

**Draft resolution (resolved clauses) related to Just Cause Eviction Charter Change:**

NOW, THEREFORE, BE IT RESOLVED the Charter Change Committee, with approval of the Community Development and Neighborhood Revitalization Committee (CDNR), recommends that the City Council consider the following amendment to the Burlington City Charter be placed on the March 2021 Annual City Meeting Ballot:

"Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended, be further amended by adopting and adding a new section 48(66) to read as follows: "To provide by ordinance protections for residential rental tenants from eviction without "just cause," where just cause may 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 while just cause may exclude (a) expiration of rental agreements (b) personal disagreements. The ordinance may also set a maximum rent increase provision with the purpose of preventing de facto evictions. The ordinance may require that landlords provide notice of just cause and other legal requirements as part of the rental agreement:" and

BE IT FURTHER RESOLVED that if the City Council choses to enact ordinances under the new section 48(66) of the City Charter, the ordinances shall:

- Exclude specialty and transient housing, licensed facilities, hospitals, school dorms, properties rented to seasonal guests.
- Provide for exemptions from the ordinances, including:
  - Owner occupied properties
  - Properties being withdrawn from the rental market
  - Properties where the owner or close family member is intending to move in
  - Properties in need of substantial repair or renovation
  - In unit rentals and sublets
- Provide for an "unreasonable" or "unconscionable" rent increase provision. This rent increase provision is intended to prevent the de facto eviction of a current tenant. Factors to be considered could include how the existing and proposed rent compare to rents charged at similar rental properties, landlord expenses and the amount of the rent increase. This provision is not intended to control rents or rent increases for the broader residential rental market.
- Not become effective until after one year of occupancy

Additional exclusions and exemptions may be added.

**Sarah Carpenter**  
**10/18/2020**