

Resolution Relating to

RESOLUTION 7.07

Sponsor(s): Community Development and Neighborhood Revitalization Committee

Introduced: 08/10/20

Referred to:

Action: amended; adopted

Date: 08/10/20

Signed by Mayor: 08/18/20

REFERRAL TO CHARTER CHANGE COMMITTEE OF CHARTER CHANGE TO AUTHORIZE ORDINANCES ON JUST CAUSE EVICTIONS

CITY OF BURLINGTON

In the year Two Thousand Twenty

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, at its October 7, 2019 meeting, this Council adopted a comprehensive Resolution
2 regarding Housing Policy Reforms, which included referring to the Community Development and
3 Neighborhood Revitalization (CDNR) Committee “the review of recommendations regarding renter
4 protections that will be delivered by CEDO and the Department of Permitting & Inspections in October, so
5 that the Committee may develop any further changes;” and

6 WHEREAS, at the Council’s November 18, 2019, meeting, the City’s Community and Economic
7 Development Office and Department of Permitting & Inspections presented the Council with a review and
8 recommendations on tenant protections, and that document was referred to the CDNR Committee; and

9 WHEREAS, just cause eviction policies promote residential stability by limiting the grounds upon
10 which a landlord may evict a tenant; typically, allowable grounds for eviction include nonpayment of rent,
11 significant damage to the unit, or other material noncompliance with the terms of the lease before they may
12 evict tenants, and such policies also create procedures that rental property owners must follow in order to
13 establish “just cause” to evict; and

14 WHEREAS, just cause eviction policies have been adopted in many U.S. cities and states including but
15 not limited to Boston, New York City, Seattle, New Jersey, District of Columbia, Chicago and San Francisco
16 and such policies are part of state and local governments’ efforts to provide housing stability for renters in
17 expensive housing markets with very low rental vacancy rates similar to Burlington; and

18 WHEREAS, a recent report by Vermont Legal Aid analyzing eviction data over the last five fiscal
19 years found that there were an annual average of 368 evictions filed in Chittenden County and 20% of all filed
20 eviction cases were for no cause at all since the existing “No cause” eviction law allows landlords to evict
21 tenants even if the tenants have paid rent on time and have never broken their leases; and

22 WHEREAS, after several public meetings with public input, on August 5, 2020, the CDNR Committee
23 voted unanimously to recommend that the below question on just cause evictions be referred to the Charter
24 Change Committee for consideration for the November special election;

* * * * *

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

RESOLUTION RELATING TO

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.....
.....

Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Vol. Page

Attest:

* * * * *

REFERRAL TO CHARTER CHANGE COMMITTEE
OF CHARTER CHANGE TO AUTHORIZE ORDINANCES
ON JUST CAUSE EVICTIONS

25 NOW, THEREFORE, BE IT RESOLVED that the Council hereby refers to the Charter Change
26 Committee consideration of the following amendment to the Burlington City Charter proposed by the CDNR
27 Committee:

28 “Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended, be further
29 amended by adopting and adding a new section 48(66) to read as follows: ‘To provide by ordinance
30 protections for residential tenants from eviction without “just cause,” where just cause may include,
31 but is not limited to (a) a material breach of a written rental agreement, (b) violation of state statutes
32 regulating tenant obligations in residential rental agreements, (c) non-payment of rent while just cause
33 may exclude (a) expiration of rental agreements (b) personal disagreements. The ordinance may also
34 set a maximum rent increase with the purpose of preventing de facto evictions. The ordinance may
35 require that landlords provide notice of just cause and other legal requirements as part of the rental
36 agreement;?’” and

37 BE IT FURTHER RESOLVED that the Council directs the Charter Change Committee to report back
38 to the City Council ~~at its August 24, 2020~~ **no later than its December 7, 2020** meeting so that the question
39 can be considered in time to be warned for public hearing ~~for the November special election~~ **for the March**
40 **2021 Annual Meeting.**

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43 lb/EBlackwood/Resolutions 2020/City Council – Referral to Charter Change Committee of Charter Change to Authorize Ordinances on Just Cause
44 Evictions
45 8/6/2020 amended; adopted 081020 LO

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I hereby certify that this resolution has been sent to the following department(s) on

City Attorney's Office, Linda Blanchard
Charter Change Committee Members

RESOLUTION RELATING TO

Referral To Charter Change Committee Of Charter Change To Authorize Ordinances
On Just Cause Evictions

As amended

Adopted by the City Council
August 10, 2020

[Signature] Clerk

Approved August 18, 2020
[Signature] Mayor

Vol. Page

Attest:

[Signature]
Lois Olberg

Licensing, Voting and Records Coordinator

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