

Revised Amendment to Just Cause Eviction Charter Change (11-30-20)

“Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended, be further amended to give the City the power to provide by ordinance the conditions under which evictions may occur, and may prohibit such without “just cause” by adopting and adding a new section 48(66) to read as follows:

To provide by ordinance protections for residential tenants from eviction without “just cause”, where just cause shall include, but is not limited to (a) a material breach of a written rental agreement, (b) violation of state statutes regulating tenant obligations in residential rental agreements, (c) non-payment of rent or (d) tenant refusal to accept reasonable changes to the term of a lease made in good faith.

The City, by ordinance, may also exclude from “just-cause” the expiration of a rental agreement as sole grounds for termination of tenancy. Reasonable exemptions from this provision shall be provided for properties that include, but are not limited to (a) sublets and in-unit rentals; (b) owner-occupied duplexes, triplexes; and accessory dwelling units (c) units where the owner or immediate family certifies they are moving in (d) units being withdrawn from the rental market (e) units in need of substantial renovations that preclude occupancy. The ordinance shall provide for a reasonable probationary period for initial occupancy. All termination of tenancy shall include adequate notice to tenants.

The City, by ordinance, may also provide for limits on unreasonable rent increases to prevent de facto evictions or non-renewal of lease. This shall not be construed to limit rents beyond the purpose of preventing individual evictions. The ordinance shall define what is ‘unreasonable’ and ‘adequate notice’ as consistent with city and state law defining “just cause”; and require that landlords provide notice of just cause and other legal requirements as part of the rental agreement.

This Charter amendment shall exclude, but is not limited to, residential rental agreements defined in 9 V.S.A ss 4452.”