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January 26, 2018

The Honorable Helen Head, Chair  
House General, Housing & Military Affairs  
Statehouse  
Montpelier, VT

RE: H. 412- An act establishing a homeless bill of rights and prohibiting discrimination against people without homes

Dear Chair Head and Members of the Committee:

Thank you for the opportunity to provide further information regarding this bill. After reviewing the number of calls from homeless individuals, it is my opinion that adding housing status to the protections of the Fair Housing & Public Accommodations Act would not present an undue resource issue for the agency. Given that, and the fact that many of the issues faced by homeless individuals and families touch on other protected statuses, the HRC is comfortable with this addition should the committee decide to move forward.

With regard to the suggestions made by Chloe White from the ACLU, Jessica Radbord from Vermont Legal Aid and Erhard Mahnke of the Vermont Affordable Housing Coalition in their January 19, 2018 memo to the Committee, I have the following thoughts:

Addition of "perceived" or "actual or perceived housing status" throughout the bill. It is not clear to me what this would add and I think it would make it difficult to enforce. The only other protected category that uses "perceived" is disability. That makes sense as some people can be perceived as having a disability when they do not. In this case, while a complainant can identify as being homeless, trying to figure out what a respondent might have "perceived" their status to be would be extremely difficult. I support leaving it as just "housing status."

I support the proposed change to Section 2(b)(2) of changing "agencies" to "government."

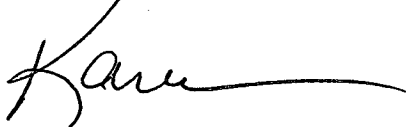
The proposed changes to 2(b)(6) and (8) do not appear necessary to me. All of the cited provisions already prohibit such disclosures so it seems unnecessarily repetitive to me.

I do not think it is necessary to add a specific private right of action as that is already included in our statute. If housing status is added as a protected category, 9

V.S.A. §4506(d) specifically states that filing of a complaint with the HRC is not a condition precedent to filing an action in court for violations of the statute. HRC also supports the proposed additions at the end of the memo relating to the kinds criminalization of homelessness and that allow access to identification through the DMV as well as adding homelessness as a protected status under the Fair Employment Practices Act.

Thank you for your work on this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen", with a long horizontal flourish extending to the right.

Karen L. Richards  
Executive Director and Legal Counsel

Cc: Chloe White, ACLU  
Jessica Radbord, VLA  
Erhard Mahnke, VAHC