

**What progress has been made on the recommendations included in its 2009 report, *Improving the Odds for Kids*?**

Housing

**The Problem - Updates 2007- 2012**

- *About 95,000 Vermont households are living in unaffordable housing, meaning that they're paying more than 30% of their income for their housing costs.*
- *The rental housing vacancy rate in 2011 was 4.2% (a slight decrease since 2007, meaning there was a slightly tighter market for rental housing).*
- *The homeownership vacancy rate is 1.7% (a slight increase since 2007 but still one of the lowest in the nation).*
- *The median purchase price for a home was \$196,000 in 2012, a 96% increase from 1996. Due to the recession, this median home price is \$4,000 below the state's peak in 2007.*
- *A Vermont household needs an annual income of \$56,821 to purchase a median priced home. An estimated 65 percent of households in the state have incomes below that figure.*
- *For families living in poverty – meaning having an income below \$19,530 for a family of three – homeownership is often still unattainable.*
- *Vermont's median household income of \$53,422 – about 274% of poverty for a family of three – is sufficient to purchase a home that costs \$180,500 or less.*
- *56 percent of Vermont's homes are heated with fuel oil or kerosene (compared to 8% nationally), which have unregulated prices and are subject to wild market price swings. Heating oil prices have more than doubled over the past decade, which puts fragile budgets even more at risk.*
- *Renters comprise 29% of all Vermont households, living in 75,035 units. (This is an increase since 2007.)*
- *The fair market rent for a 2-bedroom apartment in 2013 is \$1,054. A household needs to earn \$20.27 per hour or \$42,156 annually to support this rent. (This is a significant increase since the last report.) This means that a family of three must earn 216% of poverty before its income is sufficient to rent a unit at the fair market rate.*
- *When families find housing unaffordable, many become homeless. In 2012, 952 children had stayed in emergency shelters, up from 768 in 2009.*
- *Vermont consistently counts over 2,000 people every January who are homeless. During the January 2013 count well over half of those counted were families and 28% were children under 18.*

**The Goal - remains the same**

No Vermont family should pay more than 30% of its income for housing costs, including rent or mortgage, heat, utilities, taxes, and insurance. Vastly increased numbers of affordable housing units are needed, as well as a renewed federal commitment to housing assistance for low income families. Rental units must meet at least minimum standards of health, safety, and affordability.

**Recommendations**

- 1. The General Assembly’s work on housing will continue to focus on increasing the supply of safe and affordable housing and improving the energy efficiency of low income homes and rental units.**

**Supply of Affordable Rental units**

Below is a summary of affordable housing units for FY 2010 – FY 2013 that were assisted through Vermont’s statewide housing funding agencies:

- Department of Housing and Community Development (DHCD)
- Vermont Housing and Conservation Board (VHCB)
- Vermont Housing Finance Agency (VHFA)

Preservation of at-risk subsidized affordable housing units with federal rent assistance contracts and insuring affordable properties remain in a sustainable condition continues to be a high priority with the state’s HUD Consolidated Plan and other resource allocations. While this effort has diverted some housing development dollars and tax credits that could have otherwise been used to develop new units, Vermont has avoided the loss of subsidized affordable units that many other states have seen. Preserving units is far more cost effective than replacing lost units with new, and it supports communities and residents at the same time.

Rental units funded collectively with federal and state programs: (June 2009 – June 2013)	Units
Preserved subsidized housing units (includes both rehabilitation and/or refinancing)	1,359
Rehabilitated units that were not formerly subsidized housing (new to subsidized inventory)	35
New construction	263
Adaptively reused buildings (not previously housing)	54
<b>TOTAL</b>	<b>1,711</b>

One of the steps forward since 2009 for families in poverty is the initiation of the Agency of Human Services’ Vermont Rental Subsidy and Family Supportive Housing programs.

The Vermont Rental Subsidy Program (VRSP) is a local solution to homelessness which provides state-funded rental assistance to formerly-homeless families and individuals whose monthly income would otherwise be insufficient to afford the cost of renting in their communities. Participants are paired with a housing support worker who helps the family stay connected with essential services critical to their success as renters. This housing support worker is the point of contact for participating landlords should a problem arise with the tenancy. Subsidies are intended to provide support for up to one year while the household is actively working to increase their income or secure other forms of longer-term affordable housing. Beyond supporting stability and permanence, the program provides a cost-effective and humane alternative to homelessness and emergency motel stays, both of which strain public budgets and place

unnecessary pressure on families. *As of August 2013, the program currently provides affordable housing to 65 low-income families, consisting of 83 adults and 110 children.*

Family Supportive Housing (FSH) is a targeted demonstration project developed by the Agency of Human Services' Department for Children and Families to reduce child homelessness in Vermont. The program supports families who are homeless as they move into affordable housing and provides up to 24 months of case management support and coordination during their transition to permanent housing. AHS and DCF have developed Family Supportive Housing as a local partnership between a services provider and housing providers. Expected outcomes are: increased housing stability, tenant responsibility and engagement; family stability; self-sufficiency; financial empowerment; child safety; family health and wellness; and employment. *Family Supportive Housing initiatives began operating in Brattleboro, Rutland and Burlington in the summer of 2013.*

DHCD's Vermont Community Development Program (VCDP) also supports public facilities and community centers that benefit low and moderate income families and children. Between July 2008 and June 2013, the VCDP provided \$2,152,000 in CDBG funding to support the rehabilitation, expansion and creation of facilities and programs that serve more than 1,000 low income children all across Vermont. These projects include a Community Dental Clinic, a Childcare Facility, a Family Center, the creation of a centralized Community Action Program service office to better serve low income families and support of an organization serving abused children and battered women. \$1,023,000 in federal funding supported the rehabilitation and expansion of two homeless shelters serving families in Vermont's Champlain Valley.

### **Energy Efficiency in Affordable Rental Units**

All of the units funded through the state's housing agencies (listed above) were subject to design and energy efficiency standards adopted by the state housing agencies. In 2009, VHFA and VHCB received a grant and project-related investment from the John D. and Catherine T. MacArthur Foundation to find ways to increase energy efficiency and sustainability in assisted housing. In partnership with the Vermont Energy Investment Corp, a significant study produced the development of a comprehensive "Roadmap for Long-Term Energy Affordability" in multi-family rental housing.

Affordable housing developments saw their operating budgets stressed in 2008 with oil prices spiking at over \$4 a gallon. Since that time, utility and heating costs have gone from 10% to over 20% of operating budgets. This threatens the viability of many affordable housing developments. The "Roadmap for Long-Term Energy Affordability" asked what levels of efficiency and utilization of renewable energy would be needed to stabilize operating budgets of rental housing developments, which serve a population half of whom are extremely low income.

After consultation with stakeholder groups from the housing development community VHCB and VHFA updated their energy standards to a more rigorous level for substantial renovation projects. The Vermont Public Service Board has made adjustments to their discount rate and allowance for societal and low income benefits so measures recommended under the newly adopted standards will screen as cost effective.

One of the ways that energy efficiency in multifamily affordable housing has been assisted in the last few years was the Vermont Fuel Efficiency Partnership (VFEP) which began program design and implementation in late 2009. It is a partnership between the Vermont Weatherization Assistance Program (WAP), the state housing agencies, local housing agencies, and Efficiency Vermont. The purpose is to augment technical and financial resources of the partners to achieve a higher level of efficiency in

affordable multifamily retrofit projects.

VFEP was originally funded through a contract from the Dept. of Public Service (DPS), using Regional Greenhouse Gas Initiative (RGGI) revenues, and later, additional resources from ARRA stimulus funds (also through DPS). Currently funding is a portion of ongoing RGGI revenues and Forward Capacity Market (FCM) monies, funneled by DPS through Vermont Energy Investment Corporation, in its role as Efficiency Vermont. Efficiency Vermont has committed to ongoing funding, as long as RGGI and FCM revenues continue and the DPS and Public Service Board so direct. However, current funding is less than 20% of the peak in 2011. We are hopeful for additional resources, and participate with housing and energy-efficiency partners in efforts such as the Thermal Efficiency Task Force to demonstrate the value of efficiency investment.

VFEP doesn't track specifically the number of children occupying the buildings we work in. But we recently began identifying occupancy "type" in terms of family / elderly / mixed (for purposes of building modeling). Roughly 25% of units have been in "family" buildings, 60% in "elderly," and the balance in "mixed," but these are rough estimates.

Total impacts through December 2012 were as follows:

- 185 buildings treated consisting of 1,516 dwelling units
- Overall estimated savings was 43% of pre-retrofit usage for heat and hot water, which was the equivalent to about 235,000 gallons fuel oil which would have cost nearly \$1 million per year (at 2012 prices).
- This equates to an estimated \$3.44 saved for each \$1 of VFEP program cost (over life of investment, assuming zero fuel price inflation).

Nearly all of our projects thus far have been in long-term "rent-restricted" properties, whether owned by nonprofit agencies or private owners. (About 23% have been owned privately.) Our participation in these projects is guided by the principle of working toward "operational sustainability" in terms of future utility costs, rather than strictly picking the "biggest hits" in terms of cost-effectiveness. For example, replacing windows is not cost-effective strictly as an efficiency improvement. But if additional insulation on the exterior can be included, and the windows are in rough shape anyway, VFEP's incentives help to make the package doable for the owner.

### **Setbacks in Affordable Rental Housing**

Unfortunately, there are national /federal trends that impact the state's ability to provide affordable housing and reduce the incidence of poverty. Most notable have been cumulative and across-the-board cuts in federal programs, housing development programs, and rental assistance funding.

The Section 8 Housing Choice Voucher Program is the federal government's major effort to help low-income families, senior citizens and people with disabilities afford private housing. In Vermont, eight local public housing authorities and the Vermont State Housing Authority (VSHA) administer the federal HUD Section 8 Housing Choice Voucher Program. This program provides rental assistance subsidies to over 6,000 very low income households throughout Vermont.

As a result of federal funding reductions (more than \$5.5 million dollars in VT) over the past several years combined with the most recent federal sequestration, Vermont's Public Housing Authorities will be serving 774 fewer households. Housing authorities are authorized 6,792 vouchers but only have funding to support 6,098 vouchers.

This substantial loss in rental subsidies resources is not well reflected in the state's analysis of the impact of reduced federal funding, yet the impact on many Agency of Human Service programs, including homelessness assistance and the Reach Up Program, are starting to be felt.

Other concerns housing providers struggle with is the lowering of the Section 8 program fair market rents (FMRs) which act as a cap on the amount of subsidy the Housing Choice Vouchers can contribute. Vermont has seen reductions in the FMRs which significantly undermine the sustainability of public housing authorities and owners of rental developments, many which are owned by local nonprofits. In addition, it will make it significantly harder to develop new housing and affect the maintenance of affordable housing in our state. Moreover, the lower FMRS will mean many current Housing Choice Voucher holders will become cost-burdened despite having a voucher, or will be forced to look for an apartment at rents far below what is actually available.

Critical to the development, preservation and renovation of assisted housing is "gap financing" or grants to supplement equity from federal and state housing tax credits. The Low Income Housing Tax Credit, the largest capital funding source administered by VHFA, saw an uptick with some federal stimulus funding. But those programs have ended, and there still is an overwhelming need for more credits. The gap sources most frequently used are the funds from VHCB, which will be discussed in another section, and federal Community Development Block Grants (CDBG) and HOME funds.

Community Development Block Grants (VCDP) – At the time of the Council's 2009 report, the state's annual allocation of CDBG funds administered by DHCD was \$7.303 million (Federal Fiscal Year 2008). It rose to \$8.048 million in FFY 2010 and has since been cut to \$6.571 million in FFY13 – a reduction of 18%. FFY14 is extremely uncertain. Federal Funds Information for States projects an additional 9% cut assuming a continuing resolution at current funding levels and sequestration stays in effect. These reductions have meant the Vermont Community Development Program, through which DHCD administers the funds, has reduced the number of funding rounds per year from four to three and is able to fund fewer projects that create affordable housing and jobs for low and moderate income families.

HOME Block Grant – This is the only block grant provided to the states exclusively for housing. In Vermont HOME funds are used for renovation and new construction of permanently affordable rental housing. 5% is set aside for nonprofit capacity building. Vermont would have seen a further reduction except that the program is subject to a "small state" minimum of \$3 million. Vermont has seen a reduction from \$3.8 million to \$3 million. The City of Burlington has seen its allocation reduced proportionally. HOME funds are used in conjunction with VHCB funding to leverage equity investments from the private sector supporting projects that utilize the low income housing tax credit. Without HOME, federal earmarks and other federal programs that have been cut more VHCB funds are needed to leverage from tax credit investors.

Exacerbating the reduction in federal development funds and household affordability has been the increase in building and renovation costs, and stagnant wage growth.

### **Supply of Homeownership Opportunities**

As was noted earlier, it is difficult to provide homeownership opportunities to the very low income families; however, since 2009 the state housing agencies (VHFA, VHCB, and CDBG) have supported the development of 208 new homes targeted at families between 60% and 110% of median income. These

## Appendix A

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10.15.2013

homes have received funding through a state affordable housing tax credit allocated by VHFA which started in 2009, and some grants from DHCD and VHCB. The homes will be permanently affordable.

Some of these homeowners received Homeland Grants from VHCB. These grants, provided to local non-profits, can be used in new construction or existing homes, and provides further permanent affordability. VHCB has funded 62 shared appreciation homeownership units – 29 were buyer initiated Homelands and the rest were in new developments.

In response to the foreclosure crisis, the Housing Economic Recovery Act of 2008 (HERA) established the Neighborhood Stabilization Program (NSP). The State of Vermont was awarded \$24.9 million from the NSP, administered by the Agency of Commerce and Community Development (ACCD). Of the total awarded to the State, \$9.9 million was administered by the Vermont Housing Finance Agency (VHFA) through an Agreement with ACCD to fund the Home Acquisition and Repair Program (HARP). Since inception and up to June 30, 2013, VHFA has purchased a total of 73 homes of which 52 have been completed and sold to Vermont households with incomes under 120% of the area median income. The City of Burlington completed another 7 homes.

The primary purpose of the HARP program is to acquire homes that had been foreclosed upon, return them to good and marketable condition, and at the same time, significantly improve the energy efficiency of each home. VHFA worked with various realtors around the State to seek out foreclosed homes, and then with five NeighborWorks Home Ownership Centers in their respective market areas to review each home for eligibility and appropriateness for the HARP program. In order to make the HARP homes more affordable to Vermont Families, a certain portion of the HARP funds invested in each home are left in the home as a subsidy to each home buyer. In exchange for these subsidies, the homeowners agree that the home will only be sold in the future to buyers at or below the program maximum of 120% of the area median income (AMI). The subsidies provided to the first homebuyers are passed along to subsequent buyers so that we continue to reach lower and moderate income Vermonters. Subsidies provided may be in the form of a zero percent second mortgage, or a shared appreciation model.

Although the program income limits allow families with up to 120% AMI, the HARP program has been able to reach households well below the limits. Household incomes for the 52 homes that have been completed and sold ranged from a low of \$18,036 to a high of \$70,211 with an average of \$44,381. Households ranged in size from a one person household to a family of five. Household incomes as a percent of the area median income adjusted for family size for each household ranged from a low of 35% of the Area Median Income (AMI) to a high of 118% AMI with an average of 78%. Of the 52 homes sold to date, a reported 46 children planned to live in these homes after closing.

In addition to the goal of providing safe, decent and affordable housing, the HARP Program brought significant economic benefits to the State. During the past 4 years of the program, the program has employed 949 contractors and professional service providers who have worked on our HARP homes to date. The actual number of people working on these homes is estimated to be 1,424. Many of these folks hired to work on the HARP homes did not have substantial other work at the time .

A new Mobile Home Down Payment Assistance Program was launched in 2012 with support from the legislature in the form of additional state affordable housing tax credits allocated to VHFA. These resources are being administered statewide by the Champlain Housing Trust, and will allow the owner of manufactured housing (a very affordable home) to get significant down payment assistance and upgrade the energy efficiency of their home. To date, nine homeowners have received assistance and 30 more are in the pre-qualification stage.

The state housing agencies have continued to support Manufactured Housing Parks that may need assistance with nonprofit or resident acquisition and infrastructure improvement. Six communities consisting of 147 lots have been assisted.

In partnership with developers, the state housing agencies through these programs have provided approximately 473 affordable homeownership opportunities since 2009:

HOMEOWNERSHIP	Units
New Construction	208
Substantially Renovated	80
Existing Homes	29
Manufactured Housing Park (Lots)	147
Manufactured Housing Home Loans	9
TOTAL	473

**Energy Efficiency and Home Repair in Affordable Homeownership**

The Department of Children and Families’ Office of Economic Opportunity (OEO) has provided the most direct program for energy assistance to low income homeowners through the State of VT Weatherization Program (WAP). OEO works with the local homeownership centers (HOCs) and Efficiency Vermont (EVT). The HOCs and EVT also provide some subsidized assistance to low and moderate income families not eligible for WAP.

OEO prioritizes low income families with children, as well as families with elderly and differently-abled people. This year OEO started to prioritize homes that have a high energy index, and homes receiving Low Income Heating and Energy Assistance Program (LIHEAP) funding. OEO served an average of 1,700 homes a year for the past four years. Weatherization reduced fuel usage by an average of 30% to 35% (heat and hot water) per year. Weatherization installs significant health and safety measures including the repair and replacement of faulty heating systems and appliances. This program has implemented “advanced customer education” in the past two years to further improve the benefits and effects of weatherization for the customers. Weatherization work and education result in a more efficient, comfortable, safer and more economical home.

During the period July 2008 through June 2013, the DHCD’s VCDP provided \$6,450,000 in federal CDBG funds to support the life, safety and energy efficiency improvements to the homes of 662 low income Vermonters. This assistance was made available in all parts of the state through revolving loan funds administered by the local homeownership centers. The HOCs also used the funding to provide financial counseling that helped increase the fiscal stability of households.

One exciting very recent program is the development of a Manufactured Housing Innovation Project by VHCB. This was supported by High Meadows Foundation, and is a pilot program to produce energy efficient mobile homes.

**Setbacks in Affordable Homeownership**

The most devastating setback for primarily homeownership housing in the state was Tropical Storm Irene in 2011 which temporarily or permanently displaced approximately 1,400 households, including many

families with children. Two years later the rebuilding efforts continue. Out of this has come some excellent work by DHCD and other state agencies to try to improve resiliency however, a side effect of all the recent weather disasters nationally is the decision by the federal government to no longer subsidize the cost of federal flood insurance which could dramatically raise rates for some low income home owners.

Credit standards and the ability to get mortgage insurance for low income families was dramatically affected by the recession. This has eased up some, but still makes purchasing a home more difficult for a low and moderate income borrower.

**2. State government will restore full funding for the Housing and Conservation Board Trust Fund, a nationally recognized program that has made significant Increase in the stock of affordable housing.**

The Vermont Housing and Conservation Board (VHCB) funding from the State of Vermont has increased to just over \$14 million in FY 14, with 53% going to the affordable housing mission in the current year. This appropriation reflected full transfer tax funding prior to an upgrade in the revenue forecast and after the Governor's budget was put together. This compares with a \$16.4 million budget in FY2000 (which included a \$6 million appropriation from a surplus) and \$15.4 million in FY 06.

After suffering greatly through the recession, the housing market has now recovered and the property transfer tax is projected to generate \$17.73 million in FY 15. If this full amount is appropriated it will mark the highest level of state commitment yet appropriated. These funds are desperately needed as Vermont has suffered more than \$5 million in losses of federal housing funds providing capital to build and rehabilitate housing through cuts to HOME, CDBG, federal earmarks, the RD 515, and HUD 202 programs. Increasing demand is generated from several directions: the need to increase supply in the state's tightest housing markets; the need to preserve existing affordable housing developments, especially those with Section 8 contracts that provide rental assistance to our most vulnerable citizens; the need to alleviate shortages caused by the loss of housing from Tropical Storm Irene; and the abandonment by HUD and the federal government of responsibility for continued investment in approximately 1,800 apartments owned by Vermont's Public Housing Authorities.

**3. State government will provide a fair and consistent housing code enforcement system to bring substandard housing up to code, enforce lead paint eradication, and ensure the existing housing supply does not become unsafe over time.**

**Housing Code Enforcement**

In 2008, in response to concerns that state government did not have a fair and consistent housing code enforcement system to bring substandard housing up to code, a legislative Rental Housing Safety Committee was established. The majority of policy issues revolved around whether enforcement should remain local or be led at the state level, and how these efforts might be more significantly supported.

The majority of the committee felt that a good start would be to establish some sort of apartment registry either at the state or local level so officials knew where rental property was. (One note is that many officials and volunteers were surprised this didn't exist when they went to locate alternative housing for Irene survivors.)

The legislative Rental Housing Safety Committee report can be found at <http://www.vhfa.org/documents/act176.pdf>. None of the recommendations to date have been explicitly adopted by the legislature. However, one outcome of the study committee was the establishment of a Vermont Rental Housing Codes website <http://www.rentalcodes.org/>. The intent is to provide accessible information in one place for Tenants, Landlords and Municipalities.

There are 11 municipalities that have their own housing code enforcement programs. These are operated under codes promulgated through the Vermont Department of Health (VDH) and Vermont Division of Fire Safety (DFS). The other municipalities more generally use volunteers as the Local Health Officers and rely on some enforcement through the Dept. of Fire Safety (DFS) and the Attorney General's Office (AGO).

The Vermont Department of Health (VDH), which oversees the Rental Housing Codes, has recently developed a robust training program for Local Health Officers and now produces a manual for volunteers in this role. Every town is required to select at least one Local Health Officer for the Commissioner to appoint to a three year term. Most enforcement of the Vermont State Rental Housing Health code is intended to be done on the local level and VDH serves as a technical advisor to towns to help aid in consistent application and enforcement of state regulations. There are mixed reviews on how well communities take on these responsibilities.

The Division of Fire Safety (DFS) conducts fire and life safety inspections housing inspections triggered in several ways. Both new or renovation projects, which require permitting from the DFS office, require inspectors to have an active role inspecting the project through completion. Codes for new versus existing buildings vary. Requirements are stricter on new buildings, but both have similar requirements for means of egress, smoke and CO detection for example.

When complaints are received, the local regional office assigns an inspector to the building. The DFS policy is to inspect the entire building, not just the unit the complaint originates from. Some units may not get inspected if a tenant isn't home, although some tenants may allow the owner or a neighbor to let DFS inspect in their absence. DFS makes every effort to contact the owner prior to inspection unless it is determined to be urgent /life safety need, such and carbon monoxide in the building. DFS inspectors try to obtain lists from local towns on rental housing for more random inspections (not an easy an easy task, some cooperate and some don't). Inspectors make appointments and it's not uncommon for an owner not to show up for inspection. Some owners live out of state and are difficult to contact. A housing registry, one that is updated on an annual basis would be helpful in making sure DFS has accurate information.

### **Lead Paint Eradication and Healthy Homes**

The Vermont Department of Health has undergone a number of changes within programs over the last several years to improve housing conditions. The first major change was the transition from the Childhood Lead Poisoning Prevention Program (CLPPP) to the new Healthy Homes Lead Poisoning Prevention Program. This change, prompted by funding changes through the Centers for Disease Control and Prevention (CDC), expands the program beyond lead hazards in homes and takes a more holistic view of the home as a system. The program still centers on children who have tested above the level of concern for lead poisoning but the case manager now offers and conducts an entire Healthy Homes Inspection to help families, in both owner-occupied and rental housing, maintain a healthier living environment. In the spring of 2012, state stakeholders met to discuss a long-term strategic plan for dealing with housing conditions in Vermont and their impact on public health. This meeting was the basis for better outreach and stronger partnerships moving forward.

Also to help prevent lead hazards in rental housing, VDH created an online Essential Maintenance Practices (EMP) system which allows property owners to more efficiently file their annual EMP compliance statements. Property owners of rental housing built before 1978 are required to file an annual compliance statement ensuring an annual inspection and necessary repairs have been made for peeling lead paint. This new online system also includes a public search component so that local authorities can better determine who is complying in their town.

### **Setbacks in Lead Paint Eradication**

The State of Vermont has continued its efforts over the last five years to prevent childhood lead poisoning and to create safer and healthier homes for all Vermonters. Unfortunately, federal funding for lead poisoning prevention has been reduced like most other social programs. Most significantly, Congress has virtually eliminated CDC funding to states to pay for surveillance and case management services for lead poisoned children. The Vermont Department of Health has had to increasingly use state and other money to fund its Childhood Lead Poisoning Prevention Program. They continue to take the lead on outreach and public education activities around lead paint and healthy homes, and work with the Attorney General to enforce Vermont's lead paint law. In 2011, Vermont became one of the first states to lower the "level of concern" for lead in children's blood, recognizing the growing body of research that shows any lead exposure harms children's development. The State also instituted mandatory lead screening for all one and two year olds.

Funding available from HUD has been more stable. The VHCB has been awarded two Lead Hazard Control Grants in 2010 (\$3.1 million) and 2013 (\$2.3 million). Since 2012, HUD has reduced the maximum grant award in response to budget cuts. Together these grants allow VHCB to control lead paint hazards in approximately 380 housing units serving low income families. VHCB was also awarded a HUD Healthy Homes Production Grant in 2012. Working with the CDBG-funded rehab programs at the five NeighborWorks HOCs in Vermont, these funds are being used to address health and safety hazards in the homes of vulnerable low income families. The State has also been working to better connect various social service programs and take a more holistic approach to housing assistance.

Enforcement of lead paint eradication and other environmental hazards has been difficult for local officials, but has been a priority of the AGO.

### **Lead Paint and Housing Enforcement Efforts**

The Office of the Attorney General has brought over 50 enforcement actions since late 2007. In addition to cases referred by VDH, the AGO has reached out to potential non-compliant landlords asking them to come into compliance within 90 days if they are presently out of compliance. (Without a rental housing registry, it is difficult to determine in advance which properties are both pre-1978 and rental properties.)

The Attorney General's top priority in bringing a lead enforcement action is compliance. No action is taken after the 90-day letter if the landlord brings the property into compliance within the 90 days. Landlords who are unable to do so stipulate to a schedule for bringing property into compliance and to penalties for previous and future noncompliance. In some enforcement cases, the Attorney General has permitted landlords to put some of a proposed penalty amount back into the property for permanent elimination of a lead hazard, i.e. work that goes beyond the requirements of the lead in housing law, such as vinyl siding and replacement windows or doors.

The Attorney General has sent over 350 letters to landlords around the State, often focusing the mailings on the larger landlords of a particular county, town or city. In order to increase awareness of the lead law,

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10.15.2013

the AGO issues a press release when a round of 90 day letters has been mailed to a particular community and after a group of cases have been settled.

Enforcement actions have concerned: false filing of essential maintenance practice (“EMP”) statements, failure to comply with a VDH Work Plan, failure to respond to notice from VDH or AGO, and failure to comply with prior Assurance of Discontinuance entered into with VDH. Enforcement cases are normally resolved without a hearing, though settlement documents are filed in court. All of the enforcement actions and related documents are posted on the Attorney General’s website: [www.atg.state.vt.us](http://www.atg.state.vt.us).

Housing stock in Vermont would be improved more effectively and efficiently if Vermont (1) developed a way to more easily identify rental units around the State, (2) required landlords to self-certify compliance with all rental housing safety laws to be eligible for any rental payment or subsidy, such as emergency housing payments from the Department of Economic Services, (3) created a simple home assessment tool to be used by landlords, tenants, or any housing inspector to increase awareness of safe housing and referrals, and (4) increased promotion of the [www.rentalcodes.org](http://www.rentalcodes.org) website.