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H.169

Introduced by Representatives Dodge of Essex, Christie of Hartford, Cole of
Hartford, Arsenault of Williston, Bartholomew of Hartland,
Berbeco of Winooski, Bluemle of Burlington, Bos-Lun of
Westminster, Burke of Brattleboro, Carris-Duncan of
Whitingham, Casey of Montpelier, Chapin of East Montpelier,
Charlton of Chester, Cina of Burlington, Cordes of Bristol,
Duke of Burlington, Goodnow of Brattleboro, Harple of Glover,
Headrick of Burlington, Hooper of Randolph, Hooper of
Burlington, Howard of Rutland City, Keyser of Rutland City,
Krasnow of South Burlington, LaMont of Morristown, Logan of
Burlington, Masland of Thetford, McCann of Montpelier,
McGill of Bridport, Minier of South Burlington, Mrowicki of
Putney, Olson of Starksboro, Pezzo of Colchester, Pouech of
Hinesburg, Priestley of Bradford, Rachelson of Burlington,
Sibilia of Dover, Surprenant of Barnard, Sweeney of Shelburne,
Tomlinson of Winooski, Torre of Moretown, Waszazak of
Barre City, and Waters Evans of Charlotte

Referred to Committee on

Date:

1 Subject: Commerce and trade; residential rental application; prohibited acts;
2 public accommodations; unfair housing practices; discrimination
3 Statement of purpose of bill as introduced: This bill proposes to prohibit a
4 landlord from requesting a Social Security number on a residential rental
5 application and to accept all forms of government issued identification. This
6 bill also proposes to add citizenship and immigration status to the existing
7 discrimination prohibitions in public accommodations and unfair housing
8 practices.

9 An act relating to amending the prohibitions against discrimination in
10 public accommodations and housing

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

12 Sec. 1. 9 V.S.A. § 4456a is amended to read:

13 § 4456a. RESIDENTIAL RENTAL APPLICATION ~~FEES~~; PROHIBITED

14 ACTS

15 (a) A landlord or a landlord's agent shall not:

16 (1) charge an application fee to any individual in order to apply to enter
17 into a rental agreement for a residential dwelling unit; or

18 (2) request the Social Security number of an individual or a member of
19 an individual's household in order to apply to enter into a rental agreement for
20 a residential dwelling unit or to conduct a criminal background or credit check.

1 (b) This section shall not be construed to prohibit a person from charging a
2 fee to a person in order to apply to rent commercial or nonresidential property.

3 (c) If required during the application process, a landlord or a landlord's
4 agent shall accept an original or a copy of any form of government-issued
5 identification.

6 Sec. 2. 9 V.S.A. § 4501 is amended to read:

7 § 4501. DEFINITIONS

8 As used in this chapter:

9 * * *

10 (12)(A) "Harass" means to engage in unwelcome conduct that detracts
11 from, undermines, or interferes with a person's:

12 (i) use of a place of public accommodation or any of the
13 accommodations, advantages, facilities, or privileges of a place of public
14 accommodation because of the person's race, creed, color, national origin,
15 citizenship, immigration status, marital status, sex, sexual orientation, gender
16 identity, or disability; or

17 (ii) terms, conditions, privileges, or protections in the sale or rental
18 of a dwelling or other real estate, or in the provision of services or facilities in
19 connection with a dwelling or other real estate, because of the person's race,
20 sex, sexual orientation, gender identity, age, marital status, religious creed,
21 color, national origin, citizenship, immigration status, or disability, or because

1 the person intends to occupy a dwelling with one or more minor children, or
2 because the person is a recipient of public assistance, or because the person is a
3 victim of abuse, sexual assault, or stalking.

4 * * *

5 Sec. 3. 9 V.S.A. § 4502 is amended to read:

6 § 4502. PUBLIC ACCOMMODATIONS

7 (a) An owner or operator of a place of public accommodation or an agent
8 or employee of such owner or operator shall not, because of the race, creed,
9 color, national origin, citizenship, immigration status, marital status, sex,
10 sexual orientation, or gender identity of any person, refuse, withhold from, or
11 deny to that person any of the accommodations, advantages, facilities, and
12 privileges of the place of public accommodation.

13 * * *

14 Sec. 4. 9 V.S.A. § 4503 is amended to read:

15 § 4503. UNFAIR HOUSING PRACTICES

16 (a) It shall be unlawful for any person:

17 (1) To refuse to sell or rent, or refuse to negotiate for the sale or rental
18 of, or otherwise make unavailable or deny, a dwelling or other real estate to
19 any person because of the race, sex, sexual orientation, gender identity, age,
20 marital status, religious creed, color, national origin, citizenship, immigration
21 status, or disability of a person, or because a person intends to occupy a

1 dwelling with one or more minor children, or because a person is a recipient of
2 public assistance, or because a person is a victim of abuse, sexual assault, or
3 stalking.

4 (2) To discriminate against, or to harass, any person in the terms,
5 conditions, privileges, and protections of the sale or rental of a dwelling or
6 other real estate, or in the provision of services or facilities in connection with
7 a dwelling or other real estate, because of the race, sex, sexual orientation,
8 gender identity, age, marital status, religious creed, color, national origin,
9 citizenship, immigration status, or disability of a person, or because a person
10 intends to occupy a dwelling with one or more minor children, or because a
11 person is a recipient of public assistance, or because a person is a victim of
12 abuse, sexual assault, or stalking.

13 (3) To make, print, or publish, or cause to be made, printed, or published
14 any notice, statement, or advertisement, with respect to the sale or rental of a
15 dwelling or other real estate that indicates any preference, limitation, or
16 discrimination based on race, sex, sexual orientation, gender identity, age,
17 marital status, religious creed, color, national origin, citizenship, immigration
18 status, or disability of a person, or because a person intends to occupy a
19 dwelling with one or more minor children, or because a person is a recipient of
20 public assistance, or because a person is a victim of abuse, sexual assault, or
21 stalking.

1 (4) To represent to any person because of the race, sex, sexual
2 orientation, gender identity, age, marital status, religious creed, color, national
3 origin, citizenship, immigration status, or disability of a person, or because a
4 person intends to occupy a dwelling with one or more minor children, or
5 because a person is a recipient of public assistance, or because a person is a
6 victim of abuse, sexual assault, or stalking, that any dwelling or other real
7 estate is not available for inspection, sale, or rental when the dwelling or real
8 estate is in fact so available.

9 * * *

10 (6) To discriminate against any person in the making or purchasing of
11 loans or providing other financial assistance for real-estate-related transactions
12 or in the selling, brokering, or appraising of residential real property, because
13 of the race, sex, sexual orientation, gender identity, age, marital status,
14 religious creed, color, national origin, citizenship, immigration status, or
15 disability of a person, or because a person intends to occupy a dwelling with
16 one or more minor children, or because a person is a recipient of public
17 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

18 (7) To engage in blockbusting practices, for profit, which may include
19 inducing or attempting to induce a person to sell or rent a dwelling by
20 representations regarding the entry into the neighborhood of a person or
21 persons of a particular race, sex, sexual orientation, gender identity, age,

1 marital status, religious creed, color, national origin, citizenship, immigration
2 status, or disability of a person, or because a person intends to occupy a
3 dwelling with one or more minor children, or because a person is a recipient of
4 public assistance, or because a person is a victim of abuse, sexual assault, or
5 stalking.

6 (8) To deny any person access to or membership or participation in any
7 multiple listing service, real estate brokers' organization, or other service,
8 organization, or facility relating to the business of selling or renting dwellings,
9 or to discriminate against any person in the terms or conditions of such access,
10 membership, or participation, on account of race, sex, sexual orientation,
11 gender identity, age, marital status, religious creed, color, national origin,
12 citizenship, immigration status, or disability of a person, or because a person is
13 a recipient of public assistance, or because a person is a victim of abuse, sexual
14 assault, or stalking.

15 * * *

16 (12) To discriminate in land use decisions or in the permitting of
17 housing because of race, sex, sexual orientation, gender identity, age, marital
18 status, religious creed, color, national origin, citizenship, immigration status,
19 disability, the presence of one or more minor children, income, or because of
20 the receipt of public assistance, or because a person is a victim of abuse, sexual
21 assault, or stalking, except as otherwise provided by law.

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(d) The provisions of subsection (a) of this section with respect to

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discrimination in the sales and rentals of dwellings on the basis of citizenship

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or immigration status shall not preclude the verification of immigration status

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if required by federal law.

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Sec. 5. EFFECTIVE DATE

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This act shall take effect on passage.