



Written Testimony – Response to H.772
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Thank you to the Committee for considering tenant protections in Vermont and for the opportunity to share the Vermont Network's response to H.772.

The Vermont Network Against Domestic and Sexual Violence is the leading statewide voice on issues of domestic and sexual violence. Our coalition represents 14 independent, non-profit member organizations.

In 2025, these organizations answered over 23,000 hotline calls from Vermonters seeking resources and support related to domestic and sexual violence and provided emergency shelter to 1,041 people fleeing violence across our state. Together, our member organizations serve every town in Vermont, including supporting survivors fleeing violence with shelter, motel overflow, transitional housing, rapid rehousing, and accessing the General Assistance Emergency Housing program.

Changes to Vermont's tenant protections must consider the needs of survivors as a distinct population with unique needs, systems of care, and federal laws and policies that dictate how our member organizations provide shelter and case management.

Federal Tenant Protections for Survivors

The federal Violence Against Women Act (VAWA) protects federally subsidized tenants from being denied housing or from being evicted because they are victims of domestic violence, dating violence, sexual assault, or stalking and have had violence or abuse committed against them. A federally subsidized tenant includes someone who lives in public housing, has a Section 8 voucher, or lives in a rental unit that receives federal housing assistance. I have included a list of federal programs subject to VAWA protections at the end of the document.

Survivors can still be evicted for VAWA-defined abuse or violence committed against them if landlords can demonstrate that there is an "actual and imminent threat" to other tenants or employees at the property if the survivor is not evicted. HUD defines "actual and imminent threat" as referring to physical danger that is real, would occur within an immediate timeframe, and could result in death or serious bodily harm. The regulations further state that evictions should only occur if there is no other action to be taken that would reduce or eliminate the threat.

Should the abusive partner and survivor both be listed on the lease, a landlord can evict just the abusive partner allowing the survivor to stay housed. If only the abuser is listed on the lease, the public housing



authority or landlord must provide the remaining tenant an opportunity to establish eligibility, or a reasonable time to move.

State Tenant Protections for Survivors

On July 1, 2019, Act 48 enacted a series of tenant protections for survivors. This law, unlike the federal law, applies to all Vermont rental housing. The law protects survivors from being discriminated against in housing due to their victim status, allows a tenant to request that they be released from their lease early, without penalty, and allows survivors to change locks within 48 hours. The law also requires the owner, landlord, or housing subsidy provider who possesses documentation or information concerning a protected tenant's status as a victim to keep the document or information confidential and shall not allow or provide access to another person with few exceptions in 9 V.S.A. §4474.

Creating and continuing tenant protections with support for survivors is paramount to a violence-free Vermont.

Comments on H.772 as introduced

We offer the comments below and would welcome the opportunity to testify on any future drafts.

- Sec 1, Subchapter 2, Residential Rental Agreements 2 § 4467 (b) (2)

We are concerned with the extreme reduction in eviction timeline from 14 days to 3 days in termination of a lease based on criminal behavior or acts of violence. As written, violence will include acts of intimate partner violence such as domestic and sexual assault. The dramatic decrease in time will make it even more challenging for a survivor to separate from an abusive partner or report to law enforcement. Survivors will have little time to access advocacy services with our member programs, develop safety plans, or secure alternative safe housing.

The Vermont Network recommends a process that aligns with the federal VAWA regulations that only allows evictions when actual and imminent threat to other tenants or employees and there is no other action to be taken that can reduce the threat or harm. We recommend adding a definition of "acts of violence" similar to the federal definition. A clear definition will also align private and public landlords in the federal and state laws.

To ensure there is clear understanding of the process for survivor tenants, the Vermont Network recommends adding language to support survivors staying housed if only the tenant who caused harm is evicted.



- Sec 1. Subchapter 2, Residential Rental Agreements 2 § 4467 (c) (1)

In the following section (page 6, lines 14-16), it is unclear whether the termination date is the **date the notice was received** or the **date indicated in the written notice**: "when termination is based on intent to vacate provided by actual notice from a tenant". If the latter, we do not have concerns with the section. If the former, this section does not align with Act 48. Act 48 requires a survivor tenant to provide 30-days' notice if they are to be released from their lease early, without penalty and are in imminent fear or harm.

- Sec 4, 4875 ACCESS TO CONFIDENTIAL RECORDS

We write to simply remind the committee that in Act 48, as written above, an owner, landlord, or housing subsidy provider who possesses document or information concerning a protected tenant's status as a victim shall keep the documentation or information confidential, with few exceptions in 9 V.S.A. §4474

Thank you for your time and consideration. We look forward to continuing to work with the committee throughout the session.



Federal Housing Programs with VAWA Protections:

- Public Housing
- Section 8 Housing Choice Vouchers
- Project-based Section 8
- Section 202 Supportive Housing for the Elderly
- Section 811 Supportive Housing for People with Disabilities
- § 236 Multifamily Rental Housing
- § 221(d)(3) Below Market Interest Rate
- HOME
- Housing Opportunities for Persons with AIDS
- McKinney-Vento Act Homelessness Programs
- Rural Development Multifamily programs
- Low Income Housing Tax Credit
- National Housing Trust Fund
- In 2021, the US Department of Agriculture (USDA) has also adopted the "actual and imminent threat standard" for evictions in Rural Development housing programs covered by VAWA