



CITY OF BURLINGTON, VERMONT  
CITY COUNCIL COMMUNITY DEVELOPMENT &  
NEIGHBORHOOD REVITALIZATION COMMITTEE  
c/o Community & Economic Development Office  
City Hall, Room 32 • 149 Church Street • Burlington, VT 05401  
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**Councilor Brian Pine, Chair, Ward 3**  
**Councilor Sarah Carpenter, Ward 4**  
**Councilor Zoraya Hightower, Ward 1**

**Committee members:** Chair Brian Pine (BP), Sarah Carpenter (SC), Zoraya Hightower (ZH)  
**City staff:** Christine Curtis, CEDO; Tim Devlin, City Attorney's Office  
**Other Attendees:** Christie Delphia, Tom Proctor, Robert Lee, Joyce, Tara, Kim Holtan, Peter Smiar, Josh Rudman

Tuesday, October 27th, 2020  
7:00 PM – 9:00 PM  
Virtual Zoom Meeting

**Draft Minutes**

**Meeting Started at 7:00 PM**

**1. Review Agenda**

MOTION by Councilor Hightower, SECOND by Councilor Carpenter, to adopt the agenda as presented  
VOTING: unanimous; motion carries.

**2. Public Forum**

Public Forum opened after Councilors agreed to three minutes per person. Christie Delphia asked the councilors to pass the proposed charter change as is and to not allow exemptions for landlords as landlords already have unbalanced power and this proposal is for tenant protections, not landlords.

Tom Proctor said they seconded Christie and asked the councilors to pass the proposed charter change as is. He said that the current language would allow for flexibility and local ordinance changes later, which do not need to go through the state legislative process. He said that putting exemption language in the proposal would make changes harder down the road.

Robert Lee commented that it was too soon to decide on what should be included in the just cause evictions without knowing what can and can't be done,

but that the focus should be aimed at tenant protections and giving tenants' more rights than they've had in the past, especially given the pandemic and moratoriums ending at the end of the year.

Joyce asked where in the research does it say that the tenant can stay beyond the end of the lease? Councilor Pine answered that he would make a note of that and they would discuss that later in the meeting after public forum.

Tara gave a personal testimony about their experience with their new landlord at Cathedral Square, to whom they paid \$2,000.00 to get into as a transitional program. They are very concerned given that no cause eviction is currently allowed, and the power imbalance between the management company and the tenants in transitional housing. Tara asked for the proposed charter change to pass as is currently written.

Kim Holtan gave a personal testimony about their experience as a local landlord and said they are concerned how this will work and how it will affect them. They said they would like more information.

Peter Smiar gave a personal testimony about their experience as a local landlord and former resident of Burlington, and said they are concerned about the issue of lease expiration in the charter change and that it does not give landlords the right to move in a different direction after a tenants' lease expires. Peter Smiar asked the councilors to pass the charter change without the lease expiration language and that it should be addressed now in the process as opposed to later.

Josh Rudman gave a personal testimony as a local landlord and their experience with tenant turnover. They said they are concerned that with less turnover, landlords will have less access to repair and renovate spaces.

With no further comments, public forum closed.

### 3. Enhanced Charter Change Resolution discussion

The Committee discussed the draft resolution [found here](#). SC went through the proposed exemptions for committee feedback. ZH suggested not including exemptions in the charter change before an ordinance was drafted in order to full protect tenants' rights and prevent loopholes for landlords. SC shared that the City Attorney's office advised the committee to include specific language now in the charter change as opposed to later in a resolution, to which Asst City Attorney Tim confirmed. SC and BP agreed that using more specific language would give voters more information as well as create guidelines for the charter change. ZH expressed concerns that using language that is too specific or imperfect will create inflexibility in the charter change that is much harder to remedy in the future. ZH said she would support exceptions with broader language that is agreed upon after public discussion.

The committee discussed the exemptions listed and whether they should be further defined, clarified, or included at all. The councilors agreed to using broader language such as “ordinances may include” as opposed to, “should include” in order to provide the most protection and flexibility. ZH suggested that a few of the exemptions, such as “close family member” and “substantial repairs” should not be left open to landlord interpretation.

After much discussion, the committee agreed to leave the topic unresolved and move on to the next agenda item.

#### 4. Just Cause Eviction FAQ document discussion

The Committee concluded that they could not move forward with the FAQ document discussion until they can agree on final language for the Enhanced Charter Change resolution as it is relative.

#### 5. Approve Draft Minutes: 5/6, 5/20, 6/3, 7/15, 7/27, 8/5

MOTION by Councilor Hightower, SECOND by Councilor Carpenter, to approve the Draft minutes as presented.

VOTING: unanimous; motion carries.

#### 6. Next Steps

The Committee agreed to continue to work on the Just Cause Eviction resolution language for further discussion at the next meeting.

The Committee asked the public for last additional comments.

Joyce raised their hand for comment to ask a few questions, such as clarification on lease expirations and tenant versus landlord’s rights regarding termination and what authority the City had in contracts between two parties. The councilors answered that leases continue unless there is a cause for termination, and the passing of time is not enough of a reason. The committee said if a landlord chooses not to renew a lease, they would follow the same month-to-month provisions that are in place currently, and explained their authority with an example using labor law which are regulations on contracts between two parties as well and by explaining minimum housing standards. Joyce also asked if the rent control provision would be included in the final draft. CP said the proposed exemptions are not finalized and that provision is currently included to protect tenants from egregious rent increases as a means of eviction.

Christie Delphia, of Tenants Rights, said the proposal is not including rent control, just that landlords cannot increase rent to a level which would force an eviction and that Just Cause evictions benefit the landlords, as well as the community.

MOTION by Councilor Hightower SECOND by Councilor Carpenter to  
adjourn the meeting at 9:02 PM  
VOTING: unanimous; motion carries.