

From: Jill Martin Diaz (they/elle)
Date: Tuesday, April 1, 2025 at 1:36 PM
To: Marc B. Mihaly, Ashley R. Bartley,
Cc: Magali Stowell Alemán, Leonora Dodge
Subject: Letter of Support for H.169

Chair Mihaly, Vice Chair Bartley, Sponsor Dodge, and Committee Assistant Stowell Aleman:

I hope this finds you well. I write to extend my **appreciation to you and all members of the House General & Housing Committee for welcoming H.169 for testimony today** at this most critical juncture for Vermont. Vermont Asylum Assistance Project (VAAP) strongly supports H.169, the Housing Access for Immigrant Families bill, to shore up nondiscrimination protections promised by the Vermont Fair Housing and Public Accommodations Act (VFHPAA). As a reminder, VAAP is a statewide nonprofit law firm dedicated to advancing the rights of Vermont immigrants and mixed-status families—the sum total of whom comprise the fastest growing working-age demographic in Vermont.

Why Vermont and Why Now

As I relayed [in a joint open letter to Vermont leaders today](#): Vermont has become a leader in advancing civil rights and civil liberties at the state level. There are several bills under consideration this year that would continue in that tradition and counter extreme threats from the federal government. State leaders recognize the urgency of the situation, and we ask that they prioritize these necessary protections for vulnerable Vermonters. **Necessary protections absolutely includes the fair housing expansion proposed at H.169** (and the earlier Vermont Human Rights Commission or VHRC expansion proposed at H.38, as below).

Why Housing Access Matters

At VAAP, we see firsthand how legal status-based housing discrimination blocks access to dignity, safety, and stability for immigrant communities. This discrimination ranges from landlords who deny housing for lack of a Social Security number to those who charge higher deposits or subject tenants to exploitative employer-tied arrangements. These harms are not hypothetical. They are daily, documented realities confirmed by Vermont Legal Aid, CVOEO, and our own casework. And because immigration status is not currently protected under VFHPAA, there is no clear recourse for these clients.

Why Protection for Some is Protection for All

Not only is H.169 good policy for marginalized Vermonters; it's good policy for all Vermonters and the larger Vermont economy. The 2025 Economic Action Plan from the Vermont Working Futures Project lists in-migration as one of the top three strategies to address our workforce, housing, and healthcare challenges. Vermont needs immigrants not just to come—but to stay. And people stay where they feel safe. Secure housing is the first barrier our clients face in trying to build a life in Vermont. Immigration legal services can solve long-term legal hurdles, but housing access is what solves the immediate ones.

Clarifying Risk of Liability to Housing Providers

Some opponents of H.169 have raised concerns that landlords could face civil or criminal penalties for renting to undocumented tenants. These fears are unfounded. Under federal law, landlords are not required to check renters' immigration status and are not expressly prohibited from renting to undocumented individuals. In fact, the U.S. Department of Housing and Urban Development (HUD) has clarified that denying housing based on perceived immigration status may violate federal Fair Housing protections. Fair housing laws apply to all individuals regardless of immigration status, and the National Fair Housing Alliance notes that treating tenants differently based on national origin or immigration assumptions is discriminatory. Likewise, the VFHPAA contemplates fair housing access for any housing recipients regardless of immigration status but falls short of expressly prohibiting status-based housing discrimination at the cost of immense harms articulated by constituents presenting with Migrant Justice. Although a few localities have tried to penalize landlords for renting to undocumented tenants, courts have repeatedly struck down such laws as unconstitutional or preempted by federal law. In short: landlords are not legally liable under federal immigration or criminal law for renting to undocumented tenants, and nothing in H.169 introduces any immigration or related criminal liability. Instead, H.169 clarifies for housing providers their responsibility to NOT discriminate between tenants for marginalized aspects of their identities and circumstances.

Please vote yes on H.169. This bill strengthens civil rights and keeps Vermont a state where every family can safely and fully participate in community life.

Thank you for your time and your leadership on behalf of Vermont.

With gratitude,
Jill Martin Diaz

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