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H.576

Introduced by Representatives Conquest of Newbury, Howard of Cambridge,

Lawrence of Lyndon and Scheuermann of Stowe

Referred to Committee on

Date:

Subject: Commerce and trade; residential rental agreements; termination of
tenancy for nonpayment of rent

Statement of purpose: This bill proposes to shorten the periods required before
a tenancy may be terminated for nonpayment of rent.

An act relating to termination of a tenancy for nonpayment of rent

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

Sec. 1. 9 V.S.A. § 4467 is amended to read:

§ 4467. TERMINATION OF TENANCY; NOTICE

(a) Termination for nonpayment of rent. The landlord may terminate a
tenancy for nonpayment of rent by providing actual notice to the tenant of the
date on which the tenancy will terminate which shall be at least ~~14~~ seven days
after the date of the actual notice. The rental agreement shall not terminate if
the tenant pays or tenders rent due through the end of the rental period in
which payment is made or tendered. Acceptance of partial payment of rent

1 shall not constitute a waiver of the landlord's remedies for nonpayment of rent
2 or an accord and satisfaction for nonpayment of rent.

3 * * *

4 Sec. 2. 12 V.S.A. § 4854 is amended to read:

5 § 4854. JUDGMENT FOR PLAINTIFF; WRIT OF POSSESSION

6 If the court finds that the plaintiff is entitled to possession of the premises,
7 the plaintiff shall have judgment for possession and rents due, damages, and
8 costs, and when a written rental agreement so provides, the court may award
9 reasonable attorney fees. A writ of possession shall issue on the date judgment
10 is entered, unless the court for good cause orders a stay. The writ shall direct
11 the sheriff of the county in which the property or a portion thereof is located to
12 serve the writ upon the defendant and, no sooner than ~~ten~~ five days after the
13 writ is served, to put the plaintiff into possession.