

Testimony to the House Committee on General and Housing
Monday, Jan. 27
Jean Murray, Project Director Housing for Everyone Law Project
Vermont Legal Aid
jmurray@vtlegalaid.org

Questions were raised about the availability of data on several issues. I can answer some about the prevalence of no-cause eviction. My data set is most of the tenants who called Vermont Legal Aid and Legal Services Vermont who were defendants in eviction cases filed since July of 2022. (Most, not all, because some callers were helped by VLA projects outside of my HELP project). Of the 2137 cases in the HELP project since July of 2022, we have record in 1863 cases of the grounds for termination at the beginning of the case. This data doesn't necessarily capture if other grounds were added later, as the law allows. In other words, a case can be commenced based on non-payment, but the Plaintiff can ask the court to include no-cause grounds later.

No-cause grounds for eviction are allowed by current law, V.S.A. 4467(c) and (e). There are no legal defenses to no-cause. Payment is a defense to non-payment. 9 V.S.A. 4467(a), 12 V.S.A. 4773. No-cause means even if tenants are otherwise eligible for help from available rent-assistance programs, the landlord's insistence on termination makes the tenant ineligible for help.

When cases are filed in court, about 71% were on the grounds of non-payment, 7.5% were for cause, and at least 20.5% were for no cause. Also, keep in mind that an unknown number of tenants receiving termination notices move out before court cases are filed. Court cases are filed only against tenants who don't move out because they have no place to go.

When I break out the termination grounds by income level of the tenant household, I find that 187 out of the total 1863 cases in the data set, or at least 10% of all evictions filed are filed for no cause against tenants with income at less than 30% of AMI, which is equal to 100% of poverty. In other words, landlords put these lowest-income households out of reach of rent assistance help.