

Testimony of Jess Hyman, Associate Director of Housing Advocacy Programs
Champlain Valley Office of Economic Opportunity (CVOEO)
House Committee on General, Housing and Military Affairs
Jan. 6, 2022

Re: H. 329 - An act relating to amending the prohibitions against discrimination

Thank you Chair Stevens and Members of the Committee for inviting me to provide testimony on H. 329 - and thank you to Rep. Christie and the other legislators who introduced this bill.

I'm Jess Hyman, Associate Director of Housing Advocacy Programs at the Champlain Valley Office of Economic Opportunity. CVOEO is one of state's five community action agencies. Its 10 distinct yet interconnected programs address fundamental issues of economic, social, environmental, and racial justice, and work with people to achieve economic independence.

Our Statewide Housing Advocacy Programs provide education, support, advocacy, technical assistance, and referrals for people and organizations throughout the state. The Housing Advocacy team serves thousands of renters, mobile home residents, and people experiencing discrimination each year, and also partners with housing and service providers, municipal officials, and other organizations to promote inclusive, affordable housing for all.

These services are grounded in the belief that housing is a basic human right and that everyone deserves equitable access to securing and maintaining a home, free from discrimination.

Other speakers have addressed the employment provisions of H. 329, which constitute the bulk of the bill. I will be talking about the housing provision and the important role that this bill can play in ensuring that Vermonters – and especially those who are traditionally subject to housing discrimination and exclusion – have access to safe and stable homes.

In the face of the ongoing housing crisis in Vermont, where there simply aren't enough homes for people of all income levels (and especially those of lower income and the most vulnerable in our communities) and as we begin a third year of the pandemic, safety and stability at home is of paramount importance.

Every day on our Vermont Tenants Hotline and in our Fair Housing and Mobile Home outreach work, we hear from people who are living in substandard conditions (leaks, mold, lack of heat, etc.) and tolerating discrimination and harassment from neighbors and also from housing providers – the very people they depend on to keep their homes. Fear of retaliation and lack of confidence in the process make it very difficult for people to take action. And the bar for severe

and pervasive is set too high. As other speakers have mentioned, there is a gap in what people are experiencing and the remedies that they can pursue under existing law.

Vermont and federal fair housing law explicitly prohibit discrimination and harassment for people in protected classes, but just making something illegal doesn't mean that it isn't happening or that it regularly gets reported and remedied. Whether the harassment is ongoing or just once, it can be damaging to children, people with disabilities, people of color, non-English speakers, LGBTQ+ folks, and others – making it difficult for them to live comfortably in their homes. And even barrages of microaggressions don't necessarily count as being “severe and pervasive” – making it hard to enforce.

We recently completed a community housing discrimination survey developed in partnership with the Vermont Human Rights Commission. One of the key findings was that the overwhelming majority of respondents who experienced housing discrimination did not report the incident or file a formal fair housing complaint. Nearly three-quarters of these respondents said they did not believe reporting would make a difference, nearly half said they did not know where to report and a third said they were afraid of retaliation (many respondents cited multiple reasons). This indicates that we still have much work to do to ensure that people who experience discrimination know how to take action and feel confident in the supports and remedies available to them.

Establishing that harassment need not be “severe and pervasive” increases the ability of our enforcement partners to take action and brings more justice to people who are experiencing discrimination or harassment. Allowing for a 6-year statute of limitations would help reduce one of the other barriers to reporting and enforcing housing discrimination issues. Often, the first priority is for someone to get out of an unsafe situation and into a secure and stable home. They may not have the ability to file a claim in the moment, but a longer statute of limitations would give them some flexibility and time.

CVOEO fully support's this bill and applaud this committee's efforts to better protect all Vermonters from discrimination and harassment.

Thank you for your time.

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