



S.187 Testimony to House General, Housing and Military Affairs Committee

Submitted by Chris Donnelly, September 4, 2020

Purpose

S.187 is a bill that aims to avoid unnecessary and adverse health outcomes of vulnerable Vermonters by exempting from our landlord-tenant laws a short term stay at a hotel or motel by a person that is receiving health care or recovering from a health condition, when the cost of the hotel is paid for by a hospital or designated agency.

Background

About seven years ago, the Champlain Housing Trust purchased what was an Econolodge in Shelburne and created Harbor Place, a motel that provided a more structured response to homelessness than the State's motel voucher program used for when shelters were full and there was no other place to go. As you may recall, the State's program expanded under Governor Shumlin when a few people died from exposure in the winter of 2011-2012. It soon became very costly, which is when CHT stepped in with a different solution.

CHT rents rooms at Harbor Place by the day or the week to members of the public, most of whom are referred to the motel by nonprofit agencies or the State. We're under contract to provide 30 rooms per night to the state's Economic Services Division of the 59 rooms at Harbor Place. Onsite services are offered to make their stay as supportive as possible, and to identify barriers to permanent housing and connect people to that opportunity.

Soon after opening, the University of Vermont Medical Center approached CHT for assistance. They had been using a variety of motel rooms to discharge their patients to when a hospital bed was unnecessary, but there wasn't a safe home – or any at all – to return to. They couldn't discharge people to a tent or onto the streets. Harbor Place, with its supportive services through social worker and other case managers, was a better option.

Over the years Harbor Place has typically had 2-6 guests from UVM MC on any given night and have partnered with medical center on other projects to address chronic homelessness and the housing needs of our most vulnerable citizens. (If interested, a video can be found here on our website: <https://www.getahome.org/housing-is-healthcare>)

Because of individual circumstances, there are times that guests at Harbor Place stay longer than 28 days, the time at which typically tenancy is established. To avoid this, guests are asked to leave for a day before they can return. As you could imagine, this is not only disruptive and unnecessary, but could pose significant health risks.

CHT, nonprofit service agencies, and the State worked with the legislature to exempt from tenancy people paid for by the State's Emergency or General Assistance program. It was only later we missed this additional need for exemption that prevents adverse health impacts.

Current law

Current law exempts a number of types of short-term occupancies and specialized housing from the rights and responsibilities of landlord-tenant laws, including

- occupancies at hospitals and nursing homes,
- occupancies at campgrounds,
- short term occupancies in hotels or motels that are paid for through the Emergency Assistance or General Assistance programs in the Department of Children and Families.

S.187 adds one more kind of occupancy to that list – people who are receiving health care or recovering from a health condition, when the cost of the hotel is paid for by a hospital or designated agency.

Common clinical profiles include: significant mobility issues; multiple chronic medical conditions limiting patients' independence but not meeting level of care requirements for long term care in a skilled nursing facility; overwhelming mental health issues such as PTSD and anxiety for which group settings, like shelters, is untenable.

As we have done with similar kinds of occupancies, S.187 exempts these kinds of short terms stays from landlord/tenant laws. In this way, patients and their support teams can focus on their recovery.

S.187 is supported by CHT, the UVM Medical Center, Vermont Legal Aid, and the Vermont Affordable Housing Coalition. The bill received unanimous support in the Senate Economic Development Committee.