



Just Cause Eviction

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Topics of focus

- Eviction timelines
- Policy framework in other states
- Timeline of Just Cause in VT
- VT Just Cause policy framework
- Why Just Cause is supported in VT
- Myths & facts on Just Cause



What slows eviction in Vermont?

- Majority of cases take place in 6 months or less
- Fully staffing and funding the judiciary has been the main challenge to eviction timelines
- Other, non-eviction cases, often take priority i.e. criminal cases, cases that involved minors
- Landlords failing to give correct notice, i.e. getting dates or details wrong or failing to give notice in writing
- Availability of housing gives incentives for tenants to draw out the process as long as possible



Eviction timelines in other states



Average time of the eviction process

Vermont	New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
30 days to 6 months	35 days to 1 year	30-60 days	30-60 days	30-90 days	3 weeks to 4 years	30 days to 6 months	2 weeks to 3 months

All are dependant on the reason for eviction, if there is a backlog of cases, whether a tenant appeals and whether a tenant is represented.



Just Cause Eviction State by state comparison



Minimum Tenancy

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
No minimum	No minimum	12 months	Law only applies to month to month ongoing tenancies	No minimum	12 months	12 months



Building exemptions

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
No owner occupied with 9 units or less	No owner occupied triplexes, duplexes, single family homes	No owner occupied duplexes, or single family homes	None	No owner occupied triplexes, duplexes, single family homes	No owner occupied duplexes, or single family homes	No owner occupied up to a 4 unit building



Just Causes - Non Payment

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes (so long as the rent due is not from an unreasonable rent increase)	Yes	Yes	Yes	Yes	Yes	Yes



Just Causes - Substantial Violation

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes	Yes (specified substantial damage to property)	Yes (specifies acts such as threatening or causing actual injury - acts "outrageous in the extreme)	Yes (specifies waste, nuisance, unlawful activity, interference of the enjoyment of property)	Yes (includes conviction of drug offences on property)	Yes (specified criminal activity)	Yes



Just Causes - Material violation of lease

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes	Yes	Yes	Yes	Yes	Yes	Yes



Just Causes - Nuisance, disturbance or negligent damage to property

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes	Yes	Yes	Yes	Yes	Yes	Yes



Just Causes - Refusal to sign new lease w/reasonable renewal terms

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes	Yes	No	Yes	Yes	Yes	Yes



Just Causes - Refusal to allow owner to enter property

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes (defined as failure to provide reasonable access for repairs or to show to prospective new owners)	No	No	no	No	Yes	No



No Fault Evictions - Demolition or conversion of residential premises

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes	No	Yes	Yes (change of use to non-residential property, or conversion to homeless shelter/retirement home or conversion)	Yes (conversion to a condo OR needs to be demolished for health and safety violations)	Yes (only for demolition, not conversion)	Yes (only for conversion to short term rental or non residential use)



No Fault Evictions - Substantial repairs or renovations

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes	Yes (for lead exposure OR if tenant fails to prepare unit for infestation remediation)	Yes (if the space is unfit for occupancy OR it will be unsafe while repairs are ongoing)	Yes (extensive structural repair)	Yes (only for code violations - right of first refusal if unit goes back online)	Yes (extensive structural repair OR removal of hazardous material such as lead and only if too dangerous for tenant to stay)	Yes (extensive structural repair OR removal of hazardous material such as lead. Tenant gets right of first refusal if unit goes back online)



No Fault Evictions - Landlord or landlord's family member assume occupancy

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes	No	Yes (as long as landlord doesn't have a comparable unit in the same building)	Yes (so long as family member occupies for 60 days within a 90 day period after the tenant vacates)	No	Yes (Only if landlord and tenant agree in writing)	Yes (as long as landlord doesn't have a comparable unit in the same building)



No Fault Evictions - Withdrawal of unit from the rental market

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
Yes	No	Yes (purchaser of property needs to give 120 days notice from offer AND if selling to a new landlord tenant gets right to remain)	Yes (needs to show real intent to sell)	Yes (requires 18 month notice - if unit becomes available again precious tenant gets right of first refusal)	Yes	Yes (cannot sell for short term rental purposes - requires 3 months notice)



Relocation Assistance

New York	New Hampshire	Oregon	Washington	New Jersey	California	Colorado
No	No	One month rent	No	Required if evicted for demolition/health and safety violations. If evicted for illegal reasons, previous tenant owed 6 months rent	One month rent for relocation assistance or landlord waives final months rent	No



Timeline of Just Cause Eviction in Vermont



Timeline of Just Cause Eviction in Vermont: Burlington

- Placed on Burlington ballot by city council December 2020
- Passed Burlington ballot with 63% majority in 2021 Town Meeting Day
- Got to Gov. Scott desk, but was vetoed 2022
- Failed override vote 99 votes to 51



Timeline of Just Cause Eviction in Vermont: Winooski & Essex

- Got onto Winooski ballot by signature initiative
December 2022
- Got onto Essex Town Ballot by Select Board
December 2022
- Passed the ballot on 2023 Town Meeting Day with a
73% & 61% majority, respectively



Timeline of Just Cause Eviction in Vermont: Montpelier

- Got onto Montpelier ballot by signature initiative
November 2023
- Passed the ballot with a 58% majority



What did these communities vote
for?



3 out of the four communities voted on near identical policy language that ensures...

Tenants who pay their rent, obey state statutes on renter obligations, and agree to reasonable renewal conditions can stay in their homes



This language also ensures that tenants who:

- Don't pay their rent**
- Violate their lease**
- Engage in activities that contravene state statutes on renter obligations**
- Commit illegal acts**
- Don't accept reasonable renewal terms**

Would be evicted



This policy also requires:

- Exemptions for Mom & Pop landlords who owner occupy a Triplex/Duplex/Single Family home or have a rented ADU
- Probationary periods for new tenants before protections take affect
- Exemptions for landlords homing family members or otherwise taking the property off the market
- Exemptions for landlords that need to do renovations



**Why have Vermonters
overwhelmingly supported tenant
protections at the ballot box?**



For renters

- There has been a 19% rent increase across the country in rent since 2019
- 50% of tenants pay 30-50%+ of take home income on rent
- Avg renter needs to earn \$22 p/h, avg wage for renters \$13 p/h
- Vacancy rates are around 3% statewide but as low as 0.1% in certain areas



For renters

- 1 in 4 homes in Vermont are over 90 years old, renters primarily live in older homes that have more quality of life issues
- Only 13% can afford to buy a home, due to a historic rise in house prices, stagnated wages and higher interest rate
- House prices in Vermont have risen 38% since 2019
- According to Princeton University, for every eviction that goes through the courts up to 5.5 do not get recorded.



For homeowners

- Homelessness has gone up over 200% since the pandemic
- There has been a distinct and noticeable degradation of our communities, i.e. houses have got more dilapidated, more graffiti, more property damage etc.
- Large increases in municipal spending due to rising costs on tackling homelessness



For homeowners

- Long term effects of housing insecurity affecting VT youth and schools
- There has been a noticeable increase in small businesses cutting back hours or unable to fully staff their stores
- Construction costs have risen, in part due to a lack of workers
- A huge property tax increase that has happened, in part due to rising healthcare costs



**How does Just Cause Eviction
address these issues?**



For renters

- Stabilizes rents as JCE laws prevents “unreasonable” rises in rent to prevent eviction though rent increase
- Allows tenants to stay in their communities, allowing them to create stronger, longer connections, increasing the likelihood of staying in that area for longer which comes with a myriad of economic benefits
- Allows tenants to bring up habitability issues with their Landlord without the fear of retaliation
- Allows tenants to feel more stable in their housing and therefore more stable in work and health



For homeowners

- Giving renters reasonable eviction protections will slow the housed the homeless pipeline
- Eviction protections will allow tenants to inform their landlords of habitability issues without the threat of eviction, allowing landlords to be better informed on major issues and likely improving their housing infrastructure
- Eviction protections will keep more lower wage and younger workers in Vermont and working at our small businesses or in construction.
- Keeping younger people in Vermont will lower health care costs
- Keeping people housed will reduce property crime and municipal costs associated with homelessness



Just Cause Eviction: Facts and Myths





There is no evidence that Just Cause Eviction policy increases rent



There is no evidence that Just Cause Eviction policy increases costs for Landlords



There IS evidence that landlords SAVE money under Just Cause Eviction



There is no evidence Just Cause leads to landlord disinvestment



There is no evidence Just Cause Eviction reduces rental availability



There IS evidence that in cities that implemented Just Cause there are fewer evictions



Just Cause supports mom and pop landlords who are struggling to compete against corporate owned landlords



Thank you

