

Senate proposals of amendment to House proposal of amendment

S. 79

An act relating to improving rental housing health and safety

Senators Brock, Benning and Collamore move that the Senate concur in the House proposal of amendment with further proposals of amendment thereto:

First: In Sec. 1, 20 V.S.A. chapter 173, in section 2731, in subsection (b) (inspections), by striking out subdivision (1) in its entirety and inserting in lieu thereof a new subdivision (1) to read as follows:

(1)(A) The Except as provided in subdivision (1)(B) of this subsection (b), the Commissioner shall conduct inspections of premises to ensure that the rules adopted under this subchapter are being observed and may establish priorities for enforcing these rules and standards based on the relative risks to persons and property from fire of particular types of premises.

(B)(i) If a person files a complaint with a local health official concerning the health, safety, sanitation, or fitness of habitation of rental housing and the local health official fails to conduct an inspection or enforce an order pursuant to 18 V.S.A. § 602a, the person may petition the Department to conduct an inspection of the rental housing.

(ii) The Commissioner shall provide notice of the petition to the municipality and request that the municipality provide information concerning any inspections conducted or orders issued.

(iii) If, based on the information the municipality and the complainant provide, the Commissioner determines that the municipality failed to conduct an inspection or enforce an order pursuant to 18 V.S.A. § 602a, the Commissioner may conduct an inspection and issue any necessary orders pursuant to this subchapter and may invoice the municipality for the State costs incurred to take action pursuant to this subdivision (b)(1)(B).

Second: By striking out Secs. 2–7 and their reader assistance headings in their entirety and by redesignating Secs. 8–17 to be Secs. 2–11 and correcting the cross-references to the appropriate section numbers.

Third: By adding a new section to be numbered Sec. 12 to read as follows:

Sec. 12. RENTAL HOUSING ADVISORY BOARD; REPORT

On or before January 15, 2022, the Rental Housing Advisory Board, in consultation with the Department of Health, the Department of Public Safety, and the Department of Housing and Community Development, shall submit to the General Assembly a report that provides:

(1) a clear roadmap delineating the relative duties and authority of local and State health and safety officials concerning the responsibility for the inspection and enforcement of rental housing health and safety laws; and

(2) specific recommendations, cost estimates, and a timeline for providing the resources and personnel necessary to implement an inspection and enforcement system under which:

(A) local health officials receive adequate training and support to continue to serve as the primary inspection and enforcement authority for rental housing health and safety; and

(B) State health and safety officials provide adequate training, support, and personnel to supplement local health and safety inspection and enforcement on an as-needed basis.

Fourth: By striking out Sec. 18, effective dates, in its entirety and inserting in lieu thereof a new section to be numbered Sec. 13 to read as follows:

Sec. 13. EFFECTIVE DATES

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

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

(2) Secs. 10 and 11 (amendment to eviction moratorium).

(3) Sec. 12 (rental housing advisory report).

(b) The following sections take effect on July 1, 2021:

(1) Secs. 2–4 (Vermont Housing Investment Program).

(2) Secs. 5–8 (Vermont Homeownership Revolving Loan Fund).

(3) Sec. 9 (allocation of appropriations).