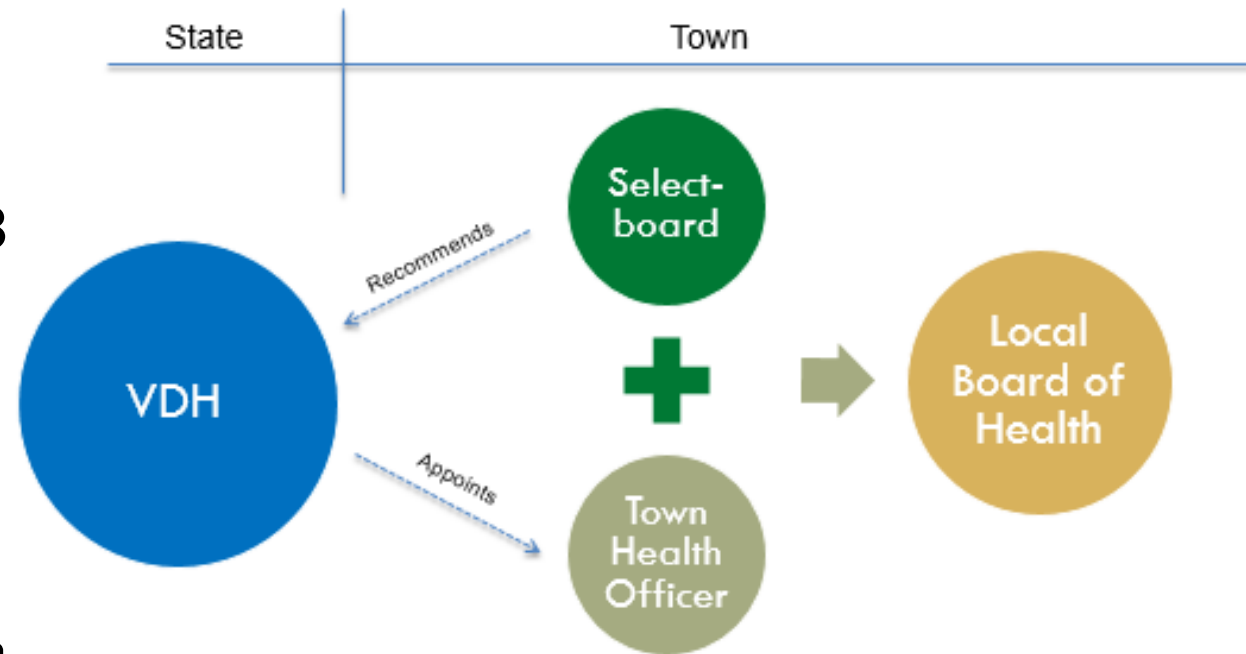




Town Health Officers Duties in Rental Housing Inspections

What is a Town Health Officer and how are they appointed?

- Every selectboard or city council must recommend a THO for appointment by Commissioner of Health
- A THO's term automatically ends after 3 years
- Towns are encouraged to appoint additional Deputy THOs to share duties; no limit on number
- Together, the THO and selectboard form a Local Board of Health



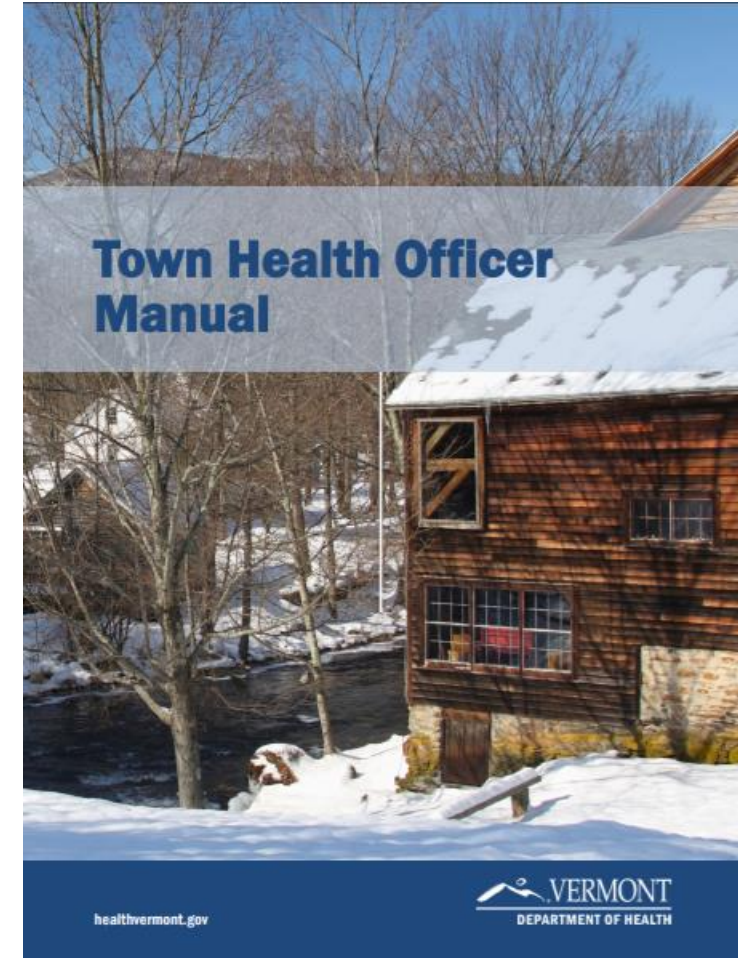
18 V.S.A. § 604

What does a THO do?

- Conducts inspections on complaints of public health hazards
 - Documents inspections, maintains records, uses forms supplied by VDH, takes photos
- Conducts inspections on rental housing complaints
- Works with property owners toward voluntary compliance
 - Brings in VDH, town officials, and other state and local agencies to resolve issues voluntarily, if possible
- Issues Health Orders & Emergency Health Orders to prevent, remove or destroy public health hazards, as a last resort

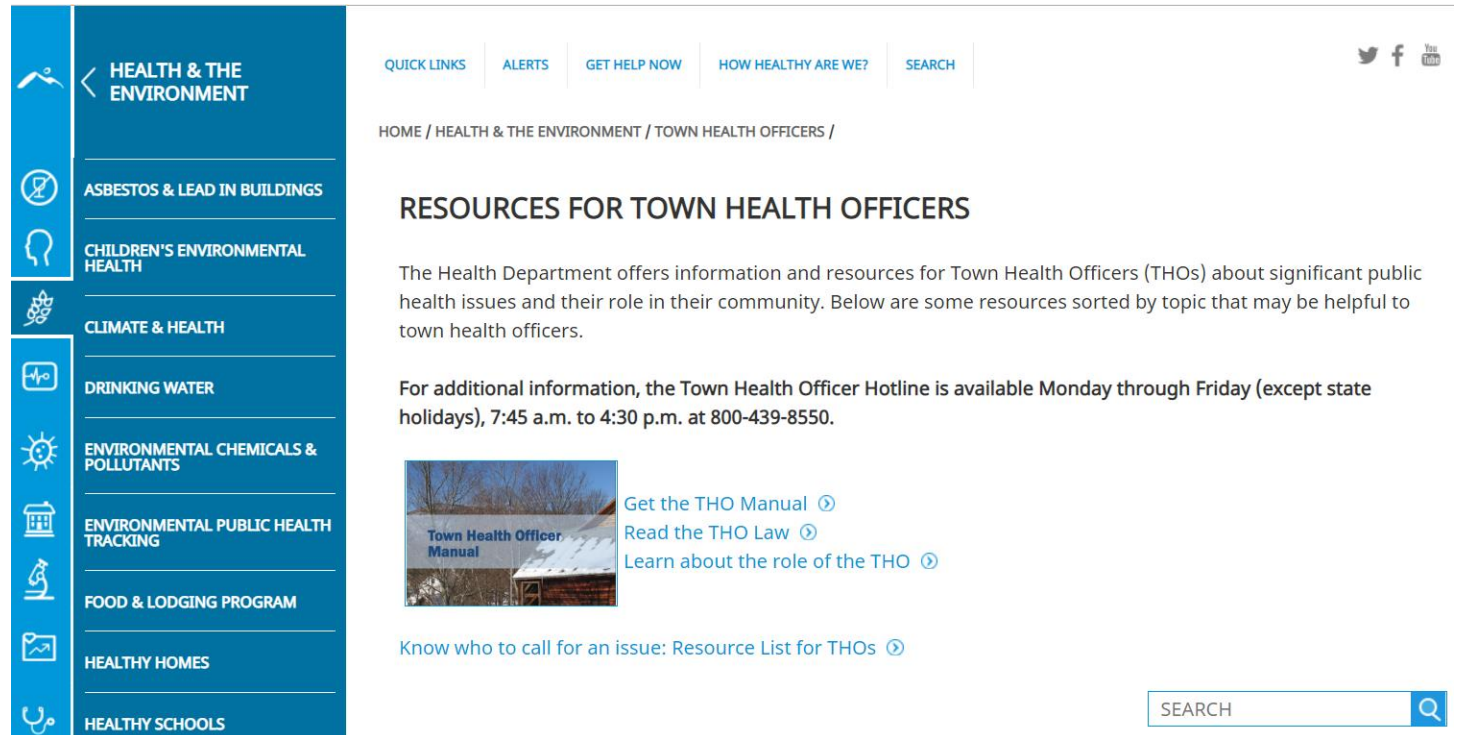
What issues do THOs encounter?

- Septic system failures
- Lead paint/EMP and asbestos issues
- Animal control
 - Pest infestations
 - Animal bites
- Drinking and recreational water issues
- Air contaminants
- Solid and hazardous waste issues
- Emergency/disaster condemnation
- Rental housing health issues



How does VDH support THOs?

- Appointment process
- Trainings
- Resources
 - ▣ THO Manual
 - ▣ Forms
 - ▣ Listserv
 - ▣ Hotline
 - ▣ Referrals
- Technical support
- Sounding board



Where are the resources for THOs?

Reach the
Health Dept.

Find THOs

The screenshot shows the Vermont Department of Health website. The sidebar on the left lists various health topics under the heading 'HEALTH & THE ENVIRONMENT'. The main content area is titled 'TOWN HEALTH OFFICERS' and includes a photo of a town health officer, a paragraph explaining the role of town health officers, and a list of their responsibilities. Below this is a section titled 'IN THIS SECTION' with two links: 'Find Your Town Health Officer' and 'Forms, Resources and Trainings'.

HEALTH & THE ENVIRONMENT

ASBESTOS & LEAD IN BUILDINGS

CHILDREN'S ENVIRONMENTAL HEALTH

CLIMATE & HEALTH

DRINKING WATER

ENVIRONMENTAL CHEMICALS & POLLUTANTS

ENVIRONMENTAL PUBLIC HEALTH TRACKING

FOOD & LODGING PROGRAM

HEALTHY HOMES

HEALTHY SCHOOLS

RADIOLOGICAL HEALTH

RECREATIONAL WATER

TOWN HEALTH OFFICERS

PLANS & REPORTS

QUICK LINKS | ALERTS | GET HELP NOW | HOW HEALTHY ARE WE? | SEARCH

HOME / HEALTH & THE ENVIRONMENT /

TOWN HEALTH OFFICERS

Need a local contact? [Find Your Town Health Officer](#)

By law, every town and city in Vermont has a Local Board of Health. The Local Board of Health consists of the Town Health Officer and town select board (or city council). The duties and responsibilities of Vermont Boards of Health are established by [state statute](#).

Town Health Officers are responsible for:

- Investigating possible public health hazards and risks within the town or city
- Taking action to prevent, remove, or destroy any public health hazards
- Taking action to lessen significant public health risks
- Enforcing health laws, rules and permit conditions, and taking the steps necessary to enforce orders

> [Contact Information](#)

IN THIS SECTION

Find Your Town Health Officer

Find your Town Health Officer using our searchable listing. Search by clicking on the "Find by Town" or "Find by Name" buttons, below.

[READ MORE](#)

Forms, Resources and Trainings

The Health Department offers information and resources for Town Health Officers (THOs) about significant public health issues and their role in their community.

[READ MORE](#)

Authority


Resources

Rental Housing

“Dwelling: means a rented building or structure, excluding tents or similar structures used for the express purpose of camping, that is wholly or partly used or intended to be used as a primary residence for living or sleeping by human inhabitants. This includes rented mobile homes and ‘housing provided as a benefit of farm employment’ as defined in 9 VSA § 4469(a)(3).”

- Vermont Rental Housing Health Code

THO Role in Rental Housing

 VERMONT DEPARTMENT OF HEALTH Town Health Officer Rental Housing Inspection Checklist	Inspector Name: <input type="checkbox"/> Health Officer <input type="checkbox"/> Deputy <input type="checkbox"/> Other										
	Town:										
Property Address:	Date of Inspection:										
Property Owner Name:	Type of Inspection: <input type="checkbox"/> Initial <input type="checkbox"/> Follow-Up (Last Inspection Date: _____) Housing Type: _____										
Property Phone Number:	Tenant Name(s) and Phone Number(s):										
Reason for Inspection:	<table border="1"><thead><tr><th>Unit #</th><th>Name/Phone Number</th></tr></thead><tbody><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></tbody></table>	Unit #	Name/Phone Number								
Unit #	Name/Phone Number										

Number of People Residing at the Home: <input type="text"/>	Location of Bedrooms: <input type="text"/>
Number of Smokers Residing at the Home: <input type="text"/>	Number of Bedrooms: <input type="text"/>

- Please answer each question.
- Contact Information:
 - Vermont Department of Health (VDH) - Environmental Health phone numbers:
 - Weekdays from 7:45 AM to 4:30 PM: 800-439-8550
 - All other times: 800-640-4374
 - Department of Public Safety (DPS) phone number to call varies based on property region:
 - Region #1 – Williston Office: 1-800-366-8325
 - Region #2 – Barre Office: 1-888-870-7888
 - Region #3 – Rutland Office: 1-888-370-4834
 - Region #4 – Springfield Office: 866-404-8883
 - Department of Environmental Conservation (DEC) regional and main phone numbers:
 - Montpelier (Main) Office – 802-828-1556
 - Barre Office – 802-476-0190
 - Essex Office – 802-879-5656
 - Rutland Office – 802-786-5900
 - Springfield Office – 802-885-8855
 - St. Johnsbury Office – 802-751-0130
- Additional information on issuing an **Emergency Health Order** can be found in 18 VSA Chapter 3 § 127.

Identification, Instructions
REV: 11/15/2015

1

THOs enforce the Rental Housing Health Code:

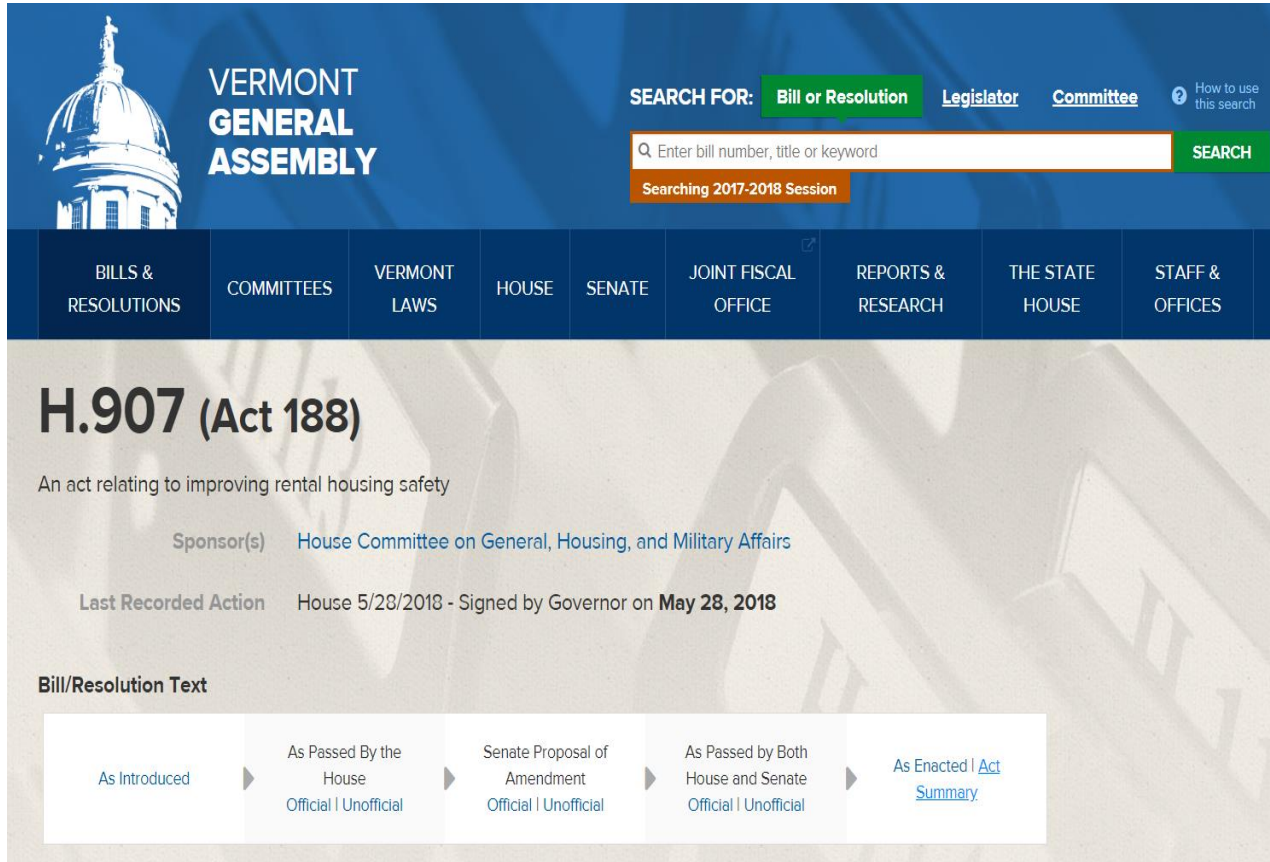
- Respond to complaints and inspect rental properties
- Document findings
- Follow up to ensure compliance
- Report regulatory issues to VDH (ex: lead violations)

Rental Housing Health Code (RHHC)

- ❑ Sanitation facilities (kitchen and bathrooms)
- ❑ Water supply and sewage disposal
- ❑ Trash storage and removal
- ❑ Pest control
- ❑ Heating
- ❑ Ventilation
- ❑ Lighting and electricity
- ❑ Structural elements, mold



Act 188



The screenshot shows the Vermont General Assembly website. At the top, there is a search bar with the text "SEARCH FOR:" and options for "Bill or Resolution", "Legislator", and "Committee". Below the search bar is a navigation menu with links for "BILLS & RESOLUTIONS", "COMMITTEES", "VERMONT LAWS", "HOUSE", "SENATE", "JOINT FISCAL OFFICE", "REPORTS & RESEARCH", "THE STATE HOUSE", and "STAFF & OFFICES". The main content area displays "H.907 (Act 188)" with the description "An act relating to improving rental housing safety". It also lists the sponsor as "House Committee on General, Housing, and Military Affairs" and the last recorded action as "House 5/28/2018 - Signed by Governor on May 28, 2018". At the bottom, there is a section for "Bill/Resolution Text" with a navigation bar showing the progression from "As Introduced" to "As Enacted | Act Summary".

VERMONT GENERAL ASSEMBLY

SEARCH FOR: **Bill or Resolution** [Legislator](#) [Committee](#) [How to use this search](#)

Q Enter bill number, title or keyword **SEARCH**

Searching 2017-2018 Session

[BILLS & RESOLUTIONS](#) [COMMITTEES](#) [VERMONT LAWS](#) [HOUSE](#) [SENATE](#) [JOINT FISCAL OFFICE](#) [REPORTS & RESEARCH](#) [THE STATE HOUSE](#) [STAFF & OFFICES](#)

H.907 (Act 188)

An act relating to improving rental housing safety

Sponsor(s) [House Committee on General, Housing, and Military Affairs](#)

Last Recorded Action House 5/28/2018 - Signed by Governor on **May 28, 2018**

Bill/Resolution Text

[As Introduced](#) ▶ [As Passed By the House Official | Unofficial](#) ▶ [Senate Proposal of Amendment Official | Unofficial](#) ▶ [As Passed by Both House and Senate Official | Unofficial](#) ▶ [As Enacted | Act Summary](#)

- Act 188, passed during the last legislative session, has made changes to state law that affect the THO role in rental housing inspections.
- Beginning July 1, 2018, the law made some of the Health Department's recommended practices mandatory, and also added several new requirements

Rental Housing Investigations



The THO **must conduct an investigation** if:

- ❑ A landlord requests an inspection,
- ❑ A tenant requests and inspection, or
- ❑ The THO receives information about a potential public health hazard.

Documenting RHHC Violations

- When completed, the form serves as a written inspection report, which is required by law at 18 VSA § 603(a)(1)
- It describes any violations of the RHHC observed by the THO during the inspection
- The THO must go through the entire form during the inspection, rather than just focusing on the subject of the complaint

Counter surfaces in the bathroom of dwelling units and rooming houses shall be smooth, noncorrosive, nonabsorbent and waterproof covering.

2.7	Are the countertops nonabsorbent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required Corrective Actions AND Deadline
-----	-----------------------------------	-------------------------------------	--------------------------	--------------------------	---

Floor surfaces in the bathroom of dwelling units and rooming houses shall be smooth, noncorrosive, nonabsorbent and waterproof covering. RHHC, §§ 5.3, 5.3.1, 5.3.2

2.8	Is the floor made of:				Required Corrective Actions AND Deadline
	a. Smooth, nonabsorbent, non-corrosive, non-slip, waterproof covering? (ex: tile)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NA
	b. Carpeting with a solid, water repellant backing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

All toilets must be working flush toilets. RHHC, § 5.2.1

2.9	Do all toilets flush?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>If "No", is there at least one working toilet for tenants? If there is at least one working toilet, Owner to correct within a reasonable period. If all toilets do not flush, owner needs to begin resolving within 24 hours. Also see Question 3.8a-b.</p> <p>Required Corrective Actions AND Deadline</p> <p>The toilet does not flush properly. Property owner must fix within 24 hours of inspection.</p>
-----	-----------------------	--------------------------	-------------------------------------	--------------------------	---

Shower/tub and sink/toilet must be separate from habitable rooms. RHHC, § 5.2.1

2.10	Is the shower/tub and sink/toilet separate from habitable rooms?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required Corrective Actions AND Deadline
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3. SANITATION FACILITIES (II)

Occupants must have access to public drinking water or good quality private system. RHHC, §§ 5.4.1, 5.4.2

Water Supply/Wastewater Disposal		Y	N	NA	
3.1	Is there currently a water supply to the unit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>If "No", owner needs to provide temporary water supply to occupants until long-term solution is achieved. Owner must begin working on long-term solution within 24 hours.</p> <p>Required Corrective Actions AND Deadline</p> <p>Water not running. Landlord must immediately supply potable water and contact plumber within 24 hours to ensure water is back on.</p>

Documenting RHHC Violations, continued

- The form provides references to the RHHC for each requirement, but also frames it in a question form:
 - ▣ Ex: RHHC Section 5.2.1 requires that “all toilets must be working flush toilets”
 - ▣ The inspection form asks “Do all toilets flush?”
- The THO answers the question, yes or no, then adds additional details as necessary
- Violations can also be documented with photos, as appropriate.

Counter surfaces in the bathroom of dwelling units and rooming houses shall be smooth, noncorrosive, nonabsorbent and waterproof covering.

2.7	Are the countertops nonabsorbent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required Corrective Actions AND Deadline
-----	-----------------------------------	-------------------------------------	--------------------------	--------------------------	--

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	b. Carpeting with a solid, water repellent backing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

All toilets must be working flush toilets. RHHC, § 5.2.1

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-----	-----------------------	--------------------------	-------------------------------------	--------------------------	---

Shower/tub and sink/toilet must be separate from habitable rooms. RHHC, § 5.2.1

2.10	Is the shower/tub and sink/toilet separate from habitable rooms?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required Corrective Actions AND Deadline NA
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3. SANITATION FACILITIES (II)

Occupants must have access to public drinking water or good quality private system. RHHC, §§ 5.4.1, 5.4.2

Water Supply/Wastewater Disposal		Y	N	NA	
3.1	Is there currently a water supply to the unit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If “No”, owner needs to provide temporary water supply to occupants until long-term solution is achieved. Owner must begin working on long-term solution within 24 hours. Required Corrective Actions AND Deadline Water not running. Landlord must immediately supply potable water and contact plumber within 24 hours to ensure water is back on.

Specifying Corrective Actions and Timelines

Counter surfaces in the bathroom of dwelling units and rooming houses shall be smooth, noncorrosive, nonabsorbent and waterproof covering.

2.7	Are the countertops nonabsorbent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required Corrective Actions AND Deadline
-----	-----------------------------------	-------------------------------------	--------------------------	--------------------------	--

Floor surfaces in the bathroom of dwelling units and rooming houses shall be smooth, noncorrosive, nonabsorbent and waterproof covering. RHHC, §§ 5.3, 5.3.1, 5.3.2

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	b. Carpeting with a solid, water repellant backing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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3. SANITATION FACILITIES (II)

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- After determining that there is a violation, the THO must specify, in the inspection report, two things:
 - ▣ The action required to correct the violation
 - ▣ The timeline for correction
- The form itself has suggested corrective actions and deadlines for THOs, depending on the severity of the violation

Copies of the Inspection Report

The image shows three overlapping forms titled "VERMONT DEPARTMENT OF HEALTH Town Health Officer Rental Housing Inspection Report". The forms are filled out with various details including property address, owner name, phone number, and inspection date. They also contain sections for recording violations, corrective actions, and instructions for health officers and tenants. The bottom form includes a "NOTICE TO TENANTS" section with specific instructions regarding repairs and access to the property.

- The THO must give a copy of the completed inspection form to the landlord and any tenants affected by the violation(s)
 - Ex: if the violation is in a common area, all tenants must be given a copy of the inspection report
 - Ex: if the violation is only in one unit, then only the tenant in that unit needs to receive a copy
- The report can be given to the landlord and tenant(s) in person, by mail, or by leaving a copy at the affected units
- The inspection report should be given to the landlord and any affected tenants in a timely manner, as soon as possible

Notice of Violation

NOTICE OF VIOLATION

Rental Housing Health Code

This property located at:

_____ is in violation of Vermont's Rental Housing Health Code.

For a detailed description of the violations and the required corrective actions, please see the attached inspection report.

The Health Officer may be reached at: _____

This notice must not be removed until authorized by the Health Officer, pursuant to 18 V.S.A §603(a)(4)

- If the violation affects the whole property, the THO must post a notice of violation in the common area and provide access to the inspection report for all tenants
 - ▣ Ex: if the violation is a structural issue, is in the common area, or on the grounds of the property
 - ▣ This NOV form is also on the Health Department website

- The inspection report provides notice:
 - ▣ To the landlord and tenant(s) that the unit affected by the violations may not be rented to a new tenant until the violations are corrected; and
 - ▣ To tenants that the landlord must have access to the unit to make the corrections.
- However, THOs should inform the tenant(s) and landlord of these requirements verbally, too, during or after the inspection

INSTRUCTIONS FOR HEALTH OFFICER:

- Fill out the entire Rental Housing Inspection Report.
- Document violations and describe the necessary corrective actions for each.
- Establish deadlines for correcting the violations.
- Provide a copy of this Rental Housing Inspection Report to the property owner and any tenants affected by the violations.
- If the entire property is affected by a violation, post a copy of this report and a notice that it shall not be removed in the common area of the property.
- Conduct follow-up inspection to ensure violations have been corrected by deadlines established in this report.

NOTICE TO TENANTS:

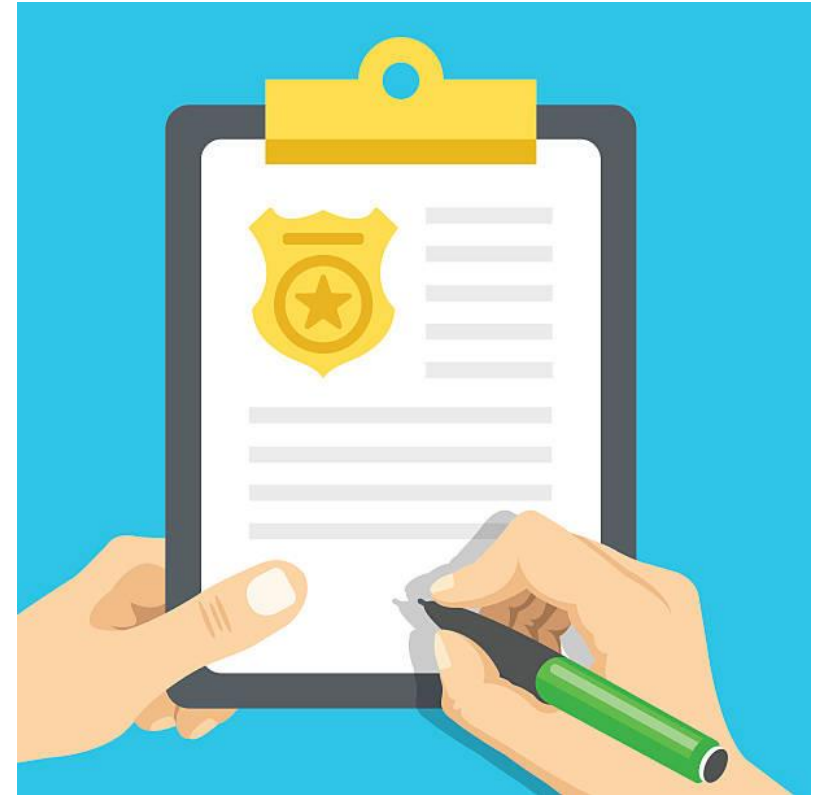
- The property owner or their agents must have access to the unit to make the repairs required by this report.
- To make repairs, the property owner may enter the unit with your consent, or with 48 hours' notice. 9 V.S.A. § 4460

NOTICE TO PROPERTY OWNER:

- Until the violations described in this report are corrected, you are prohibited from renting the affected unit(s) to new tenants. 18 V.S.A. § 603(a)(2)(iv)
- A fine of up to \$100 per day may be imposed for each violation not corrected by the deadline provided in this report or if an affected unit is rented to a new tenant before the violation(s) are corrected. 18 V.S.A. § 603(b)

Follow-up and Enforcement

- The THO should follow-up to ensure violations corrected by the deadlines in the inspection report
 - ▣ Follow-up may include re-inspecting, asking for proof that compliance has been achieved and/or communicating with the landlord and any affected tenants
- If there isn't compliance, the THO may impose a fine of up to \$100/day for each violation
 - Whether to implement the fine and the procedure for doing so should be agreed upon with the Selectboard and town attorney
 - See 18 V.S.A.603(b)



Health Orders

- Alternatively, the THO, in coordination with the Selectboard, may issue a health order or emergency health order requiring that the violations be corrected
- THO (and town attorney) draft notice of intent to issue Health Order
 - ▣ The notice of intent must be served on the party
- Hearing in front of Local Board of Health
 - ▣ THO and party can present evidence
 - ▣ Local Board of Health decides to issue HO (or not)
- Decision can be appealed to the State Board of Health, and that decision can be appeals to the Vermont Supreme Court

[Town Letterhead or Header]

[Town] Board of Health
Public Health Order

Upon investigation of Health Officer [THO name] and testimony provided at the hearing of [hearing date], the [town] Board of Health finds the following:

Finding of Facts

1. [list relevant fact]
2. [list relevant fact]
3. [etc.]

Conclusion of Law

In accordance with state and local law, I am by this notice notifying you of the following determination:

A PUBLIC HEALTH HAZARD [OR RISK] EXISTS AT [location address].
Said hazard is in violation of [list relevant statutory and regulatory provisions].
[Provide any additional information or justification including what the impact to public health is or could be.]

Order

Therefore by the authority granted in 18 V.S.A. §126, 602a, it is hereby ordered.

1. ORDERED: [list required action]
2. ORDERED: [list any additional required actions and timelines]

Appeal Rights

[Either list procedural appeal rights or include attachment with “see attached” in this section.]

X
[Chairman, Board of Health]

Municipalities with Code Enforcement

- Those municipalities that have their own code enforcement offices should follow procedures established by the municipality when conducting rental housing inspections and enforcing health and safety codes.

The image shows two overlapping code enforcement complaint forms. The top form is from Burlington, VT, titled "Minimum Housing Complaint Form". It includes a header with the Burlington, VT Code Enforcement logo and contact information: 645A Pine St, PO Box 849, Burlington, VT 05402-0849, Voice (802) 863-0442, Fax: (802) 652-4221. The form is for recording and reporting code violations or concerns observed. It includes fields for Property Location, Date and Time, and a list of violations such as Trash, garbage, furniture or accumulations in the yard, Overgrown weeds or vegetation encroaching on the greenbelt, Parking on grass or in the greenbelt, Unregistered, inoperable or dismantled vehicles, Sign or other obstruction placed in greenbelt, Dilapidated fences, garages or outbuildings, and Other. It also has a section for "COMPLAINT INFORMATION" with checkboxes for various issues like ELECTRICAL, PLUMBING, HEATING, and STRUCTURAL. The bottom form is from the City of Barre, Vermont, titled "CODE ENFORCEMENT COMPLAINT FORM". It includes a header with the City of Barre Fire Marshal's Office logo and contact information: 15 Fourth Street, Office of the City Fire Marshal, Barre, Vermont 05641, (802) 477-7833. The form is for returning a completed and signed complaint form to the City of Barre Fire Dept. or City of Barre Zoning Dept. It includes fields for Complainant Information, Building Location's Owner, and a detailed section for "COMPLAINT INFORMATION" with checkboxes for various issues like ELECTRICAL, PLUMBING, HEATING, and STRUCTURAL. Both forms have a "Comments" section at the bottom.

Meg McCarthy
Compliance and Enforcement Advisor

**Vermont Department of Health
Division of Environmental Health**

800-439-8550

Thank you!