

Comments of Rachel Seelig, Staff Attorney, Vermont Legal Aid

Senate Committee on Economic Development, Housing and General Affairs

April 4, 2018

Mr. Chair and Members of the Committee:

Thank you for having me this morning.

Earlier you heard from my colleague, Maryellen Griffin, who heads Legal Aid's Housing Task Force. I am also a Staff Attorney at Vermont Legal Aid, although I am not a housing specialist. However, the issue of housing is incredibly important to my practice in our Medical-Legal Partnership, and I ask you to vote H. 907 out of Committee to protect the health of Vermont tenants.

Our Medical-Legal Partnership is a collaborative project with the Community Health Improvement team at the University of Vermont Medical Center. Our goal is to help address the Social Determinants of Health by providing civil legal services to primary care patients experiencing health-harming legal issues. We categorize patient's legal issues under five broad umbrellas that describe these Social Determinants: Income & Insurance, Housing, Education & Employment, Legal Status, and Personal & Family Stability (I-HELP). Often, it is enough to give advice to the patient, and the patient and his or her social worker can move forward with a plan.

Here are two examples of the kinds of cases I see:

- One pediatric patient's family went two years from the time of inspection before the landlord undertook repairs. This young child may now need significant health care and specialized education services to address the consequences of exposure to environmental hazards.
- Another patient now has to go to a pulmonary specialist every week or two for treatment because the landlord has not stopped the leaks that have caused severe mold exposure – despite three visits by the THO. The severity of this illness prevents employment.

After working with patients like these in the first year of the Medical-Legal Partnership, I went to Maryellen and the Housing Task Force and we developed a project that ultimately resulted in our January 2018 report – *Renters at Risk*. An intern through the Shepherd Consortium for Higher Education came to work with us in the summer of 2017. She interviewed tenants, housing advocates, health care advocates, Town Health Officers and other stakeholders, and analyzed the Vermont Department of Health complaint log. As a result of her work, we found that:

1. The most common rental housing health code violations reported to the Vermont Department of Health relate to plumbing and pests.
2. Respiratory illness and mental health problems frequently result from substandard housing conditions.
3. Many tenants do not know or understand their rights.

4. Fear of eviction and lack of affordable housing options often prevent tenants from reporting rental housing health code violations.
5. Town Health Offices are commonly unpaid volunteers without the time or experience necessary to address health code violations.

In my practice, Finding #2 – that poor housing conditions are causing respiratory illness and mental health problems, means that finding not just individual but system-wide mechanisms for improvement is necessary to improve Vermonter's health outcomes. This is also a matter of affordability – many, most, of the patients I serve receive Medicaid, so the costs of allowing those landlords who ignore Town Health Officers are absorbed instead by the state in the form of increased health care expenditures for tenants..

H.907 will accomplish many of the recommendations our Shepherd Consortium intern developed. It will:

- Prohibit a rental unit that has an outstanding health care order from being re-rented.

This will protect future tenants from the same health harming living conditions, and it will give landlords a strong financial incentive to be sure that their units meet the basic floor of the Rental Housing Health Code.

- Create a financial sanction for Rental Housing Health Code violations.

A financial sanction will better enable Town Health Officers to be effective in their role as rental housing inspector and achieve voluntary compliance so that Landlords don't have to incur that penalty.

- Begin to create a rental housing database.

Creation of the Rental Housing Advisory Board and the release of already existing rental housing data collected by the Tax Department, will begin this process. This will create a fairer rental housing market and will assist in the state's efforts to support the creation of more affordable and healthy housing.

- Create additional tenant education opportunities.

Providing information to community partners, municipalities, landlords, and tenants will be within the purview of the Rental Housing Advisory Board.

- Study how to improve the effectiveness of Town Health Officers, including consideration of regional approaches to code enforcement.

Again, I urge you to pass H. 907 out of Committee.