

Bill to Expand Tenant Notice Draws Questions, Held for Further Review

Senator Marvin Blyden's proposal to require 60-day notice for rent hikes or termination of month-to-month leases gained broad support but was held in committee after lawmakers raised concerns about legal clarity and possible conflict with existing laws.

Senate / **Published On May 15, 2025 06:25 AM /**

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Aiming to strengthen protections for tenants in the U.S. Virgin Islands, Senator Marvin Blyden presented legislation that would require landlords to give 60 days' notice before terminating a month-to-month rental agreement or raising the rent by more than 5 percent. But what he described as a "plain and simple" bill quickly drew a range of concerns from fellow lawmakers during a recent hearing of the Committee on Housing, Transportation and Telecommunications.

“Every time I bring a bill, it’s something else. We find a billion things to talk about. The bill is plain and simple. Ain’t none controversial about this bill,” Blyden said at the Wednesday hearing.

Bill 36-0022 would “require landlords to provide 60 days notice if the rent is being raised by more than 5% in month-to-month Residential Tenancies, or if the tenancy is being terminated.”

According to Blyden, current law requires notice equal to the payment period — for instance, one week’s notice if rent is paid weekly.

The proposed change would apply specifically to month-to-month agreements that are not governed by a fixed-term lease. In those cases, if rent is paid monthly, landlords would be obligated to provide 60 days’ notice to terminate the tenancy. Blyden described the measure as “people-focused,” arguing that “short notice for rent increases and termination of tenancy is a major contributor to homelessness... and housing instability.”

While the bill received general support from lawmakers, questions about its language and implications led Blyden to hold it in committee for further revisions. The lack of input from key stakeholders such as private landlords and realtors also influenced the decision.

The only public testimony came from Lydia Pelle, chief operating officer of the Virgin Islands Housing Authority. Pelle acknowledged the bill’s importance to the broader community but noted that it does not affect the VIHA, as the agency does not offer month-to-month leases.

With no additional perspectives offered, lawmakers engaged in detailed discussion about the bill’s phrasing and potential legal interpretations. Senator Ray Fonseca raised concerns about what constitutes “fair notice,” suggesting that the bill should define it explicitly.

Blyden responded, saying that fair notice typically involves “certified mail and or if you give it to them in their hand, they can sign for it... I’ve been to court 1000 times. It’s already established in court.” However, legal counsel said that adding specific language wouldn’t hurt. “If the body wishes to make it clear exactly how notice should be done... then that information may be added.” Counsel also clarified that Bill 36-0022 does not impact other areas of the law not directly addressed within the bill.

Still, concerns persisted. Senator Dwayne DeGraff expressed skepticism, saying the bill might restrict private landlords. “It sends a message out to that private homeowner who is a landlord, almost to say, well, you cannot increase your rent more than 5%,” he said. He also noted that landlords could potentially avoid the rule by staying just under the 5 percent threshold: “If you’re under the 5%, we could do it this way. I see it as a possible backdoor issue to rental issues here in the territory.”

Senator Novelle Francis raised the issue of consistency, pointing out that other sections of V.I. law include 90-day notice provisions — including the timeline for eviction — and said the 60-day standard proposed in this bill could lead to “unintended consequences.” Legal counsel reiterated that the bill’s provisions only affect the section of law it amends and would not override existing 90-day requirements elsewhere.

“Words have meaning,” said Senator Marise James, who recommended clarifying the language further. Her position was echoed by Senator Kurt Vialet, who urged precision to avoid legal disputes. “We just have to make sure that all of the language is very clear in all aspects, so that it’s not challenged in court,” Vialet said.

Despite his insistence that “the bill is specific” and that a variety of scenarios could complicate any legislation, Senator Blyden ultimately agreed to rework the bill based on his colleagues’ feedback.

“We want to make sure that whatever is passed is drafted the way that they should be, and that the impact is going to be fair to everyone,” Senator Violet added.

Bill 36-0022 is expected to be heard again in the near future.

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