

To: House Speaker Jill Krowinski

From: Erhard Mahnke, Retired, Office of Sen. Bernie Sanders & Vermont Affordable Housing Coalition

Date: February 26, 2026

Cc: Rep. Marc Mihaly, Rep. Martin LaLonde, Rep. Robin Scheu and committee members

Subject: Please hit pause on H.772

I respectfully request that you press pause on H.772. I realize a lot of work and committee time has gone into the bill already. I also realize that it may have started out as a well-intentioned effort to balance landlord and tenant interests and address long-standing priorities for both sides of this sometimes challenging relationship. However, as voted out of House General, this bill is thoroughly imbalanced in favor of landlord interests and, while it includes some welcome provisions that protect tenants, those are woefully inadequate in light of the bill's serious erosion of tenant due process protections. After tomorrow's testimony in Judiciary, please ask your committee chairs to take a break from this bill, think about it over Town Meeting Break, and consider it from a fresh perspective when you return on March 10. The bill will still have a week to work its way through other House committees of jurisdiction before crossover.

My request comes from the perspective of someone who spent 25 years at the state house advocating for the interests of the affordable housing community and homelessness service providers, as well as three years as a Vermont Outreach Representative and Housing Policy Advisor for Senator Bernie Sanders. I am also the owner of an owner-occupied duplex and served for 30 years on the board of Northgate Housing, the largest nonprofit affordable housing development in the state, which saw numerous necessary evictions during my tenure. I have seen this issue from both sides.

For this bill to create greater balance in the inherent power and financial imbalance between landlords and tenants, it should include:

- Elimination of no-cause evictions, including automatically renewing leases for tenants in compliance with their lease and with a few common-sense exemptions as noted in H.772
- Rent stabilization - CPI plus 1% or 2% with a 7% maximum
- The right to legal representation for tenants in eviction cases
- Limitation of one month's rent as security deposit
- Routine statewide minimum habitability inspections for all rental housing by Fire Safety
- A publicly accessible database of key information for all rental property
- Prohibition of application fees, including background and credit check fees
- Confidentiality for eviction records

Barring inclusion of some, or all, of these provisions, we should not be talking about shortening the eviction process at all junctures – with one exception in the case of criminal and/or violent behavior that affects the safety of other tenants and their right to the peaceful enjoyment of their homes. Rather than placing the due process rights of all of Vermont's 76,000 tenant households in jeopardy for the sake of addressing the relatively low percentage of instances of egregious tenant

behavior, the legitimate concerns of the nonprofit affordable housing providers can be addressed through a carve-out giving landlords who provide strong tenant protections (limited rent increases, good-cause eviction policies, stability/retention services) access to a more expedited process for the small number of extreme cases. While there has been much focus on the latter, please remember that the vast majority of renters pay their rent, abide by their leases and get along with their neighbors.

Furthermore, House General heard compelling testimony from the Judicial Branch that they are unable to meet the shortened timelines outlined in H.772. I expect their testimony in House Judiciary will follow suit. If the goal is to make the eviction process more timely overall, consider providing greater resources to the Judiciary to take up landlord-tenant cases and/or creating a landlord-tenant court, possibly as a pilot in a few counties, before shortening timelines that are currently difficult to meet given available resources.

Lastly, I would also urge you to increase funding, both in H.772, the Big Bill, and others, that helps mitigate challenging tenancies for landlords: funding for rental arrearages, landlord liaison services, landlord risk pools, case management, wrap-around services, landlord-tenant education, and state rental assistance. Need I remind you that Vermont landlords received over \$300 million in federal COVID relief, directly and indirectly, through the Emergency Rental Assistance Program for exactly these kinds of solutions to help stabilize tenancies during the pandemic. They work!

Your General, Human Services and Appropriations committees have done good work to help address our current housing and homelessness crisis – work that has been consistent for many years and under many past committee chairs. Do not undo that work by passing H.772 as voted out of House General today. As currently drafted, there is no doubt that it will dramatically exacerbate the crisis.