

Vermont Legal Aid

Housing for Everyone Legal Project

Proposal for \$1,350,000 in Emergency Rental Assistance (ERA) funding pursuant to H.R. 133, Division N, Title V, Subtitle A Sec. 501(c).

Goal: Assist as many eligible families and individuals as possible to retain or acquire housing that can be maintained for the long term.

In March of 2020, the State of Vermont funded a number of pandemic relief programs to allow everyone to “stay home and stay safe.” These included rental assistance for tenants and landlords, mortgage payment assistance for homeowners, eviction and foreclosure moratoria, and housing people experiencing homelessness in individual motel rooms. Vermont Legal Aid (VLA) was an integral part of that effort, helping to design the programs, and to educate and represent tenants, homeowners, and those at risk of homelessness.¹ Building on our experience over the last eight months, and improving and extending our outreach and assistance to Vermonters across the state, we propose the following activities through December 2021:

Information and Application Assistance

Under the ERA, tenants, not landlords, are required to complete the application for rental assistance. This new application will require more detailed information and we expect tenants will be required to provide additional documentation. The most efficient way to get the rental assistance to those who need it is to submit complete applications and required documentation when first applying. Many tenants will need assistance completing their applications. While much of that work will be done by community service agencies and others, VLA will assign a team of paralegals to assist tenants who call us directly, answering their questions and helping them fill out and submit their applications and documentation to the Vermont State Housing Authority (VSHA); we would not refer them elsewhere for that help and risk potentially delaying their assistance or losing it altogether.

Dismissal of Eviction Actions

Currently, over 600 evictions are pending in Vermont courts and additional eviction cases are still being filed each month despite the continuing moratorium. VLA attorneys, using data from the judiciary, will try to contact each of these tenant-defendants and help them apply and receive rental assistance funds to pay any back rent owed. When all the back rent has been paid, the attorneys can then make sure that pending eviction cases are dismissed. In addition, our attorneys will follow up with landlords who received back rent under the 2020 Rental Housing Stabilization Program (RHSP) and who have an eviction action pending.

¹ Vermont Legal Aid and its partner, Legal Services Vermont, received a six month \$550,000 CRF grant to assign two paralegals, 7.5 attorneys, and a project director to a project to help keep Vermonters housed. The team responded to 2,300 phone calls and contacts from tenants, landlords, and homeowners. Staff followed up on RHSP referrals from VSHA and the Landlord’s Association about incomplete applications, unreached tenants, and tenants noting habitability problems. The attorneys provided advice and representation to defendants statewide in eviction and foreclosure cases and represented tenants in mediations.

Represent People Experiencing Homelessness

There are currently over 1,900 households (including around 250 with children) experiencing homelessness in motels and another 300 persons in shelters across Vermont. The State's goal is to help these households obtain permanent housing, but it recognizes that many of these households face significant barriers before that can become a reality. VLA attorneys will help these Vermonters overcome the obstacles to obtaining safe and affordable housing by appealing denials of applications for General Assistance, housing, subsidies, and other programs, obtaining reasonable accommodations to help them be successful in new tenancies, and obtaining expungement of criminal records which are a barrier to permanent housing. We will expand our connections with the Housing Resource Teams statewide, making case referrals more seamless and helping ensure our services reach more of these households.

Improve Substandard Housing

RHSP prohibited payment for units with life safety violations and required 30 days for repair of less serious violations; we expect those provisions will be retained in the ERA program. The ERA program provides for assistance for "other expenses related to housing" and we will encourage tenants to apply for those funds so landlords can make necessary repairs. VLA will represent tenants residing in substandard housing to help ensure these units are brought up to Vermont's rental housing standards.

Voluntary Mediation Program

In the last two months of RHSP, Vermont Legal Aid and the Vermont Landlords Association set up a mediation program with professional mediators to help resolve the most difficult disputes between landlords and tenants. While there were only a small number of mediations before the RHSP program ended, the program was successful in resolving some of the most challenging cases and ensuring Vermonters remain housed during the pandemic. Under the ERA, we hope the program will be continued to allow landlords and tenants a forum through which to resolve their differences amicably and without court action. Vermont Legal Aid would represent eligible tenants during the mediations to ensure, whenever possible, that any agreements guarantee they remain housed during the pandemic.

Community Outreach

One shortcoming of the CRF program was that the program did not reach many of the Vermonters it was designed to assist. Vermont Legal Aid will hire a dedicated community coordinator to target outreach efforts in those communities not successfully reached by the CRF program, such as tenants in sober homes, persons leaving prison, and victims of violence. We will work closely with CVOEO, AALV, and USCRI, to reach a much greater portion of Vermont's New Americans and people of color than were previously served by the rental assistance program.

Legal Assistance and Training

We will connect with Community Action Agencies, Area Agencies on Aging, Continua of Care, designated agencies, and Housing Resource Teams, to offer training on the ERA and legal assistance to their clients.. We will offer additional trainings on topics including: The Violence Against Women Act, fair housing and reasonable accommodations, addressing barriers to getting or staying in subsidized housing, and income maximization. Increased community awareness of the legal protections and rights which can help people remain housed will not only help protect Vermonters at risk during the pandemic but will provide a foundation for organizations across the state to be more effective in helping Vermonters stay housed. As needed, we will translate materials such as a tenant-friendly description of the rental assistance program and how to access its benefits. In addition, we will keep our website constantly updated regarding housing programs during the pandemic.