



**Poverty Law Project**  
264 North Winooski Ave., Burlington, VT 05401  
802-863-5620 ■  
www.vtlawhelp.org ■ Fax: 802-863-7152

**To:** Chair Theresa Wood and House Committee on Human Services  
**From:** Deanna Hartog, Esq., Poverty Law Fellow, Vermont Legal Aid  
**Date:** February 11, 2026  
**Re:** House Human Services Committee Bill, 26-0766  
An act relating to establishing the Vermont Homeless Emergency Assistance and Responsive Transition to Housing Program in the Office of Economic Opportunity

Dear Chair Wood and members of the Committee,

We appreciate and support the Legislature's continued focus on improving Vermont's shelter and emergency housing infrastructure. We also appreciate this Committee including the legislative intent that "unsheltered homelessness be eliminated and the homelessness in Vermont be rare, brief, and nonrecurring." We recognize and support the stated intent in this bill to move Vermont toward a stronger continuum of care, including low-barrier shelters and more coordinated services. Vermont is a shelter-first state and currently has fewer than 700 shelter beds statewide. The need for real, durable shelter capacity is undeniable.

However, we have some concerns about this bill as drafted.

Our overriding concern is that this bill appears to eliminate or sharply restrict the use of motel rooms for emergency housing for most of the calendar year, before a viable alternative is in place. Read as written, the bill appears to allow the continued use of motels only during the winter eligibility period. If that is correct, the practical result would be an eight-month gap in emergency shelter - from approximately April 1 through November 30 - during which many people who currently rely on emergency housing would have nowhere to go.

If that is not the Legislature's intent, the bill must be clarified. If it is the intent, the consequences for Vermonters experiencing homelessness would be devastating.

Relatedly, the bill's July 1, 2026 effective date creates an extremely serious transition risk. There is no clear bridge from the current General Assistance emergency housing program to the new system contemplated by this bill. As written, hundreds of households currently receiving emergency housing could lose access to shelter on July 1 with no alternative available.

There is no defined transition period, no phased implementation, and no statutory requirement that sufficient shelter capacity be created before motel use is limited. Even if the long-term goal is to gradually reduce reliance on motels as shelter capacity comes online, the statutory language

does not accomplish that. We ask that this Bill explicitly allow motel use to continue until adequate shelter capacity is actually created.

On a related note, we are also deeply concerned about what will happen to people currently in emergency housing under winter eligibility when winter eligibility ends on March 31. There is no clear plan for how those households will be transitioned, and no acknowledgement of the scale of displacement that could occur. We acknowledge that this proposed Bill is not designed to specifically address that issue, but we urge the Committee to address that issue promptly.

In addition to these structural concerns, the bill raises significant legal and due process issues.

The definition of an eligible household continues to require physical presence in Vermont and an intent to reside. Conditioning access to basic safety on residency violates the right to travel.

We also ask that this Bill include specific procedural protections. It should include an explicit requirement for prior written notice of termination, an expedited appeal process, and reasonable accommodations for people with disabilities. Given the vulnerability of the population served by this program, these protections are essential.

The bill also presents serious administrative and implementation problems.

While the concept of a continuum of care is sound, the bill intermingles “shelter services,” “supportive services,” and “emergency housing services,” and includes a long list of continuum-of-care components without clearly assigning responsibility for each function. It is not clear what is administered by the Department, what is the responsibility of municipalities, and what is left to community providers. Clarity is critical for accountability, funding, staffing, and service delivery.

The bill further mandates case management for nearly all participants. Vermont’s housing and human services workforce is already critically understaffed. While we would like to see case management more fully resourced, we ask that the Bill include relief for people who cannot access case management due to lack of resources. Requiring a service that does not exist at sufficient scale effectively restricts access to the program by design.

We are also concerned that Section 2205(1) appears to shift responsibility for cold-weather shelter back to municipalities. Municipalities strongly objected to this approach in prior legislation, and many simply do not have the capacity to assume this responsibility.

We appreciate the Committee including a provision in the Bill requiring standard rulemaking. However, given the Department’s failure to adopt rules under similar statutory language in the past year, we ask that the Bill include specific deadlines and requirements to promptly adopt permanent rules, including good faith solicitation and consideration of public comment.

We also ask that the Bill provide emergency rulemaking authority to address the transition period. Without emergency rulemaking authority, there is a risk of confusion and administrative chaos on July 1, including the possibility that the current emergency housing program effectively sunsets without a functional replacement.

Finally, we must raise concerns about implementation capacity and accountability.

The bill assigns significant responsibility to the Office of Economic Opportunity and to the Department to design and operate a complex new system. Based on recent experience, we have serious concerns about whether these agencies can implement this system equitably, efficiently, and at the scale required. As one concrete example, approximately \$10 million in recent funding resulted in the creation of roughly 100 shelter beds statewide. That experience does not inspire confidence that the infrastructure contemplated by this bill will be built quickly enough to replace the existing emergency housing system.

We want to be clear that we support the goal of building more supportive and accessible housing in Vermont. We agree that relying on motels is not a long-term solution. But people need a safe place to stay while that system is being built.

This bill, as drafted, risks eliminating the only functioning emergency housing safety net before its replacement exists.

For these reasons, Vermont Legal Aid urges the Committee not to advance this bill without substantial amendments to:

- clearly allow continued use of motel-based emergency housing until sufficient shelter capacity is in place;
- create a defined and realistic transition period from the current General Assistance emergency housing program;
- add explicit due process protections, including notice and appeal rights and reasonable-accommodation requirements;
- clarify agency, municipal, and provider responsibilities; and
- impose a firm and short rulemaking deadline.

Without these changes, this legislation will make Vermont's housing and homelessness crisis significantly worse, not better.

Thank you for your consideration and for your continued work on these critical issues.