

Homeless Vermonters Hit Hard By Restrictive New Rules

Stories Collected by Vermont Legal Aid

“You Can’t Apply”

Advocates are hearing that some homeless Vermonters are being told by Department staff that they “can’t apply” for the General Assistance emergency shelter program. One homeless Vermonter says she was told by DCF/ESD she couldn’t apply for EA because she didn’t have a health inspection report yet. Advocates advised her to reapply and tell DCF that she wanted a written denial and to tell them she was working with Legal Aid. Instead of a written denial, they told her she needed to provide them with an inspection report stating that the dwelling was uninhabitable. She eventually got EA for a few days based on vulnerable population (2 kids under 6) and longer-term catastrophic after the fire department (not fire safety division) condemned the trailer/camper.

DCF Rules Requiring 50% (or more) Payment by Homeless Vermonters Prevent Them From Successfully Finding Long-Term Permanent Housing

- A large tree fell on the applicant’s apartment building. She was current on her rent of \$600 per month and was living with two emotional support animals required by her mental health condition. Due to this natural catastrophe, the apartment was uninhabitable. The Red Cross paid for three nights in a hotel. She then applied for General Assistance and was approved for catastrophic assistance. She paid her rent for July to preserve her tenancy while she awaited repairs. Then, in late July DCF terminated her housing assistance changing her eligibility from 84 days to 28. It then advised her she had to pay half her income to the motel. This led her to stop payment on her rent check and use the money to pay the motel. By August 15th she had found a new apartment, but because DCF required her to pay half her income to the motel she didn’t have the down-payment to move into a permanent apartment. Because her benefit had been cancelled and because she had exhausted all her own funds she returned to the tree-damaged apartment and slept there without electricity or running water. The following morning the fire department ordered her out. She subsequently appealed the 28 day determination and ultimately exhausted the full 84 days. But, as a result of the “50% rule” she was unable to save anything to find permanent housing and she was ultimately left homeless having exhausted her income and her emergency shelter benefit.
- Single mother with school age child is denied EA temporary housing because she did not spend 80% of her SSD and RU benefits on motel. Client was able to prove that her spend down were necessities- cell phone charge, storage, gas, prepared foods since she couldn’t cook at motel. Hearing officer over turned denial, client was housed her maximum 84 nights.

At-Risk Homeless Youth No Longer Qualify for Emergency Shelter

Advocates have met several young people age 18-23 at the Spectrum Youth Clinic who were no longer able to access the General Assistance Housing Program after new statutory and rule changes were put into effect. These kids formerly accessed GA as youth transitioning from DCF custody in the last 3 years. Youth transitioning out of DCF custody are at high risk of homelessness. Under the new system, these at-risk youth receive only half the points necessary to qualify as “vulnerable.” This leaves many of them on the streets without a place to live or sleep. Some have reported camping at North Beach.

DCF/ESD Narrowly Interprets Rules Deeming Certain Families “Caused Their Own Eviction” or “Left Their Housing Voluntarily”

- Single Mom pregnant, two centimeters dilated is denied by the Department because she allegedly did not meet new GA rules. On appeal, the hearing officer agrees that client meets vulnerable population rules. Client left her Mom’s apartment in Pennsylvania because her mother (not her) was evicted. Again, on appeal, the Department admits it heard from Mom in Pennsylvania that the landlord said to her that he wanted the unwed daughter out of the apartment for religious reasons. However, when the Department asked for the reason in writing, landlord wrote it was because she was not on the lease.
- A 94-year old Somali woman was initially denied because the Department thinks she is not telling the truth of her real age due to incorrect INS card. They believe she is under age 65 and not meeting point system of vulnerable population rules. Later she provides proof of age by showing her birth certificate from Somalia. But, she is still denied because the Department believes she caused her own homelessness when she left Minnesota (where she initially emigrated to) after losing her support person, translator and housing. On appeal, the hearing officer overturns the decision because the woman met the vulnerable population rules. The Human Services Board affirmed the decision.
- Another Somali woman, with a husband and 9 children (one child is 18, another over 18) moved to Vermont from Texas and were rendered homeless. They came here after experiencing severe discrimination and abuse in the school system toward the children and unsanitary living conditions at their rented apartment (cockroach infestation, inoperable cook stove, and only 2 bedrooms for 11 people). They were initially found eligible for benefits, but after the rule change in August they were denied. DCF’s position was that there were no bad conditions and they left the apartment voluntarily. The family barely spoke English, the landlord had to admit to several other conditions complaints registered to his apartments in Texas, and on appeal, the hearing officer overturned their denial and they were granted temporary housing. The Human Services Board upheld the decision.
- A disabled man decompensates, neglects to pay his rent, is evicted and ends up hospitalized and under treatment. He becomes homeless and applies for GA temporary housing benefits. DCF denies saying he caused his own eviction. On appeal, the hearing

officer overturns the denial based on three medical sources that verify that client suffered from severe depression and anxiety. The Human Services Board affirms saying GA catastrophic regulations were meant to protect disabled Vermonters who had “ no control” of the situation that caused the homelessness.

- Severely impaired senior citizen is denied emergency housing. DCF claims she caused her own homelessness by being kicked out of the shelter, but fails to contact the shelter to verify facts of dismissal from shelter. On appeal, the hearing officer grants motel help for 28 days based on vulnerable population rule. The hearing officer also issues an interim order on this decision but DCF continues to deny client at each weekly re-application. Advocates intervened by contacting the assistant attorney general handling the case, and the hearing officer to compel DCF to follow the interim order. The medical evidence subsequently shows client has a diagnosis of paranoid schizophrenia which contributed to her loss of permanent housing.
- Client and her husband applied for EA/GA after getting evicted from their apartment. They were denied for causing their own homelessness. The couple had a roommate who moved out, and they were left with the entire rent which was not affordable. Client’s husband is in the application process for SSDI and the landlord was willing to wait until he got a lump sum. The appeal process is lengthy and the landlord was unwilling to wait any longer and evicted them for non-payment. Client had a job at Kinney Pharmacy, but no transportation and some serious illness prevented her from working all the hours she was offered. After the holiday season, her hours were cut. DCF’s workers told her she should have walked home to Winooski from her job, or found another job and denied her. Client appealed and the HO found with medical evidence she wasn’t capable of keeping the job at the drugstore, found her testimony credible that she was unable to find other work and found the family not at fault for the decrease in income and the un-affordability of the apartment. HO found them eligible for 84 nights under catastrophic for a court-ordered eviction.