

As of January 1, 2024, the state Division of Fire Safety is the government entity with the primary authority to enforce State laws governing rental housing health and safety. The Division of Fire Safety has adopted the [Rental Housing Health and Safety Code](#) and designed [a complaint-based system](#) to ensure rental housing, including short-term rentals, is maintained in a safe and healthy manner, and will take the lead on rental housing inspections in most of the state. However, town health officers have the authority to assist the Division of Fire Safety in inspecting rental housing, pursuant to [18 V.S.A. §602a\(5\)](#) and [20 V.S.A. Chapter 172](#).

Towns with Municipal Rental Housing Inspection Programs

Those municipalities with an existing municipal rental housing inspection program may conduct rental housing inspections according to their normal procedure under their municipal authority. If necessary, these municipalities may use their municipal enforcement tools or coordinate with the Division of Fire Safety on enforcement.

Towns without Municipal Rental Housing Inspection Programs

In towns that do not have a formal code enforcement program, town health officers and other municipal officials must refer rental housing or short-term rental complaints or requests for inspection to the Division of Fire Safety.

On their website, the Division of Fire Safety has [a fillable complaint form](#) which can be completed online and electronically submitted to the appropriate regional office based on the zip code of the rental property. Emergencies, such as smoke or carbon monoxide activation, possible gas leaks, arcing wires, or burst water pipes, should be reported to the local fire department.

The Division of Fire Safety will determine the next steps in responding to the complaint. The Division of Fire Safety will take the lead on conducting most rental housing inspections but may request that a town health officer conduct an inspection in certain more urgent situations, such as a complaint of a lack of smoke detectors or carbon monoxide alarms, no heat, no power or no water.

If requested by the Division of Fire Safety to conduct a rental housing complaint, the THO should focus their investigation on the subject of the complaint. The THO does not need to perform a full inspection against the [Rental Housing Health and Safety Code](#). The THO can verify the validity of the complaint, determine the severity of the reported issues, and update the Division of Fire Safety staff in their region on their findings. A state fire marshal will follow up with a full inspection, complete an inspection report and distribute it to the relevant parties.

KEY POINTS

- **The Division of Fire Safety has the primary authority to enforce State laws governing rental housing health and safety, but THOs have authority to assist the Division of Fire Safety in inspecting rental housing.**
- **Questions about the Rental Housing Health and Safety Code and the rental inspection process should be directed to the Division of Fire Safety.**

Enforcing Rental Housing Health and Safety

If towns are unable to achieve voluntary compliance, they may use their municipal enforcement tools to enforce the state Rental Housing Health and Safety Code, and the Division of Fire Safety has the authority to impose administrative penalties and take further enforcement action if necessary.

However, town health officers may not use their state health order and emergency health order authorities at 18 V.S.A. §§ 126 and 127 to enforce the Rental Housing Health and Safety Code since it was not adopted under Title 18. If a situation in rental housing poses a public health hazard or imminent and substantial public health hazard or risk (see sections 3 and 4 of the [Town Health Officer Manual](#)), a health order or emergency health order may be appropriate to prevent, remove, or destroy that hazard or to mitigate that risk.

Contact:

The Division of Fire Safety has a webpage with information on [rental housing health and safety](#). [Contact information for the regional offices of the Division of Fire Safety](#), including the Assistant State Fire Marshals for Rental Housing, is also available on their website.