

Brenda Siegel HOUSE TESTIMONY S.226:

Below please find my testimony. I have added a detailed list and I will send in an addendum when I complete it.

Hi there Everyone. For the record, I am Brenda Siegel from Newfane Vermont and I am speaking on behalf of myself, Josh Lisenby and Addie Lentzner.

What many of you may know is that last fall Josh Lisenby, who is currently experiencing homelessness and I spent 27 nights and 28 days sleeping on the Statehouse Steps in sometimes brutally cold weather to successfully ensure that our most vulnerable population had safe and consistent access to shelter throughout the winter and beyond. What you may not know is that effort was tied in to an effort that Josh, Addie and I have been involved in for about a year and beyond for some of us, to come up with a long term permanent housing plan that seeks to not only address the systemic barriers to accessing or keeping permanent housing, but also to solve the long term housing crisis that Vermont is experiencing now and was looming long before the pandemic.

Before I go any further though, I want to share with you a little about what I know about Josh Lisenby's story since he could not be here today. Josh lives in Vergennes, grew up around Middlebury and began experiencing homelessness about 6 years ago, but, his housing insecurity has existed even longer. In the time that he has been homeless he has tried unsuccessfully to use the GA Program in times of cold weather, lived in a tent, and slept in gazebos at local parks. He has been dehumanized, stigmatized and all of this has contributed to a deep struggle with depression and even a challenge having any hope that he will ever find his way out of this experience. There were years that he tried unsuccessfully to access permanent housing without the offer or access to supportive services that were supposed to be available and offered at shelters and community centers he was staying in. This led to the belief that there just was no way out. And frankly in my experience supporting people in this situation, a way out is not even on the horizon for much of this population especially in our current housing situation. He was bounced from shelter to the street, he was made to stand outside for hours in below freezing and even below zero weather without the proper gear or assurance that he would end up inside. He watched a friend of his get stuck outside for showing up 5 minutes late to a shelter and that

friend slept outside, in the morning as Josh describes it, he watched his friends “cold, frozen and dead body be picked up by an ambulance.

It was not until Josh accessed the pandemic era GA Motel program that he began to get the services that he needed. He was in one place, he was supported in getting his documentation, health insurance and even registered to vote. He was able to put his mind at ease, because he knew he would be in one place and he had support from staff there. And then he was removed from this program BUT he lucked out with a spot in the John Graham shelter, where he can close and lock his door, take personal space when things get overwhelming and have agency and independence over his own life. Also, at John Graham, he began to have good support in understanding and working through the process to access permanent housing. Josh has been denied permanent housing for reasons like, not having landlord references, by places that are specifically supposed to serve folks experiencing homelessness. Again Josh is fortunate, one of the lucky ones because John Graham has an MOU that may, hopefully will, allow him to access a single room occupancy and then eventually a 1 bedroom apartment after a year in the that space. But John Graham is the only one in the county with that access and it is limited who gets to do this. At 46 years old, all Josh wants is to “move on” from this phase, as the Governor has said frequently folks like him should, and maybe this time he will be lucky, maybe he won’t give up, maybe he will make it through this process and land in a single room occupancy with the support he needs to eventually move on to an apartment, that part of his story is yet to be determined, but I have never met someone more willing to fight for everyone else, or more deserving to leap this hurdle.

I want to reiterate, that even the sliver of an opportunity that Josh has right now is not available to most and changing that requires you all to make meaningful change to how you address access to permanent housing. Federal rules and regulations make every step of the process of accessing permanent housing grueling. Josh is lucky that he has support because it would be very easy for him to give up again. If you do all that you have outlined in this bill and don’t better fund the housing authorities charged with reviewing vouchers, so that they can hire staff that is commensurate with need, then won’t matter how much more housing there is, people in poverty will not be able to access it. If you don’t address systemic barriers to being offered housing for low and moderate income

folks, then it won't change the outcome for many. If you don't tie in to some of these measures a requirement that they make housing low income accessible, have some amount available to those experiencing houselessness and grants that go directly to impacted individuals around their housing needs, you won't touch the need. Because our state is made up mostly of low, moderate and middle income folks. So, without measures to protect them, you will have missed that mark.

While on the steps, we started a Hotline that is still active today. That hotline has supported people both through the emergency housing process and at times through barriers to permanent housing and working within existing systems to attempt to address those barriers. I have been the sole person answering the hotline for the last five months. What surprised me and I suspect will surprise many of you is that 70% of the calls we get are from pregnant women and people with children. These are the people falling through the cracks in the support systems that we have. We don't know why this is, but, I suspect, having been a low income single mom trying to access services while also working and trying to fill out the piles of paperwork and meet requirements of these services, that they just do not have the capacity to try to find their way through yet, another system. We have worked with these families and the Department of Children and Families to try to assist and support these families through their barriers to shelter. Why does this matter to this particular bill? Because by making some changes, this housing bill meets the needs of low, moderate and middle income families in a more meaningful way and most importantly reaches the audience that I really believe that it was intended for.

I went through the bill and found a lot of places where I think small tweaks or slight language changes could be made in order to make each of the parts of this bill reach its intended audience in a more meaningful way..

As I said in the beginning of this testimony, Josh, Addie and I embarked on an information gathering project in order to create a long term plan that would meet need in our state. I will submit the end result of that plan along with my written testimony. In our research we talked with realtors, lived experience experts (housing insecure, those experiencing homelessness, moderate or middle income folks who utilize the rental market or would like to purchase homes). We also spoke with town and city planners, clerks, selectboard and city councilor

members, lots of builders and more. Our goal was to find the most thorough, sustainable and rapid way to address the current housing crisis in Vermont.

It is my concern that we are in a huge crisis and this bill has a lot of good in it, but, is missing some pieces that would improve access. There is really good stuff in it, but, we need to fill in some of those gaps to make it meaningful for the majority of the population who is right now unable to move here, purchase here, stay here, rent here, or be housed. That is not JUST people experiencing homelessness or low income people, that is EVERYONE except the most wealthy in our state right now. It bleak and not tenable. In our time on the statehouse steps we met MANY upper middle and moderate income families who were living in their cars, not because they could not afford housing, but because their landlord had no cause evicted them or sold the house in a sellers market and they simply could not break back in to the housing market. It is not JUST more housing that will solve this problem.

I want to begin by really complimenting the section on Mobile Homes, both addressing the issue, a good way to get people housed quickly and addressing the stigma that surrounds them. This is the kind of creative thinking that I think is going to get us out of this mess more quickly.

In findings, I wonder if you might add that people have a right to housing and perhaps Grants and Incentives should be tied to intended or actual outcome that meet low, moderate and middle income individuals. Also that granting programs and funding streams should have paths of accessibility for low and moderate income individuals to easily access those grants”

I do want to name that on the Housing Conservation Board, I think we should add some diverse representation markers both of the BIPOC community and from folks who support or administer affordable housing and have lived experience. This brings a lens into those decisions that I think is currently missing. It is easy to preserve white and affluent centered decisions is we are not intentional about mixing up the construct of who is in the room.

On Page 6 under B which is the section under which a municipality is giving notice to the interests that exist, in those requirements, I would add “and that

housing projects shall include affordable housing and should name any other housing that it will provide”.

In the creation of downtown development districts I am really excited that it allows for municipalities to apply for a downtown development district where a traditional downtown designation do not exist. I appreciate how that will support rural communities.

I am also excited about requiring the allowance of affordable housing in all municipalities. This has been a huge barrier as “not in my back yard” is often the response to affordable housing attempts in many of our communities.

I can't find this and maybe it moved, but, the make up of the Area Development Housing Task Force as it was when I last testified was really good but needs a few small changes, I love that it includes advocates. I would suggest that it also include Lived Experience Experts from both Low and Moderate Income backgrounds as well as someone who has experienced or is currently experiencing homelessness. That would help address some of the barriers that exist for these populations as we work on development.

On page 19 section 7, I think its important to have firmer language that ties this opportunity to an agreement to create affordable housing. Currently it just says to meet low and moderate income need. If you were to ask some of our communities, including one near me, there are loud voices and in some cases voices on the selectboard, that don't believe it is a need. I think that part of what we have to do is rid ourselves of this not in my back yard attitude and we can eliminate that by adding slightly firmer language here.

I was disappointed to see that the homelessness bill of rights was removed from this bill. I wish that it was there because it is the beginning of a discussion that I think is so important and not even a little separate from housing shortage in our state. I don't know if it was removed here or in the Senate, but, either way, I would love to see something that names that need in this bill..

The Commercial Property Conversion section is a good section, I would think it would help to address some zoning issues with this and also to tie that funding to creating affordable housing, because this is going to be an excellent way to begin to address access to housing for folks who are traditionally difficult to house. As

you can see, thematically, I think that this bill has to more firmly require, not just allow for, the building of affordable housing. We have seen, even in many jurisdictions, the resistance to affordable housing play out in the worst of ways. In a community near to mine and where some of my family resides, we are seeing stigma based resistance. It is painful to watch and it is important to note that there is not a single community across our state that is not being harmed by the housing crisis and not a single community that would not benefit from bringing more housing either. So, the section itself is very good, but would be much stronger if weaved in were some assurances that it will meet the affordability mark.

Right now ADU's are a good option and could be made even better. A homeowner does not need additional zoning to build an accessory dwelling unit that is $\frac{1}{3}$ of the square footage of their home. My understanding was that the square footage was going to go up to allow larger ADU's. When I go back and read 24vsa4412, it appears to only pertain to ADU's as they are studio or 1 bedroom apartments, unless I missed something. The problem with that is ADU's provide a rapid source to increase permanent housing and if it is limited to studio and one bedrooms, then we will not maximize this opportunity. I believe the square footage should be increased and also there should be more flexibility of bedroom numbers. I am also very concerned about the ability for towns to create a requirement that there is 1 parking space/bedroom. That is not even the case for many apartment buildings in Vermont, this creates a higher barrier for people with lower incomes and may even make this impossible.

Why is this important? Well, one of the reasons that I favor this in a lot of ways is that it creates a pathway for both expanding long term housing and a way to keep people in their homes who may be struggling financially or who may have the opportunity to inherit a home, but cannot afford the expenses that go along with it. If we have allowed zoning measures that are not even required of an apartment building that would then particularly burden folks in poverty and more population dense areas, then we are not going to get to the heart of the problem. I would recommend allowing at MOST a requirement for ONE parking space and perhaps not allowing even that if the municipality does not require it for other apartments. We don't want to create another income source for folks with resources and cut out folks without. On that same token, I want to ensure that the funding stream is one that is easy to access for folks who have less resources

and that IF it is a forgivable loan the terms of how to access the forgiveness are extremely clearly laid out.

As I said, this only works this way IF we create a funding structure that is accessible by low income families. I want to name another very important benefit of this ADU program. Very low, as well as moderate income Vermonters often lose their homes OR have to sell an inherited home or lose it due to foreclosure. Accessory Dwelling Units gives an option for families like this. These ADU's need to be required to be for long term rentals, not short term housing or it does not solve our housing crisis. I am a little concerned with vague language in the definition of a short term rental as stated in 18VSA 4301.

Additionally, I think when we look at this section, we need to ensure that people accepting these grants do have to consider all income levels for housing. If someone is resourced and does not need a grant to build an adu then, fine, they can use the owner occupied rules. But, if we are giving people 30 to 50k to create long term housing we should make sure that they can not discriminate based on income or anything else.

As I said, i am a huge fan of adu's, I think it is an opportunity to address this crisis from multiple angles.

Now, what is missing from this bill? There are many tenant protections and zoning changes that create geographic equity, that should be included if we are looking for a long term housing plan that meets need. In addition we are losing so much access to housing from no cause evictions and I believe that we should address this issue in the rental situation as it is tied to grant funding.

I would suggest adding to this bill a study to assess what the actual need is and how to put in place a plan that ties development and rehab to the actual housing need and gets ahead of it so that we do not end up in this situation again. I suggest that this study be made up of 35% lived experience experts, 35% housing advocates and service providers and 30% builders, municipalities and other interests. Why this make up? Because what we are assessing in this study would be need and how to meet that need, and so we really must have that study heavily weighted on experts trying to address need.

I really appreciate the hard work that was done on this meaty bill, and I ask you all to go back and make tweaks, because I think this can be done with tweaks, where we could better address need as it ties to funding, construction and impact for tenants. Home owners and buyers. In other words, the human beings that this bill impacts.

Thanks and I am happy to answer any questions you may have.

SECTION BY SECTION WITH CORRECT PAGE NUMBERS & SECTIONS:

1. Section 1: Findings:

- On page 2 I would recommend adding a number 7:
People have a right to housing and perhaps Grants and Incentives should be tied to intended or actual outcome that meet low, moderate and middle income individuals. Also that granting programs and funding streams should have paths of accessibility for low and moderate income individuals to easily access those grants” I would also make as firm as you can the amount that can be used for education to ensure the rest goes to the intended audience.

2. Section 3: Neighborhood Planning Area

- Page 6: Section B I would add that, “and that housing projects shall include affordable housing and should name any other housing that it will provide”.

3. Section 5: Definitions

- Page 8: Under 27A: I would recommend requiring 25% over 20% to be affordable housing. There are 2 reasons for this. First, the places that have used the 25% model have greatly reduced housing insecurity and homelessness. It also is the model that has been tested. 20% has not been under the microscope as thoroughly. Secondly, I believe that 25% automatically creates more equity in that area of housing because it helps to ensure that low income renters are on equal not minority footing and enriches the socio-economic diversity with just a small tweak.

4. Section 7: 32VSA Ammendment

- Page 11: D I have a concern here that we do need to create first generation wealth and there are other marginalized groups that may have a hardship that will cut them out of this option. They may not have access to families wealth. They may be from the LGBTQIA community and be shunned by their family. They may have been excluded for other reasons as well, which means that their families wealth does not reach them. However, even in those situations if there is wealth, there probably was some education and resources in the earlier part of their life. But, I wonder if they might be empowered to create housing grants to give access/priority to first generation home buyers (which I think is important) and other groups who may be traditionally underrepresented and excluded from the housing market.

5. Section 8: Manufactured Home

- I wish that a little more money was allocated to this section as it is such a good way to provide secure and safe housing for a low and moderate income population.

6. Section 9: Vermont Conservation Board

- I would like to see the board be amended to add folks from the bipoc community, service providers and lived experience experts in order to intentionally add another lense when looking at projects that they are reviewing as it is easy to live in our very white lense.
- The Commercial Property Conversion section is a good section, It would help to address some zoning issues with this and also to tie that funding to creating affordable housing, because this is going to be an excellent way to begin to address access to housing for folks who are traditionally difficult to house.
- Glad to see on page 15 #2 use of the 25% and 35%. I think those models should come in to play throughout the bill. I would look at everywhere that you have 20% and shift it to this same model.

7. Section 21: Zoning permissible types of regulations

- The parking space issue that I testified about has been addressed in this issue. I think that it should not allow any requirement if not required for other apartments however.
- Some zoning to allow tiny homes to be built more quickly would also be beneficial.

8. Section 29: Housing investment

- ADU's are a good option and could be made even better. A homeowner does not need additional zoning to build an accessory dwelling unit that is $\frac{1}{3}$ of the square footage of their home. My understanding was that the square footage was going to go up to allow larger ADU's. When I go back and read 24vsa4412, it appears to only pertain to ADU's as they are studio or 1 bedroom apartments. The problem with that is ADU's provide a rapid source to increase permanent housing and if it is limited to studio and one bedrooms, then we will not maximize this opportunity. The square footage should be increased and also there should be more flexibility of bedroom numbers.
- Ensure that the funding stream is one that is easy to access for folks who have less resources and that IF it is a forgivable loan the terms of how to access the forgiveness are extremely clearly laid out.
- Very low, as well as moderate income Vermonters often lose their homes OR have to sell an inherited home or lose it due to foreclosure. Accessory Dwelling Units gives an option for families like this and perhaps there should be special outreach for this population.
- These ADU's need to be required to be for long term rentals. I am a little concerned with vague language in the definition of a short term rental as stated in 18VSA 4301.
- Ensure that people accepting these grants do have to consider all income levels for housing. If we are giving people 30 to 50k to create long term housing we should make sure that they can not discriminate based on income or anything else, even in an owner occupied space. That should be conditional on the grant.

