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Knowledge of your rental and property rights under Vermont and federal laws is an important way in which you can protect yourself and your family.

Women's Rights When Renting Or Buying A Home

It's illegal for a bank or mortgage company to deny you a home loan, to delay your loan, or to require a co-signer for the following reasons:

- You are pregnant or planning to become pregnant
- You are on maternity leave or are on short-term disability leave
- You or a family member is a person of color

It's illegal for a landlord to refuse to rent to you for the following reasons:

- You are pregnant
- You have a baby, child or teenagers (or you have "too many children")
- You have a disabled or special needs child
- You or a family member is a person of color
- The apartment has lead-based paint (landlords are responsible for lead abatement before an apartment is put up for rent)

Rights and Responsibilities of Tenants and Landlords in Vermont

For the most accurate and most up-to-date description of the rights and responsibilities of landlords and tenants in Vermont, please go to [Renting in Vermont, Information Handbook for Tenant and Landlords](#). This is a publication of Vermont Tenants, Inc. a program of the coordinated Statewide Housing Services division of the Champlain Valley Office of Economic Opportunity. This publication includes information about evictions, lead paint, housing discrimination, rental agreements, rental applications and application fees, security deposits, privacy and access, rent increases, housing conditions, addressing housing, health and safety problems, unclaimed or left behind property, ending a tenancy. (The document was developed with legal assistance, but does not constitute legal opinion or advice.) Vermont Tenants help line number is: 802-864-0099.

Mobile Home Park Residents' Rights

For the most accurate and most up-to-date description of your rights as a mobile home park resident, please go to ["Guide to Your Rights As A Mobile Home Park Resident In Vermont"](#) published by The Mobile Home Project of the Coordinated Statewide Housing Services division of Champlain Valley Office of Economic Opportunity. Contact The Mobile Home Project at 802-660-3455 x204.

Property Rights in a Marriage/Civil Union

Under Vermont law, a **woman who is married may own real estate as well as personal property in her own name.** When two individuals enter into a marriage neither spouse automatically gains any ownership rights in the other's property. Instead, the property a spouse owns before a marriage remains the property of that spouse alone. Hence, creditors cannot attach the property of one spouse to pay the other spouse's debts. A salary is also considered the sole property of the spouse who earns it. Neither spouse is responsible for the debts incurred by the other before marriage.

A major exception to the rights of sole ownership occurs during a divorce. **During a divorce, all property is considered part of the marital estate** – regardless of whether the property was purchased jointly by the couple or was solely owned by one person before or during the marriage - and can be subject to distribution by the court. ([See the Domestic Relations chapter of the *Legal Rights of Women in Vermont.*](#))

You should understand that your **spouse can incur debt for the upkeep or improvement of the property, even if the property is solely owned by you.** For example, if your spouse decides that a house belonging to you needs aluminum siding and has the work done, it is your property that bears the debt. In addition, your property may also be subject to the debts your spouse incurs for your or your family's necessities.

Unless otherwise noted, **all purchases made by a spouse in her or his own name are legally presumed to be the responsibility of the person who made the purchase. A spouse is not responsible for debts incurred by the other spouse.**

If a couple owns property jointly in the legal form known as "**tenancy by the entirety,**" each spouse has the right to purchase goods and services for the upkeep of the property. Neither spouse needs the other's consent. However, **your spouse must have your consent for any mortgage or document which conveys (gives away) an interest in their homestead.**

A married woman can make valid and enforceable contracts with anyone she chooses and may make limited partnership contracts with her spouse, just as if she were unmarried. There is one exception: **the law specifically prevents a married woman from enforcing a contract with her spouse for her services as a homemaker.** However, even though the courts will not enforce marital contracts for personal services, nothing prohibits a couple from making such contracts as guidelines for themselves.

In Vermont, **parties to a civil union have the same benefits, protections and responsibilities as are granted to spouses in a civil marriage as outlined in this section.**

Property Rights of Unmarried Couples

Unmarried couples can own property together, and be named on the same deed, either as:

- **“Tenants in common”** – As tenants in common, when one partner dies, that partner’s interest in the property passes according to that partner’s will, or if no will exists, according to Vermont law.
- **“Joint Tenants with rights of survivorship”** – When one joint tenant dies that partner’s interest in the property passes to the other partner. This means that the surviving partner has full ownership rights to the entire property.

You can add your partner to a deed for property you own on your own by executing a **quit-claim deed**. If you do not wish to add your partner to the deed, it is possible to give your partner an ownership interest in the property by entering into a contract. (For either of these property transactions, you should consult with an attorney to find out if you should file them with the land records in the town in which the property is located, pay a property transfer tax and/or whether you have any gift tax obligations.)

Even if your partner is not named on the deed and you don’t have a contract regarding the ownership of the property, you could ensure that your property passes to your partner upon your death by specifically including your wish in a written will. ([See the Wills, Probate Court and Advanced Directives chapter of *The Legal Rights of Women in Vermont*](#).)

Neither partner in an unmarried couple is responsible for the personal debts of the other unless:

- the debt is entered into together, such as in a joint credit card; or
- the partners enter into a valid and enforceable contract to be responsible for each other’s debts.

Find the most local and most appropriate agency/organization to help you—go to Vermont Commission on Women’s Resource Directory:

[Housing Section](#)
[Legal Section](#)

Relevant Laws

[Vermont:](#)

Residential Rental Agreements Act (Landlord-Tenant Law), 9 V.S.A. Chapter 137

Ejectment (a.k.a. Evictions), 12 V.S.A. Chapter 169

Lead Poisoning, 18 V.S.A. Chapter 38

Fair Housing and Public Accommodations Act, 9 V.S.A. §4503, et seq.

Mobile Home Park Act, 10 V.S.A. §6201, et seq.

Married Women’s Property Act, 15 V.S.A. §61, et seq.

Benefits, Protections and Responsibilities of Parties to a Civil Union, 15 V.S.A. §1204

Vermont Department of Health, Rental Housing Health Code - (Vermont Health Regulations Chapter 5, Environmental Health Subchapter 16, Rental Housing Code)

City of Burlington, Vermont, Minimum Housing Standards Ordinance – Chapter 18 Housing, Article I-IV

Barre City Ordinances

Federal:

Fair Housing Act (Title VIII), 42 U.S.C.A. §3601, et seq.
Fair Housing Amendments Act of 1988, Pub.L.100-430

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