



**Housing for Everyone Law Project**

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To: Senate Committee on Economic Development, Housing,  
and General Affairs; House Committee on General and Housing

From: Jean Murray, Vermont Legal Aid, Inc.

Date: February 16, 2023

Re: Joint Public Hearing on Housing

My name is Jean Murray and I am the Project Director of Vermont Legal Aid's Housing for Everyone Law Project. This memorandum contains what I would like to say in three minutes about how, in the current housing market, eviction leads to homelessness because the eviction rate is higher than the vacancy rate. First, I will define some terms:

- Vacancy rate means the percentage of vacant units out of all of the rental units there are.
- Eviction filing rate means the percentage of eviction cases filed in court out of all the households who rent their homes.
- Rental subsidy means permanent, ongoing help from a government program to pay rent.
- Rent assistance means a one-time or temporary benefit to pay rent. VERAP was temporary rent assistance.

Before the pandemic, the eviction rate per year was 2.3%. The rate at which tenants lost their housing was actually higher, because the tenants who received termination notices and who found a place to go were able to move out before a court case started.

Before the pandemic, the vacancy rate for rental apartments was 3% or 4%. If a tenancy was terminated, many tenants could find a new place to live. But 2.3% of tenants could not easily find a new place to live, and that is why they were taken to court.

From July 1, 2021 through June 30, 2022, the eviction rate, the number of evictions filed in court per year, decreased to 1.7%. There were 400 fewer eviction cases filed in court. Before the pandemic, 80% of cases were on non-payment grounds. Last year, only 55% of cases were filed on non-payment grounds. The number of non-payment cases filed was reduced because there was rent assistance.

Before the pandemic, 18% of cases were filed on no-cause grounds. Last year, 38% of cases were based on no-cause grounds. But last year, the vacancy rate also dropped. Even though there were fewer tenants facing eviction, many could not find a place to go. Some became homeless.

Now, the vacancy rate is even lower and eviction rates are increasing. The best estimate is that the current vacancy rate is 1%. Since November, the eviction rate is back up to 2.3%. It is math: if more tenants are being evicted than there are vacant units, eviction means homelessness.

What changed in November? Thousands of households with incomes between 31% and 80% of Area Median Income lost rent assistance. Many of these households were severely rent burdened. So, over the last nine weeks, the eviction rate has gone back up from 1.7% to 2.3%, but the vacancy rate is still at 1%.

What is coming next? We know that 2,744 *more* households will lose rent assistance. These are households who are at or below 100% of the poverty level (30% of Area Median Income), who have no subsidies, and who pay 40%, 50%, 75%, or 100% of their income for rent. Regardless of whether there are enough rent subsidies—and there are not—a subsidy does no good if there are no units.

Right now, the eviction rate is twice the vacancy rate and 1,811 households are homeless.<sup>1</sup> What happens if another 2,700 households get behind on rent? We need rent assistance, we need it now, and we can do it now. Rent assistance does not have to cover 100% of the rent. Rent assistance can fill in the gaps where renting households get behind because rent has gone up and household income has not gone up. Rent assistance prevents eviction. Preventing eviction means preventing homelessness.

Thank you for your time.

Respectfully Submitted,

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<sup>1</sup> Data on DCF Emergency Housing Programs, January 13, 2023.