

Sec. X. TEMPORARY EMERGENCY HOUSING

(a) To the extent emergency housing is available and within the funds appropriated, the Commissioner for Children and Families shall ensure that temporary emergency housing is provided in fiscal year 2025 to households that attest to lack of a fixed, regular, and adequate nighttime residence and have a member who:

(1) is 60 years of age or older;

(2) has a disability that can be documented by:

(A) written verification of the disability from a professional licensed by the State to diagnose and treat the disability and certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual's ability to live independently;

(B) written verification from the Social Security Administration;

(C) receipt of a disability check;

(D) intake staff-recorded observation of a disability that, not later than 45 days after the application for assistance, is confirmed and accompanied by evidence of this; or

(E) other documentation approved by either the Department or the U.S. Department of Housing and Urban Development;

(3) is experiencing a serious short-term medical condition or has been discharged from a health care facility where the individual was being treated for a serious short-term medical condition within the last 30 days;

(4) is a child under 19 years of age;

(5) is in the third trimester of pregnancy or is experiencing an at-risk pregnancy;

(6) has experienced the death of a spouse or domestic partner within the last 30 days;

(7) has experienced a natural disaster, such as a flood, fire, or hurricane within the last 30 days;

(8) is under a court-ordered eviction or constructive eviction due to circumstances over which the household has no control; or

(9) is experiencing domestic violence, dating violence, sexual assault, stalking, human trafficking, hate violence, or other dangerous or life-threatening conditions that relate to violence against the individual or a household member.

(b) The maximum number of days that a household receives shelter in a hotel or motel under this section, per 12-month period, shall be determined by the statewide vacancy rate. If the statewide vacancy rate is:

(1) less than five percent at the household's time of application, the household shall receive a maximum of 90 sheltered days under this section per 12-month period; or

(2) is equal to or greater than five percent at the household's time of application, the household shall receive a maximum of 45 sheltered days under this section per 12-month period.

(c) To the extent funding and capacity exists, the Department shall provide shelter to households lacking a fixed, regular, adequate, nighttime residence during adverse weather conditions between November 15, 2024 and April 15, 2025. If there is inadequate community-based shelter space available within the Agency of Human Services district in which the household presents itself, the household shall be provided shelter in a hotel or motel within the district, if available, until adequate community-based shelter space becomes available in the district. Shelter in a hotel or motel provided pursuant to this section shall not count toward the maximum days of eligibility per 12-month period provided in subsection (b) of this section.

(d) Temporary emergency housing required pursuant to this section may be provided through approved community-based shelters, new unit generation, open units, licensed hotels or motels, or other appropriate shelter space. The Department shall, when available, prioritize temporary emergency housing at housing or shelter placements other than hotels or motels.

(e) On July 1, 2024, the Commissioner for Children and Families shall:

(1) adopt emergency rules pursuant to 3 V.S.A. § 844 for the administration for the temporary emergency housing policy established in this section, which shall be deemed to have met the emergency rulemaking standard in 3 V.S.A. § 844(a); and

(2) begin to transition eligible households to the policy established in this section on a rolling basis through September 30, 2024.

(f) On or before the last day of each month from July 2024 through June 2025, the Department for Children and Families, or other relevant agency or department, shall continue submitting a substantially similar report to that due pursuant to 2023 Acts and Resolves No. 81, Sec. 6(b) to the Joint Fiscal Committee, House Committee on Human Services, and to the Senate Committee on Health and Welfare.

(g) For temporary emergency housing provided in a hotel or motel beginning on July 1, 2024 and thereafter, the Department for Children and Families shall not pay a hotel or motel establishment more than the lowest advertised room rate and not more than \$80.00 a day per room to shelter a household experiencing homelessness. The Department for Children and Families may shelter a household in more than one hotel or motel room depending on the household's size and composition.

(h) The Department for Children and Families shall apply the following rules to participating hotels and motels:

(1) Section 2650.1 of the Department for Children and Families, General Assistance (CVR 13-170-260);

(2) Department of Health, Licensed Lodging Establishment Rule (CVR 13-140-023); and

(3) Department of Public Safety, Vermont Fire and Building Safety Code (CVR 28-070-001).

(i)(1) The Department for Children and Families may work with either a shelter provider or a community housing agency to enter into a full or partial facility lease or sales agreement with a hotel or motel provider. Any facility conversion under this section shall comply with the Office of Economic Opportunity's shelter standards.

(2) If the Department for Children and Families determines that a contractual agreement with a licensed hotel or motel operator to secure temporary emergency housing capacity is beneficial to improve the quality, cleanliness, or access to services for those households temporarily housed in the facility, the Department shall be authorized to enter into such an agreement in accordance with the per-room rate identified in subsection (g) of this section; provided, however, that in no event shall such an agreement cause a household to become unhoused. The Department for Children and Families may include provisions to address access to services or related needs within the contractual agreement.

(j) Of the amount appropriated to implement this section, not more than \$839,000.00 shall be used for security costs.

(k) As used in this chapter:

(1) "Community-based shelter" means a shelter that meets the Vermont Housing Opportunity Grant Program's Standards of Provision of Assistance.

(2) “Household” means an individual and any dependents for whom the individual is legally responsible and who live in Vermont. “Household” includes individuals who reside together as one economic unit, including those who are married, parties to a civil union, or unmarried.

(3) “Statewide vacancy rate” means the Vermont-specific rental vacancy rate as reported by the U.S. Census Bureau.