



April 26, 2019

H. 132 Testimony

Senate Economic Development, Housing and General Affairs Committee

Thank you for the opportunity to testify today and thank you for taking up H.132 which will provide much needed housing protections for victims of domestic violence, sexual violence and stalking. As Vermont's leading voice on domestic and sexual violence, the Vermont Network works to promote policies that support victims and survivors of violence to thrive.

There is a strong relationship between domestic violence, homelessness, and housing insecurity. Barriers related to accessing safe housing are consistently reported as one of the primary barriers survivors of domestic violence face when they choose to leave an abusive partner¹. H.132 is one small step towards ensuring that all survivors renting in Vermont have the tools that they need to have safe and stable housing.

The federal Violence Against Women Act (VAWA) recognizes that tenants are discriminated against, denied access to and even evicted from housing because of their status as survivors. This critical federal law has created protections for survivors of domestic violence, dating violence, sexual violence and stalking who are in federally subsidized housing programs. These provisions have made a large impact on survivors, by affording protection from discrimination and enhancing survivors' ability to maintain safe housing. Unfortunately, many survivors live in housing not covered by these federal protections. As a result, many survivors in Vermont are not afforded these essential protections.

In 2008 the legislature called for "a study of housing discrimination against victims of domestic and sexual violence". Section 18 of Act 174 directed the study committee to examine issues related to housing discriminations against victims and make recommendations for the legislature to consider. The housing protections outlined in H.132 were included as possible legislative responses in the 2009 report to the legislature. We believe the implementation of these protections are long overdue. Even 10 years ago, many other states had already adopted these protections as law. As of 2017, the most recent year for which data is available, the National Housing Law Project found that 24 states and localities have eviction defense laws for survivors, 27 states have early lease termination laws and 18 states have lock change laws.² It is time that Vermont moves forward to better align with what many other states and our federal

¹ NNEDV, "Domestic Violence Counts: 11th Annual Census Report," <https://nnedv.org/content/domestic-violence-counts-11th-annual-census-report/>.

² National Housing Law Project, Housing Rights of Domestic Violence Survivors: A state and local compendium, <https://www.nhlp.org/wp-content/uploads/2018/07/2017-DV-State-and-Local-Housing-Laws-Compendium.pdf>



government have recognized as important steps toward ensuring that survivors are safer in their homes.

A key tenet of survivor-driven advocacy is providing survivors with tools and choices. The changes to Chapter 137 contained in this bill would give survivors more tools and choices in deciding what would make them and their families safer. For someone that is being stalked or is in fear because of violence they have experienced, even a place that once felt like a home can serve as a source of continual trauma. Knowing that they have the option to change their locks or install other security measures allows survivors to create more security and peace of mind for themselves and their families while remaining in their home. Early lease termination will allow survivors that do not feel safe staying in that home to leave without penalty. That means the ability to leave without adding to the economic instability that often stems from experiencing violence.

Protections such as those outlined in this bill are only as good as a person's ability to access them. Many survivors would not ever utilize services, or protections such as these without the assurance that their survivor status would be kept confidential and without the process being as navigable as possible. By allowing survivors several options to certify their victim status, the proposed language provides them with more choice and makes it easier for survivors to get what they need while also providing landlords with documentation. VAWA currently allows for self-certification through form created by HUD, the Vermont HOP program has also created a form for use in third-party verification. We at the Network are committed to working with stakeholders to create, and make available a standard form that all protected tenants could use if they chose to self-certify or request third party certification. We believe this would be beneficial for both landlords and the protected tenants.

Currently, survivors have no explicit protection against discrimination in housing, however the federal Fair Housing Act prohibition on sex discrimination has been found to extend to housing discrimination against domestic violence survivors in certain circumstances. By adding survivor status to the list of protected categories under Vermont's fair housing law Vermont would be sending a clear message to survivors and to landlords that no one should be evicted or denied a place to call home simply because they have experienced violence.

The Vermont Network envisions a world in which all people thrive. We believe that this bill would provide survivors with vital tools and protections to help keep them safe in their housing and to heal from trauma. H.132 would work to ensure that survivors would have access to protections no matter where they live, who they are renting from and what they are paying.

Respectfully submitted,
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