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Representatives Stevens of Waterbury, Burrows of West Windsor, and LaMont of Morrystown move that the bill be amended as follows:

First: In Sec. 8, security deposit; transition period, by striking out “2026” and inserting in lieu thereof “2027”.

Second: By adding a Sec. 10a, a Sec. 10b, and an accompanying reader assistance heading to read as follows:

* * * Tenant Representation Pilot Program * * *

Sec. 10a. 2023 Acts and Resolves No. 47, Sec. 44 is amended to read:

Sec. 44. TENANT REPRESENTATION PILOT PROGRAM

(a) Creation; purpose. Vermont Legal Aid shall create and administer a two-year Tenant Representation Pilot Program:

(1) to provide full representation to eligible and consenting tenants in ~~Lamoille and Windsor counties~~ Vermont who have been served with a summons and complaint for eviction; and

(2) to determine the impact of representation on the issuance of writs of possession and homelessness prevention.

(b) Tenant eligibility. Vermont Legal Aid may enter a notice of appearance on behalf of a residential tenant ~~in Lamoille or Windsor County~~ who is served with a summons and complaint in an ejectment action, consents to the representation, and meets the following criteria:

1 (1) household income equals or is less than 120 percent of State area
2 median income;

3 (2) the cost of rent equals or exceeds 30 percent of household income; or

4 (3) household expenses exceed income.

5 (c) Scope of representation.

6 (1) Full representation through the Program is limited to eviction.

7 (2) The pursuit of counterclaims shall be at the discretion of appointed
8 counsel.

9 (d) Conflicts of interest.

10 (1) Vermont Legal Aid may subcontract to Legal Services Vermont if it
11 is unable to provide tenant representation due to a conflict of interest as
12 defined by the Vermont Rules of Professional Conduct.

13 (2) If Legal Services Vermont also has a conflict of interest, Vermont
14 Legal Aid may subcontract to one or more private counsels who are members
15 in good standing of the Vermont Bar.

16 (e) Report. Vermont Legal Aid shall provide interim reports on the
17 progress of the Program on or before ~~November 15, 2023~~ November 30, 2025,
18 and ~~November 15, 2024~~ November 30, 2026, and a final report on or before
19 ~~July 30, 2025~~ July 31, 2027, which shall describe:

20 (1) the number of tenants represented;

1 (2) case outcomes, including:

2 (A) the number of cases fully or partially resolved through access to
3 the Rent Arrears Assistance Fund;

4 (B) the number of cases fully or partially resolved through the
5 Vermont Landlord’s Association mediation program; and

6 (C) the number of cases fully or partially resolved through access to
7 another resource identified through the Rental Housing Stabilization Services
8 Program; and

9 (3) recommendations for policy changes and for pilot expansion.

10 (f) Implementation. The duty to implement this section is contingent upon
11 an appropriation in fiscal year ~~2024~~ 2025 from the General Fund to the Agency
12 of Human Services for a subgrant to Vermont Legal Aid to provide
13 representation in eligible eviction cases ~~in the two pilot counties of Lamoille~~
14 ~~and Windsor~~ beginning on ~~July 1, 2023~~ November 1, 2024.

15 Sec. 10b. TENANT REPRESENTATION PILOT PROGRAM GRANT

16 UPDATE

17 The Agency of Human Services and Vermont Legal Aid shall update
18 existing grant agreements to implement the Tenant Representation Pilot
19 Program amendments under this act.

