, including weatherization, of eligible rental housing units.

(2) The Department shall develop statewide standards for the Program, including factors that partner organizations shall use to evaluate applications and award grants and forgivable loans.

(b) Eligible rental housing units. The following units are eligible for a grant or forgivable loan through the Program:

(1) Non-code compliant. The unit does not comply with the requirements of applicable building, housing, or health laws.

(2) New accessory dwelling. The unit will be a newly created accessory dwelling unit that meets the requirements of 24 V.S.A. § 4412(1)(E).

(c) Administration. The Department shall require a housing organization that receives funding under the Program to adopt:

(1) a standard application form that describes the application process and includes instructions and examples to help landlords apply;

(2) an award process that ensures equitable selection of landlords, subject to a housing organization's exercise of discretion based on the factors adopted by the Department pursuant to subsection (a) of this section; and

(3) a grant and loan management system that ensures accountability for funds awarded.

(d) Program requirements applicable to grants and forgivable loans.

(1) A grant or loan shall not exceed \$50,000.00 per unit. In determining the amount of a grant or loan, a housing organization shall consider the number of bedrooms in the unit and whether the unit is being rehabilitated or newly created.

(2) A landlord shall contribute matching funds or in-kind services that equal or exceed 20 percent of the value of the grant or loan.

(3) A project may include a weatherization component.

(4) A project shall comply with applicable building, housing, and health laws.

(5) The terms and conditions of a grant or loan agreement apply to the original recipient and to a successor in interest for the period the grant or loan agreement is in effect.

(6) The identity of a recipient and the amount of a grant or forgivable loan are public records that shall be available for public copying and inspection and the Department shall publish this information at least quarterly on its website.

(e) Program requirements applicable to grants. For a grant awarded under subdivision (b)(1) of this section for a unit that is non-code compliant, the following requirements apply for a minimum period of five years:

(1) A landlord shall coordinate with nonprofit housing partners and local coordinated entry organizations to identify potential tenants.

(2)(A) Except as provided in subdivision (2)(B) of this subsection (e), a landlord shall lease the unit to a household that is exiting homelessness or actively working with an immigrant or refugee resettlement program.

(B) If, upon petition of the landlord, the Department or the housing organization that issued the grant determines that a household exiting homelessness is not available to lease the unit, then the landlord shall lease the unit:

(i) to a household with an income equal to or less than 80 percent of area median income; or

(ii) if such a household is unavailable, to another household with the approval of the Department or housing organization.

(3)(A) A landlord shall accept any housing vouchers that are available to pay all, or a portion of, the tenant's rent and utilities.

(B) If no housing voucher or federal or State subsidy is available, the total cost of rent for the unit, including utilities not covered by rent payments, shall not exceed the applicable fair market rent established by the Department of Housing and Urban Development.

(4)(A) A landlord may convert a grant to a forgivable loan upon approval of the Department and the housing organization that approved the grant.

(B) A landlord who converts a grant to a forgivable loan shall receive a 10 percent credit for loan forgiveness for each year in which the landlord participates in the grant program.

(f) Requirements applicable to forgivable loans. For a forgivable loan awarded under subdivision (b)(1) of this section for a unit that is non-code compliant, the following requirements apply for a minimum period of 10 years:

(1)(A) A landlord shall accept any housing vouchers that are available to pay all, or a portion of, the tenant's rent and utilities.

(B) If no housing voucher or federal or State subsidy is available, the cost of rent for the unit, including utilities not covered by rent payments, shall not exceed the applicable fair market rent established by the Department of Housing and Urban Development.

(2) The Department shall forgive 10 percent of the amount of a forgivable loan for each year a landlord participates in the loan program.

(g) Requirements for an accessory dwelling unit.

(1) For a grant or forgivable loan awarded under subdivision (b)(2) of this section for a unit that is a new accessory dwelling unit, the total cost of rent for the unit, including utilities not covered by rent payments, shall not exceed the applicable fair market rent established by the Department of Housing and Urban Development.

(2) A landlord shall not offer an accessory dwelling unit created through the Program as a short-term rental, as defined in 18 V.S.A. § 4301.

(h) Lien priority. A lien for a grant converted to a loan or for a forgivable loan issued pursuant to this section is subordinate to:

(1) a lien on the property in existence at the time the lien for rehabilitation and weatherization of the rental housing unit is filed in the land records; and

(2) a first mortgage on the property that is refinanced and recorded after the lien for rehabilitation and weatherization of the rental housing unit is filed in the land records.

Sec. 7. REPORT

On or before February 15, 2023, the Department of Housing and Community Development shall report to the General Assembly concerning the design, implementation, and outcomes of the Vermont Rental Housing Improvement Program, including findings and any recommendations related to the amount of grant awards.

Sec. 8. APPROPRIATIONS

(a) Purpose. The purpose of the appropriations in this section are:

(1) to respond to the far-reaching public health and negative economic impacts of the COVID-19 pandemic; and

(2) to ensure that Vermonters and Vermont communities have an adequate supply of safe, affordable housing.

(b) In fiscal year 2022, the amount of \$20,400,000.00 is appropriated from the America Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds as follows:

(1) \$400,000.00 to the Department of Public Safety to hire one or more Inspector positions authorized pursuant to this act.

(2) \$20,000,000.00 to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in 10 V.S.A. § 699, provided that the Department shall allocate 20 percent of the funds for new accessory dwellings as follows:

(A) the Department may use not more than 20 percent of the funding available for new accessory dwellings to facilitate a statewide education and navigation system to assist homeowners with designing, financing, permitting, and constructing new accessory dwellings; and

(B) the Department shall use any remaining funds for new accessory dwellings for financial incentives or other financial supports to homeowners developing accessory dwelling units.

Sec. 9. EFFECTIVE DATES

This section and the following sections shall take effect on passage:

(1) Sec. 1 (DPS authority for rental housing health and safety; rental housing registration).

(2) Sec. 2 (DPS positions).

(3) Sec. 3 (conforming changes to Department of Health statutes).

(4) Sec. 4 (DPS rulemaking authority and transition provisions).

(5) Secs. 5–7 (Vermont Rental Housing Improvement Program).

(6) Sec. 8 (ARPA appropriations).

Date Governor signed bill: June 7, 2022

VERMONT **GENERAL ASSEMBLY**

The Vermont Statutes Online

Title 3 : Executive**Chapter 053 : Human Services****Subchapter 001 : Generally**

(Cite as: 3 V.S.A. § 3003)

§ 3003. Advisory capacity

(a) All boards and commissions which under this chapter are a part of or are attached to the Agency shall be advisory only, except as hereinafter provided, and the powers and duties of the boards and commissions, including administrative, policy making, and regulatory functions, shall vest in and be exercised by the Secretary of the Agency.

(b) Notwithstanding subsection (a) of this section, the Board of Health shall retain and exercise all powers and functions given to the Board by law of quasi-judicial nature, including the power to conduct hearings, to adjudicate controversies, and to issue and enforce orders, in the manner and to the extent provided by law. Boards of registration attached to this Agency shall retain and exercise all existing authority with respect to licensing and maintenance of the standards of the persons registered. (Added 1969, No. 272 (Adj. Sess.), § 3, eff. Jan. 10, 1971.)

VERMONT **GENERAL ASSEMBLY**

The Vermont Statutes Online

Title 3 : Executive

Chapter 025 : Administrative Procedure

Subchapter 001 : General Provisions

(Cite as: 3 V.S.A. § 801)

§ 801. Short title and definitions

(a) This chapter may be cited as the “Vermont Administrative Procedure Act.”

(b) As used in this chapter:

(1) “Agency” means a State board, commission, department, agency, or other entity or officer of State government, other than the Legislature, the courts, the Commander in Chief, and the Military Department, authorized by law to make rules or to determine contested cases.

(2) “Contested case” means a proceeding, including but not restricted to rate-making and licensing, in which the legal rights, duties, or privileges of a party are required by law to be determined by an agency after an opportunity for hearing.

(3) “License” includes the whole or part of any agency permit, certificate, approval, registration, charter, or similar form of permission required by law.

(4) “Licensing” includes the agency process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal, or amendment of a license.

(5) “Party” means each person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party.

(6) “Person” means any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character other than an agency.

(7) “Practice” means a substantive or procedural requirement of an agency, affecting one or more persons who are not employees of the agency, that is used by the agency in the discharge of its powers and duties. The term includes all such requirements, regardless of whether they are stated in writing.

(8) “Procedure” means a practice that has been adopted in writing, either at the election of the agency or as the result of a request under subsection 831(b) of this title. The term includes any practice of any agency that has been adopted in writing, whether or not labeled as a procedure, except for each of the following:

(A) a rule adopted under sections 836-844 of this title;

(B) a written document issued in a contested case that imposes substantive or procedural requirements on the parties to the case;

(C) a statement that concerns only:

(i) the internal management of an agency and does not affect private rights or procedures available to the public;

(ii) the internal management of facilities that are secured for the safety of the public and the individuals residing within them; or

(iii) guidance regarding the safety or security of the staff of an agency or its designated service providers or of individuals being provided services by the agency or such a provider;

(D) an intergovernmental or interagency memorandum, directive, or communication that does not affect private rights or procedures available to the public;

(E) an opinion of the Attorney General; or

(F) a statement that establishes criteria or guidelines to be used by the staff of an agency in performing audits, investigations, or inspections, in settling commercial disputes or negotiating commercial arrangements, or in the defense, prosecution, or settlement of cases, if disclosure of the criteria or guidelines would compromise an investigation or the health and safety of an employee or member of the public, enable law violators to avoid detection, facilitate disregard of requirements imposed by law, or give a clearly improper advantage to persons that are in an adverse position to the State.

(9) "Rule" means each agency statement of general applicability that implements, interprets, or prescribes law or policy and that has been adopted in the manner provided by sections 836-844 of this title.

(10) "Incorporation by reference" means the use of language in the text of a regulation that expressly refers to a document other than the regulation itself.

(11) "Adopting authority" means, for agencies that are attached to the Agencies of Administration, of Commerce and Community Development, of Natural Resources, of Human Services, and of Transportation, or any of their components, the secretaries of those agencies; for agencies attached to other departments or any of their components, the commissioners of those departments; and for other agencies, the chief officer of the agency. However, for the procedural rules of boards with quasi-judicial powers, for the Transportation Board, for the Vermont Veterans' Memorial Cemetery Advisory Board, and for the Fish and Wildlife Board, the chair or executive secretary of the board shall be the adopting authority. The Secretary of State shall be the adopting authority for the Office of Professional Regulation.

(12) "Small business" means a business employing no more than 20 full-time

employees.

(13)(A) “Arbitrary,” when applied to an agency rule or action, means that one or more of the following apply:

(i) There is no factual basis for the decision made by the agency.

(ii) The decision made by the agency is not rationally connected to the factual basis asserted for the decision.

(iii) The decision made by the agency would not make sense to a reasonable person.

(B) The General Assembly intends that this definition be applied in accordance with the Vermont Supreme Court’s application of “arbitrary” in , 2006 VT 65, and , 154 Vt. 596 (1990).

(14) “Guidance document” means a written record that has not been adopted in accordance with sections 836-844 of this title and that is issued by an agency to assist the public by providing an agency’s current approach to or interpretation of law or describing how and when an agency will exercise discretionary functions. The term does not include the documents described in subdivisions (8)(A) through (F) of this section.

(15) “Index” means a searchable list of entries that contains subjects and titles with page numbers, hyperlinks, or other connections that link each entry to the text or document to which it refers. (Added 1967, No. 360 (Adj. Sess.), § 1, eff. July 1, 1969; amended 1981, No. 82, § 1; 1983, No. 158 (Adj. Sess.), eff. April 13, 1984; 1985, No. 56, § 1; 1985, No. 269 (Adj. Sess.), § 4; 1987, No. 76, § 18; 1989, No. 69, § 2, eff. May 27, 1989; 1989, No. 250 (Adj. Sess.), § 88; 2001, No. 149 (Adj. Sess.), § 46, eff. June 27, 2002; 2017, No. 113 (Adj. Sess.), § 3; 2017, No. 156 (Adj. Sess.), § 2.)



Proposed Rules Postings

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Deadline For Public Comment

Deadline: May 15, 2023

Please submit comments to the agency or primary contact person listed below, before the deadline.

Rule Details

Rule Number:	23P009
Title:	2022 Vermont Residential Rental Housing Health and Safety Code.
Type:	Standard
Status:	Proposed
Agency:	Division of Fire Safety - Department of Public Safety
Legal Authority:	Act No. 181 of 2022, 8 V.S.A. § 102, 3 V.S.A. § 3003(a) and 3 V.S.A. § 801(b)(11).
Summary:	The primary intent and focus of this rule is to update and transfer responsibility of the Vermont Residential Rental Housing Rule from the



Department of Health to the Department of Public Safety, Division of Fire Safety. These rules are only amended to identify address changes and contact information. These rules otherwise are not changed. Residential building owners, tenants, property management companies, trade professionals, Agency of Commerce and Community Development, municipalities, Department of Health, Agency of Natural Resources, Agency of Commerce and Community Development, Division of Historic Preservation, Vermont Association of Realtors, Legal Aid, Local Fire Departments and Local Health Officers.

There will be no adverse effect from the current rules. The rules should not add any significant costs as compared to the current rules in place. Although the inspections will be more comprehensive we are likely to see more violations needing to be repaired.

Persons Affected:

Economic Impact:

Posting date: Apr 05,2023

Hearing Information

Information for Hearing # 1

Hearing date: 05-05-2023 10:00 AM [ADD TO YOUR CALENDAR](#)

Location: Vermont Fire Academy

Address: 93 Davison Drive

City: Pittsford

State: VT

Zip: 05763

Hearing Notes:

Contact Information

Information for Contact # 1

Level: Primary

Name: Michael Derochers, Executive Director

Agency: Division of Fire Safety - Department of Public Safety

Address: 45 State Drive

City: Waterbury

State: VT

Zip: 05671



Telephone: 802-479-7562
 Fax: 802-479-7562
 Email: michael.desrochers@vermont.gov
 Website Address: https://firesafety.vermont.gov/

SEND A COMMENT

VIEW WEBSITE

Information for Contact # 2

Level: Secondary
 Name: Robert T. Sponable, Deputy Director
 Agency: Division of Fire Safety - Department of Public Safety
 Address: 45 State Drive
 City: Waterbury
 State: VT
 Zip: 05671
 Telephone: 802-479-7566
 Fax: 802-479-7562
 Email: robert.sponable@vermont.gov

SEND A COMMENT

Keyword Information

Keywords:

Rental
 Housing Safety
 Residential
 Health Safety
 Dwelling Units

Back

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(802) 828-2863

MEMORANDUM

OFFICE OF THE SECRETARY OF STATE

Primary Contact: Michael Desrochers, Executive Director, Division of Fire Safety, 45 State Drive, Waterbury, VT 05671 Tel: 802-479-7539 Fax: 802-479-7562 Email: michael.desrochers@vermont.gov

Secondary Contact: Robert T. Sponable, Deputy Director, Division of Fire Safety, 45 State Drive, Waterbury, VT 05671 Tel: 802-479-7566 Fax: 802-479-7562 Email: robert.sponable@vermont.gov.

URL: <https://firesafety.vermont.gov/>

From: APA Coordinator, VSARA

RE: 2022 Vermont Residential Rental Housing Health and Safety Code.

Date 03/27/2023

We received Proposed Rule on 03/27/2023

Final Proposed Rule on

Adopted Rule on

We have assigned the following rule number(s):

Proposed Rule Number: 23P009

Adopted Rule Number:

(Final Proposals are not assigned a new number; they retain the Proposed Rule Number.)

The following problems were taken care of by phone/should be taken care of immediately:

We cannot accept this filing until the following problems are taken care of:

The notice for this proposed rule appeared/will appear online on: 4/5/2023 and in the newspapers of record on 4/13/2023.

This rule takes effect on
Adoption Deadline: 11/27/2023

Please note:

If you have any questions, please call me at 828-2863. OR
E-Mail me at: sos.statutoryfilings@vermont.gov

cc: Charlene Dindo



OFFICE OF THE SECRETARY OF STATE
VERMONT STATE ARCHIVES & RECORDS ADMINISTRATION (VSARA)
(802) 828-2863

TO:	Seven Days Legals (legals@sevendaysvt.com) Kaitlin Montgomery(kaitlin@sevendaysvt.com)	Tel: (802) 865-1020 x110. Attn: Kaitlin Montgomery
	The Caledonian Record Julie Poutré (adv@caledonian-record.com)	Tel: 748-8121 FAX: 748-1613
	Times Argus / Rutland Herald Melody Hudson (classified.ads@rutlandherald.com) Elizabeth Marrier (elizabeth.marrier@rutlandherald.com)	Tel: 802-747-6121 ext 2238 FAX: 802-776-5600
	The Valley News (advertising@vnews.com)	Tel: 603-298-8711 FAX: 603-298-0212
	The Addison Independent (legals@addisonindependent.com)	Tel: 388-4944 FAX: 388-3100 Attn: Display Advertising
	The Bennington Banner / Brattleboro Reformer Lylah Wright (lwright@reformer.com)	Tel: 254-2311 ext. 132 FAX: 447-2028 Attn: Lylah Wright
	The Chronicle (ads@bartonchronicle.com)	Tel: 525-3531 FAX: 525-3200
	Herald of Randolph (ads@ourherald.com)	Tel: 728-3232 FAX: 728-9275 Attn: Brandi Comette
	Newport Daily Express (jlafoe@newportvermontdailyexpress.com)	Tel: 334-6568 FAX: 334-6891 Attn: Jon Lafoe
	News & Citizen (mike@stowereporter.com) Irene Nuzzo (irene@newsandcitizen.com and ads@stowereporter.com removed from distribution list per Lisa Stearns.	Tel: 888-2212 FAX: 888-2173 Attn: Bryan
	St. Albans Messenger Legals (legals@samessenger.com)	Tel: 524-9771 ext. 117 FAX: 527-1948 Attn: Ben Letourneau
	The Islander (islander@vermontislander.com)	Tel: 802-372-5600 FAX: 802-372-3025
	Vermont Lawyer (hunter.press.vermont@gmail.com)	Attn: Will Hunter

FROM: APA Coordinator, VSARA

Date of Fax: April 4, 2023

RE: The "Proposed State Rules " ad copy to run on

April 13, 2023

PAGES INCLUDING THIS COVER MEMO:

4

***NOTE* 8-pt font in body. 12-pt font max. for headings - single space body. Please include dashed lines where they appear in ad copy. Otherwise minimize the use of white space. Exceptions require written approval.**

If you have questions, or if the printing schedule of your paper is disrupted by holiday etc., please contact VSARA at 802-828-3700, or E-Mail sos.statutoryfilings@vermont.gov, Thanks.



PROPOSED STATE RULES

By law, public notice of proposed rules must be given by publication in newspapers of record. The purpose of these notices is to give the public a chance to respond to the proposals. The public notices for administrative rules are now also available online at <https://secure.vermont.gov/SOS/rules/>. The law requires an agency to hold a public hearing on a proposed rule, if requested to do so in writing by 25 people or an association having at least 25 members.

To make special arrangements for individuals with disabilities or special needs please call or write to the contact person listed below as soon as possible.

To obtain further information concerning any scheduled hearing(s), obtain copies of proposed rule(s) or submit comments regarding proposed rule(s), please call or write to the contact person listed below. You may also submit comments in writing to the Legislative Committee on Administrative Rules, State House, Montpelier, Vermont 05602 (802-828-2231).

2022 Vermont Residential Rental Housing Health and Safety Code.

Vermont Proposed Rule: 23P009

AGENCY: Department of Public Safety

CONCISE SUMMARY: The primary intent and focus of this rule is to update and transfer responsibility of the Vermont Residential Rental Housing Rule from the Department of Health to the Department of Public Safety, Division of Fire Safety. These rules are only amended to identify address changes and contact information. These rules otherwise are not changed.

FOR FURTHER INFORMATION, CONTACT: Michael Desrochers, Executive Director, Division of Fire Safety, 45 State Drive, Waterbury, VT 05671 Tel: 802-479-7539 Fax: 802-479-7562 Email: michael.desrochers@vermont.gov URL: <https://firesafety.vermont.gov/>.

FOR COPIES: Robert T. Sponable, Deputy Director, Division of Fire Safety, 45 State Drive, Waterbury, VT 05671 Tel: 802-479-7566 Fax: 802-479-7562 Email: robert.sponable@vermont.gov.

Rule Governing Outage Reporting Requirements for Originating Carriers and Electric Power Companies.

Vermont Proposed Rule: 23P010

AGENCY: Vermont Enhanced 9-1-1 Board

CONCISE SUMMARY: This rule establishes outage reporting protocols for originating carriers providing voice service in Vermont and for electric power companies operating in Vermont in order to enable the Enhanced 911 Board to assess 911 service availability during such outages. The updates proposed in March 2023 change the requirements for the second outage notification and require the carriers to report outage information in a format approved by the Board which will allow the Board to automate the handling of these reports.

FOR FURTHER INFORMATION, CONTACT: Barbara Neal, Vermont Enhanced 911 Board, 6 Baldwin St, 2nd Floor, Montpelier, VT-05633-7960 Tel: 802-828-4911 Fax: 802-828-4109 Email: barbara.neal@vermont.gov URL: <https://e911.vermont.gov/>.

FOR COPIES: Soni Johnson, Vermont Enhanced 911 Board, 6 Baldwin St, 2nd Floor, Montpelier, VT-05633-7960 Tel: 802-828-4911 Fax: 802-828-4109 Email: soni.johnson@vermont.gov.



Rule 1: Licensing of Cannabis Establishments.

Vermont Proposed Rule: 23P011

AGENCY: Cannabis Control Board.

CONCISE SUMMARY: Rule 1 regulates the licensing of any person or entity that seeks to participate in the legal market for cannabis. The rule explains Vermont's tiered cannabis licensure system; the essential requirements to obtain the various licenses the Board administers; and background check requirements, presumptively disqualifying convictions, and how to overcome a presumption of disqualification. The rule further explains how license applications are prioritized, establishes a system for issuing identification cards, and sets out what is required of licensees when material changes are planned in their ownership, location, or operations. Proposed amendments clarify ambiguous definitions, address high-THC hemp-derived products, recognize a new extraction method, announce a standard for determining when an individual has overcome presumptive disqualification, and make other updates reflecting maturation of the new cannabis marketplace.

FOR FURTHER INFORMATION, CONTACT: Gabriel M. Gilman, Cannabis Control Board, 89 Main Street, Montpelier, VT 05620-7001 Tel: 802-261-1510 Email: gabriel.gilman@vermont.gov URL: <https://ccb.vermont.gov/>.

FOR COPIES: Kimberley Lashua, Cannabis Control Board, 89 Main Street, Montpelier, VT 05620-7001 Tel: 802-836-7708 Email: kimberley.lashua@vermont.gov.

Rule 2: Regulation of Cannabis Establishments

Vermont Proposed Rule: 23P012

AGENCY: Cannabis Control Board.

CONCISE SUMMARY: Rule 2 regulates the operation of any entity that has received a license to participate in the legal market for cannabis. Proposed amendments improve upon omitted or ambiguous definitions; address the need of outdoor cultivators to use artificial lighting in limited circumstances; clarify the entities to which the rule applies; refine escrow requirements; update the text of mandated health warnings; clarify location requirements; recognize personal-use cultivation; allow for the sale of clones; and refine rules pertaining to laboratories.

FOR FURTHER INFORMATION, CONTACT: Gabriel M. Gilman, Cannabis Control Board, 89 Main Street, Montpelier, VT 05620-7001 Tel: 802-261-1510 Email: gabriel.gilman@vermont.gov URL: <https://ccb.vermont.gov/>.

FOR COPIES: Kimberley Lashua, Cannabis Control Board, 89 Main Street, Montpelier, VT 05620-7001 Tel: 802-836-7708 Email: kimberley.lashua@vermont.gov.

Rule 4: Compliance and Enforcement.

Vermont Proposed Rule: 23P013

AGENCY: Cannabis Control Board.

CONCISE SUMMARY: This rule provides the enforcement mechanisms, procedures, and penalties for the



Cannabis Control Board's Rules 1 through 3, which govern the licensing and regulation of commercial cannabis businesses and patient access to therapeutic cannabis. The most substantial proposed amendment adds a section governing the administrative appeals process. The new section controls the content and management of the record on appeal, provides for appellate prehearing conferences, explains briefing and argument procedures, and ensures licensees are made aware of further statutory rights.

FOR FURTHER INFORMATION, CONTACT: Gabriel M. Gilman, Cannabis Control Board, 89 Main Street, Montpelier, VT 05620-7001 Tel: 802-261-1510 Email: gabriel.gilman@vermont.gov URL: <https://ccb.vermont.gov/>.

FOR COPIES: Kimberley Lashua, Cannabis Control Board, 89 Main Street, Montpelier, VT 05620-7001 Tel: 802-836-7708 Email: kimberley.lashua@vermont.gov.

