

MEMORANDUM

To: Senate Economic Development and Housing Committee

From: LAOB Co-Directors, Ornella Matta-Figueroa and Jean Myung Hamilton

ornella@vhcb.org; jean@vhcb.org

Date: 5/11/26

Re: LAOB Feedback on H.772

This memo identifies provisions of H.772 that are likely to have the most significant impacts on Vermonters experiencing housing instability, particularly those most marginalized, and offers targeted amendments to reduce harm.

Accelerated Eviction Timelines

- Tenants may have as little as 5–7 days to respond, with failure resulting in automatic loss
- Unrealistic for individuals without legal representation or stable resources
- Likely to increase default judgments rather than decisions based on the merits

Amendment:

- Extend the minimum response period to at least 21 days
- Require courts to delay default judgment when a tenant has not had a reasonable opportunity to seek legal assistance

Procedural Barriers to Due Process

- Strict filing deadlines and affidavit requirements function as barriers in practice
- Disproportionately impacts low-income renters and those without legal support
- Outcomes are determined by the capacity to navigate systems rather than by fairness

Amendment:

- Allow flexible deadlines upon a showing of hardship
- Simplify filing requirements
- Require all notices to clearly explain rights and procedures in plain language

Criminalization Through Trespass Provisions

- Expands trespass orders with potential criminal penalties tied to housing loss
- Creates a pathway from eviction into the criminal legal system
- Increases surveillance, stigma, and barriers to recovery

Amendment:

- Prohibit criminal trespass penalties based solely on post-eviction status
- Limit trespass enforcement to situations involving clear and immediate harm

Immediate Disposal of Personal Property

- Allows the disposal of tenant belongings immediately after eviction without notice
- Removes essential items needed for recovery (IDs, work tools, personal effects)
- Deepens poverty and loss of stability

Amendment:

- Require a minimum holding period of at least 15 days
- Require notice to tenants
- Ensure a reasonable opportunity to reclaim personal property

Rapid Displacement Without Stabilization Pathways

- Combined effect of shortened timelines and expanded eviction mechanisms
- Increases the likelihood of sudden displacement without intervention
- Disrupts employment, healthcare, and community connections

Amendment:

- Require eviction diversion measures before removal in non-emergency cases
- Include mediation, referral to rental assistance, and documented attempts at stabilization

The LAOB also sees a strong opportunity to establish a study or working group to examine the barriers identified in H.772 and develop recommendations to reduce harm and improve outcomes for marginalized communities. This group should center the lived experience of those most impacted and use a process-oriented and systems-aware approach to understand both policy design and its real-world effects.

The working group should focus on:

- Mapping how eviction processes are actually experienced across different populations, particularly those most marginalized
- Identifying points where procedural requirements create barriers to participation or access to justice
- Examining the relationship between housing instability and involvement with other systems, including the criminal justice system and health systems
- Assessing the short- and long-term impacts of displacement, including loss of property, credit, and community connection
- Developing trauma-informed and equity-centered eviction processes, including timelines, notice, and access to representation
- Expanding models for eviction diversion, housing stabilization, and credit-building linked to rental payments
- Identifying opportunities to shift from punitive approaches toward supportive and preventative systems

Participation in the working group should include:

- Individuals with lived experience of eviction and housing instability
- Representatives from communities most impacted, including low-income households and communities of color
- Legal advocates, including Vermont Legal Aid and pro bono practitioners
- Landlords and property managers to reflect implementation realities

- Judiciary or court administrative representatives
- State agencies, including the Treasurer's Office, Department of Health, and housing and community development offices
- Community-based organizations, including shelters and economic opportunity organizations such as CVOEO
- Cross-sector partners who can support the coordination of services and resources

This group should approach its work using a process that prioritizes deep listening, shared understanding, and collective sense-making before moving to solutions. This includes creating space to surface multiple perspectives, identify systemic patterns, and build alignment around actions that reflect both lived experience and policy realities. The goal is to move from individual experience to collective insight and ultimately to coordinated, practical recommendations that advance housing stability, equity, and long-term resilience.

Taken together, these provisions are likely to intensify instability and recreate trauma for Vermonters already facing the greatest barriers. Targeted amendments, combined with a thoughtful, inclusive process for ongoing evaluation, can help align H.772 with the goals of fairness, stability, and community well-being.