

1 H.223

2 Introduced by Representative O'Sullivan of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Housing; residential rental agreement; substance abuse recovery home

6 Statement of purpose of bill as introduced: This bill proposes to require a
7 tenant of a substance abuse recovery home that has been certified by the
8 Vermont affiliate of the National Alliance for Recovery Residences to vacate
9 the premises immediately after he or she violates the terms of his or her
10 contract with the home's operator.

11 An act relating to residential rental agreements for substance abuse recovery
12 homes

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

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

15 § 4456. TENANT OBLIGATIONS; USE AND MAINTENANCE OF

16 DWELLING UNIT

17 * * *

18 (e)(1) A tenant of a substance abuse recovery home that has been certified
19 by the Vermont affiliate of the National Alliance for Recovery Residences

1 (NARR) shall enter into a contract with the operator of the home prior to
2 commencing the tenancy that prohibits:

3 (A) the use of alcohol or drugs for which the tenant does not have a
4 valid prescription;

5 (B) criminal or illegal activity; and

6 (C) acts that threaten the health or safety of other tenants.

7 (2) Notwithstanding any other provision of law, when a tenant of a
8 substance abuse recovery home that has been certified by the Vermont affiliate
9 of NARR violates the contract entered into with the operator of the home, the
10 operator may give the tenant actual notice to vacate the premises immediately.
11 If the tenant fails to vacate, he or she shall be in violation of 13 V.S.A.
12 § 3705(a), and may be prosecuted for unlawful trespass. This subdivision shall
13 not be construed to limit the rights and remedies available to a landlord
14 pursuant to subsection (f) of this section.

15 (3) As used in this section, “substance abuse recovery home” means a
16 residence for individuals recovering from a substance use disorder, operated
17 for profit or otherwise, that provides an alcohol- and drug-free living
18 environment, peer support, and assistance obtaining addiction and other
19 recovery services.

1 (f) If a tenant acts in violation of this section, the landlord is entitled to
2 recover damages, costs, and reasonable attorney's fees, and the violation shall
3 be grounds for termination under subsection 4467(b) of this title.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2019.