

**Testimony of Vermonters for Criminal Justice Reform
House Committee on Human Services
Re: S.157, An act relating to recovery residence certification
(submitted April 14, 2026)**

Chair Wood, Vice Chair Garofano, Ranking Member Donahue, and Members of the Committee:

Thank you for the opportunity to submit testimony on S.157. My name is Tom Dalton, and I am the Executive Director of Vermonters for Criminal Justice Reform.

VCJR supports the development of safe and stable housing for people with substance use disorders. We also support a stronger State role in the oversight of recovery residences. S.157 contains some positive steps in that direction, particularly in strengthening the role of the Department of Health in certification, standards, and oversight. At the same time, we respectfully urge the Committee to make several important amendments to the Senate-passed version before moving the bill forward.

1. Require agreements to clearly state that a landlord/tenant relationship exists and standard landlord/tenant law continues to apply subject to the limited exemption provided (some recovery residences seek to obscure this by avoiding terms like landlord, tenant, lease or rent, which is confusing to tenants and prevents them from understanding their rights).
2. Clearly state that recovery residence operators owe a duty of care to recovery resident tenants and are liable for negligent acts that cause foreseeable harm.
3. Limit grounds for removal to current substance use (or at a minimum change language to avoid overly broad or vague grounds for removal).
4. Strengthen the definition of a safe alternative placement.
5. Require meaningful reporting and accountability for tenant removals.
6. Create a pathway to the creation of a missing part of the continuum of care: consistent access to appropriate recovery stabilization beds.
7. Add harm reduction to the continuum of Division responsibilities.
8. Update the bill's terminology to reflect current practice and avoid stigmatizing language.

Vermont is in the midst of a severe housing crisis, and people living with substance use disorders are disproportionately likely to be homeless or marginally housed. In that context, recovery residences should help people remain safe and housed during periods of struggle, relapse, or instability. For many residents, housing continuity is itself one of the most important supports for recovery.

Our central concern is that the Senate-passed bill would make the current carveout from ordinary landlord-tenant protections permanent, broaden the grounds for immediate exit or transfer, and delay much of the reporting and accountability structure until later rulemaking. The Department's initial proposed rule is not due until September 1, 2027, and a permanent rule is not due until December 1, 2028. We believe Vermont would be better served by putting stronger safeguards, clearer standards, and better data collection in place now, rather than making permanent changes first and evaluating their effects later.

VCJR's position has been consistent: recovery housing needs to work not only for residents who are doing well, but also for those who are struggling, because they are often the most vulnerable to harm if housing is disrupted. When a person leaves a recovery residence without a truly safe alternative, the consequences can be severe. Housing instability can quickly lead to relapse, victimization, overdose, loss of employment, incarceration, or other serious setbacks. That is why we believe any policy that allows immediate exit or transfer should be paired with a real, functioning safety net.

At present, some provisions in the Senate-passed bill may create an illusion of guardrails without creating actual conditions of safety. The bill should clearly state that recovery residence operators owe a duty of care to recovery resident tenants and are responsible for negligent acts that cause foreseeable harm. The requirement that a residence have "provided or arranged for a stabilization bed or other alternative temporary housing" is important in concept, but it needs to be defined much more clearly. In our view, it should require an actual safe, appropriate, and verifiable placement, along with safe transportation at no cost to the tenant. It is also important to track outcomes for residents who are immediately exited or transferred so the Legislature can determine whether this approach is actually safe and effective in practice.

More broadly, Vermont should be building the missing part of the continuum of care: real recovery stabilization beds or other clearly defined safe placements with rapid intake, 24/7 staffing, overdose-safety monitoring, flexible short-term stays, and a track record of helping residents safely return to their recovery residence when appropriate. In our view, that kind of infrastructure is essential if the State is going to rely on immediate exit or transfer as part of the recovery residence framework.

We are also concerned that the Senate-passed bill expands the grounds for immediate exit or transfer beyond use or return to use. If the Committee chooses to retain any expanded grounds, we encourage it to narrow them carefully. For example, "charged with a crime" is a particularly troubling standard, since charges are often dismissed or reduced, but housing may already have been lost. If criminal conduct is included at all, "convicted of a crime" would be more appropriate than "charged," and even then only where the conduct has a clear connection to genuine safety concerns within the residence. Similarly, "engages in theft" should not rest on accusation or suspicion alone, and "interferes with the recovery of other residents" is too vague to serve as a fair basis for immediate loss of housing. Violence should be responded to by law enforcement and the criminal legal system, which incorporates important due process protections and standard processes such as relief from abuse orders.

We also encourage the Committee to modernize the language and structure of the bill in two additional ways. First, stigmatizing terms such as "substance abuse" and "substance abuser" should be replaced with person-centered and clinically appropriate language such as "substance use" and "substance use disorder." Second, "harm reduction" should be added to the list of services for which the Division of Substance Use Programs is responsible, so that the statute reflects the full continuum of effective responses: prevention, intervention, harm reduction, treatment, and recovery support.

Finally, we urge the Committee to require key data to be collected and reported now, not in 2028 or 2029. The Legislature should have timely information about exits, transfers, reasons for those decisions, destinations after exit, whether the resident was returned to the residence after stabilization, whether housing continuity was maintained, and whether harm occurred. The Legislature should also receive information showing whether VTARR or any certifying body is effectively collecting resident feedback and complaints, responding to those concerns, and holding recovery residences accountable where necessary. Transparency and timely oversight will be critical if Vermont is going to make lasting changes in this area.

VCJR supports stronger State oversight of recovery residences. We support high standards, safe housing, and a system that works for both recovery residence tenants and landlords. We respectfully ask the Committee to amend S.157 so that it preserves important tenant protections, avoids overly broad grounds for removal, strengthens the definition of safe alternative placement, requires meaningful reporting and accountability now, adds harm reduction to the Division's responsibilities, and updates the bill's terminology to reflect current practice and respect for the people it affects.

Recovery residences should support people through periods of struggle in ways that promote both safety and housing stability.

Thank you for your consideration.

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