

Testimony: House General H. 772

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Brenda Siegel, Executive Director End Homelessness Vermont

TOP RECOMMENDATIONS:

1. Use this bill to enforce the current law, before making major changes that remove people's due process rights.
2. Required education materials about tenants rights annually from the landlord. CVOEO's resources are good for this.
3. Bring in a restorative justice process through restorative justice centers, with funding for this, that landlords have to agree to before an eviction process.
4. Provide funding and resources for landlords and providers to reach out for permanent housing support when having challenges with a tenant who is living with disabilities, including psychiatric disabilities, to one or all of the three permanent housing supports, Pathways or End Homelessness Vermont, and SASH for entities who have SASH coordinator.
5. Provide funding for robust housing retention support to help address rental arrears.
6. We very much oppose the tenant registry, it will make homelessness more prolonged and should not be supported in our state. If there is one, then there also must be the equivalent landlord registry.
7. Support evictions only for valid reasons.
8. Landlord attestation alone is ripe for risk of discrimination based on race, immigration status and disability.
9. Commission an independent, data-driven study that researches both the experiences of tenants and landlords

Testimony:

Good Morning: For the Record, I am Brenda Siegel, the Executive Director of End Homelessness Vermont.

I want to start by saying that I am urging the committee not to move this bill this year. It has far too serious repercussions for it to be done as proposed. If you do move it, Representative Lamont's bill H.440 should be the starting place.

Important facts for the committee to consider:

- It takes the average Vermonter 1.7 full time jobs to afford market rate rent at minimum wage.
- More evictions will be caused by faster evictions, then apartments will come off line by doing nothing.
- Most eviction cases DO move through in 90 days.
- People in poverty are already very disenfranchised.

Biggest concerns for committees consideration:

- People living with disabilities would never be able to meet the timelines being suggested and even for people without disabilities, providers could not keep up with the timelines to support people that are suggested in this bill. Many people in poverty are working 2 or 3 jobs and taking care of families. This timeline ensures eviction for so many people before they would even have a chance to fight what was happening.
- There is already a disproportionate power dynamic between landlords and tenants that often harms tenants. This committee has heard a lot from landlords and some from service providers, but hardly at all from tenants. Many tenants would also put their housing at risk, were they to testify, exemplifying that exact power dynamic. Not all landlords are bad, but this bill assumes all landlords are good and more trustworthy than the tenants, again exemplifying that same power dynamic
- This bill, if passed, creates a registry, much like the sex offender registry, for the crime of poverty, that will make it impossible for people to find new housing. Which is already near impossible.

About End Homelessness Vermont:

End Homelessness Vermont is a Lived Experience Expert led organization that works toward the goal of ending poverty, disability discrimination and homelessness in Vermont. We provide a data-driven safety net to the safety net that is trauma-informed and rooted in compassion, empathy and Housing First principles. We are effective in working closely with teams of providers, helping people remain sheltered when possible and have the support they need, as

well as addressing systemic barriers to accessing or remaining sheltered and ultimately becoming housed. We work closely with providers, Economic Services (ESD), Department For Children and Families (DCF), hotel owners and most importantly those experiencing homelessness. Our point of contact is generally at the moment of an emergency or in trouble shooting a complex case. Our primary clients are people living with disabilities, health conditions or complex needs or in a complex situation. We also work in an ongoing capacity with over 400 households who need additional support due to their complex needs and help 158 people with renewing their vouchers due to the severity of their disability, health condition or trauma. I will go into what that looks like in a few minutes.

End Homelessness Vermont has two departments:

1. The Office Of Housing Advocate
2. The Office of Research and Advocacy

Office Of Housing Advocate:

This is our direct service arm of the work that we do at EHVT.

Within the office of Housing Advocate, we have two and a half staff, including me. We have four nurse volunteers that work with us on limited support of clients. Due to the complexity of our clients' needs we work closely with their established care teams. As well as immediately connecting them to services as soon as we are sure that the clients immediate survival needs are addressed. This can include providers, hospitals, family and more. Hospitals that we have worked closely with have included: University Of Vermont Medical Center, Rutland Regional Medical Center, Central Vermont Medical Center. We also have had the opportunity to work with the social workers at the Brattleboro Retreat and Washington County Mental health, as well as Rutland Mental Health. We have partnerships with homelessness service providers. We have had the opportunity to work closely and frequently with Good Samaritan Haven, BROCC, Pathways of Vermont, Southern Vermont Council On Aging, Central Vermont Council On Aging, Capstone Community Action, Groundworks Collaborative, at times, John Graham Shelter, Life Intervention Team and so many others. We also take ongoing referrals from Valley Vista so that people who are leaving a treatment setting are not discharged to the street, which is something that was happening with great frequency previously. We also have received referrals from police Chiefs directly, police departments, fire departments, medical professionals and family members as well as service providers, to support people with complex needs and living with disabilities across the state. Rarely, if ever do we work with a client without connecting to their care team and taking a team approach to support them. It is fundamental to our program that an individualized team approach is taken to support and care for each household with complex needs.

In terms of people exiting homelessness, it is first important to note that most organizations do either permanent housing or homelessness service support. Many are mandated by their grants or HUD funding to support only a limited amount of time through the transition from homelessness to housing. This often leaves people with a gap in their support system. We work hard to provide that support, and bridge that gap. We have partnerships with landlords who are willing to retrofit apartments for accessibility and who will rent to people who have complex needs on the condition that we continue to offer support to the client, which we do. End Homelessness Vermont supports people from the point of referral, through their experience of homelessness if they have complex needs or disabilities and then continue that work through both the transition into permanent housing and throughout their housing. Landlords can reach out to us if there are any challenges and we can support our clients through them. Often avoiding slipping back to homelessness. The experience of homelessness is extremely traumatic and the transition out of homelessness can be a challenging time. A lot of people have built communities with the people in the hotels, we help them to keep these critical peer supports and connections. Though most people will be successful if housed without additional supports, many need some support with the transition adjustment.

Office of Advocacy And Research:

Within our office of Advocacy and Research we are in the middle of what was originally a three phase data gathering project, and will instead be four or five phases depending on what this body decides in terms of changes to the current program. We have completed phase 1 and 2. Phase 1 interviewed 76 individuals in June of 2023, who were scheduled to be exited from the hotels across 5 counties. In phase 2 we interviewed 200 people across 9 towns in 5 counties from September of 2023 to February of 2024 (no overlapping interviews between the two phases), most of whom were sheltered in hotels, some who were unsheltered. The report from phase 2 was supposed to be out this past fall, but due to the severity of the crisis on the ground, we were unable to do that. The report is almost complete and is being reviewed by a public health researcher for accuracy, methodology before it will be released to the public, that will be very soon though. Phase 3 will begin in March of 2026 and will be broader in scope. The purpose of this is to get a broad understanding of how people become homeless, barriers to accessing housing and answer a lot of questions about needs, services and delivery of our support systems.

My Story:

I also want to share with this committee something that I rarely share about myself. It is broadly known that I lived in poverty for the majority of my adult life. However, I rarely share my own housing story. When my son was a baby, we lived in an apartment with a slum lord, it was the only option I had. That apartment was illegally scraped, lead dust came in the windows and my 18 month old ended up with severe lead poisoning. We had no immediate recourse or remedy, we had to leave the apartment with no notice, leaving behind most of our belongings in order to

protect my son. There was and still is no remedy for that situation. Then it took me 4 months to find housing. I was fortunate to live in a guest room at someone's house on an airbed with my baby.

When we finally got housed it was with another slum lord, and we lived there for 4 years. Throughout that time, my landlord came and left without notice, without knocking. I was a young single woman alone with a baby and regularly, I would be stepping out of the shower and hear his voice calling to me from downstairs. If I complained about this, he would threaten to essentially falsely accuse me of things to the housing authority so that I would lose my power. I needed to keep a roof over my head and Ajna's. The house had black mold in it. There were rats in the kitchen, they were coming in through a hole behind my stove. At one point, the upstairs bathroom started pouring into the kitchen and that happened for months. Eventually I withheld rent, my landlord evicted me, or tried. He also went to the housing authority and made up lies about me, essentially an attestation. I was lucky, I was raised with privilege and lived a lifestyle where I understood my tenant rights. I got a hold of legal services, which took a long time. They helped me write a response, which took a while. Eventually I agreed to leave, but on the condition that I did not have to return the withheld rent and the landlord had to give me \$500 additionally.

The next house that I lived in was flooded by tropical storm Irene three years later. We loved that house. We lost ALL of our belongings, the house was not beyond repair, but the landlord did not want to do what it would take to actually remediate the mold, so I had to move. This time it took us 18 months to find permanent housing and the house I moved into is the house I live in now, and have lived in for 12 years. The problem was never me, it was always landlords who did not want to do the repairs and who understood that I did not have power in that situation.

The thing is, my story is not unique, this is what we come across every day. I am not saying that the landlords who are impacted, are not. But the solution is not in the bills that I am seeing before me today. I will get into that in a minute. First I want to go over some of the slides that I have in front of me.

See Slides for EHVT Study On Homelessness, Phase 2.

Methodology For The Study:

I included our methodology in my updated slides. I would make sure that there is a public health researcher in charge of the study. I recommend Anne Sosin who is a professor and researcher at Dartmouth. She is experienced on this and similar issues and would be able to provide further information.

Examples Of What Works:

We have a client named Teddy. We worked with him a little over a year and finally were able to support him in finding housing. About 6 months after he entered housing he lost his job. He was furiously trying to find a new job, but fell behind in rent. We worked with him and SEVCA to make a plan and also he had to be established at the new job before we could get support from HOP funds. We were able to make a payment plan with SEVCA and our client and he was able to catch up in full and is still safely housed today. That process took 3 months.

We have a client, Darron, who was evicted for “damaging the apartment”. The truth is, his apartment was not truly accessible and so his wheelchair was running into walls. He has MS and ended up outside twice, unable to eat, bathe, use a bathroom and almost freezing to death. The landlord gave a bad reference, despite a court order that they were not supposed to. This almost prevented him from getting approved for Section 8. Through an appeal with the Rutland Housing Authority we were able to get him into low income housing, where he is safely today. This bill would have made his life more challenging, not less. He had little recourse. There are not adequate disability protections in the bill.

These are just two examples of many. In both of these instances, harm would be caused by the policies in the bill.

Any landlord tenant bills on the horizon should be rooted in equity and should be data driven. The foundation of landlord tenant law has to consider both the landlord and the tenant, and H.779 is really a landlord bill and essentially strips tenants of their rights. I know that you asked me to go through all of the bills on the table and I did read them, however it was not realistic in a 30 minute time frame, so when I send in my written testimony, there will be detailed information about each bill.

A bill that is truly equitable does not create effortless evictions. This bill will create more homelessness. Several of the bills before you will create more homelessness and also a much more difficult time for individuals to get housed. Leaving people in poverty with no hope. I heard you state in the committee that you are stuck with the decision to “create more homelessness by units coming off line OR create more homelessness by evicting people faster”. I want to make sure the committee is aware that evicting people faster will create exponentially more homelessness than taking apartments off line. At EHVT this is exactly the work we do, and this bill is likely to rapidly increase our homelessness crisis in Vermont.

There is good data on why just cause eviction works. We know that MOST evictions make it through the process in 90 days and that there is no magic that will make being a landlord or a tenant easy, but we certainly can ensure it is scientifically driven with solutions that work.

In closing, this bill will cause a much larger problem than the one it will solve and at a time when people are losing funding for subsidized housing and other supports. I urge the committee to not move this bill as drafted.