

COMMITTEE ON HOUSING, TRANSPORTATION AND
TELECOMMUNICATIONS

BILL NO. 35-0015

Thirty-Fifth Legislature of the Virgin Islands

February 15, 2023

An Act amending title 28 Virgin Islands Code, chapter 31, subchapter I, section 752 relating to notice for the termination of month-to-month residential tenancies and adding section 752 (b) requiring fair notice for rent increases for residential tenancies

PROPOSED BY: Senators Marvin A. Blyden and Angel L. Bolques, Jr.

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 28 Virgin Islands Code, chapter 31, subchapter I, section 752 is amended by:

1. adding the following language to the section title: “; **rent increases for residential tenancies; notice required;**

2. designating the existing language as subsection (a);

3. striking “When the rent received in a lease at will is payable at periods of less than three months the time of such notice shall be sufficient if it is equal to the interval between the times of payment.” and replacing it with “A residential tenancy without a specific duration in which rent is payable on a monthly basis may be terminated by either the landlord or tenant by giving not less than 60 days’ written notice prior to the end of any monthly period.”; and

4. adding a new subsection (b) to read:

“(b) A residential landlord that proposes to increase the rental rate by more than five percent at the end of a lease for a specific term, or during a tenancy without a specific duration in which the rent is payable monthly, must provide a minimum of 60 days’ written fair notice to the tenant before the tenant must either:

- (1) accept the proposed amendment;
- (2) reach an acceptable compromise; or
- (3) reject the proposed amendment to their tenancy.

If the required 60 days' written fair notice has been provided and the tenant has not agreed to the proposed amendment or an acceptable compromise, the landlord may impose the proposed amended term(s) or require the tenant(s) to vacate the residence."

BILL SUMMARY

This bill amends title 28 Virgin Islands Code, chapter 31, subchapter I, section 752 by enlarging the termination notification period for month-to-month tenancies from 30 days to 60 days and adds section 752(b) that requires residential landlords in the Virgin Islands who proposes to increase the rents by five percent or more to provide tenants with 60 days advance written notice of such increase.