



Proposed Amendment to H.772 – Notice and Documentation for Victim-Tenants
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Thank you for the opportunity to share a proposed amendment to H.772 to clarify protections for survivors of domestic abuse, sexual assault, and stalking and to support their continued access to housing.

Language in H.772 – specifically § 4465 Retaliatory Conduct Prohibited; § 4467 Termination of Tenancy; Notice; and § 4472a Right to Bifurcation of a Rental Agreement – seeks to ensure that tenants can report incidents of violence or request assistance without increasing their risk of losing housing and affirms that a tenant's housing status should not be adversely affected solely because they are the target of violence.

To ensure these protections are implemented as intended, we propose an amendment to establish a notice of tenant rights to be provided by the landlord, including at the time of an eviction notice. These updates draw from stakeholder feedback, as well as existing standards in the federal Violence Against Women Act (VAWA) and current state law protections in 9 V.S.A. § 4472.

Providing a clear, standardized notice of occupancy rights is essential to ensuring that survivors of domestic abuse, sexual assault, and stalking can meaningfully access the protections federal and Vermont law affords them. Survivors often face housing instability as a direct result of violence and may not know the legal options they have to maintain their rental housing. A written notice ensures every tenant receives the same accurate information at predictable points in the rental process, reducing confusion and helping survivors make informed decisions during moments of crisis.

For many tenants, especially those navigating trauma, the ability to understand and assert their legal rights is critical to maintaining safe and stable housing. By increasing transparency and access to information, this amendment strengthens the practical effect of the underlying statutory protections.

Proposed Amendment to H.772

SUBCHAPTER 2: RESIDENTIAL RENTAL AGREEMENTS

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(X) NOTIFICATION OF OCCUPANCY RIGHTS

(1) The Housing Division of the Agency of Commerce and Community Development shall develop a Notice of Occupancy Rights under Vermont and federal law, including information related to the right to confidentiality pursuant to 9 V.S.A. § 4474.

(2) The notice shall comply with the Office of Racial Equity's most recent Language Access Report.

(3) A landlord shall provide the notice developed under subsection (1) to an applicant or tenant:

(A) at the time the individual is admitted to a dwelling unit;

(B) at the time the applicant is denied residency in a dwelling unit; or

(C) with any notification of eviction or notification of termination.

Thank you for your time and consideration.



Appendix: Existing Housing Protections for Survivors of Domestic Abuse, Sexual Assault and Stalking

Federal Tenant Protections for Survivors

The federal Violence Against Women Act (VAWA) protects federally subsidized tenants from being denied housing or from being evicted because they are victims of domestic violence, dating violence, sexual assault, or stalking. A federally subsidized tenant includes someone who lives in public housing, has a Section 8 voucher, or lives in a rental unit that receives federal housing assistance.

Should the abusive partner and survivor both be listed on the lease, a landlord can evict only the abusive partner allowing the survivor to stay housed. If only the abusive partner is listed on the lease, the public housing authority or landlord must provide the remaining tenant an opportunity to establish eligibility, or a reasonable time to move.

Federal Housing Programs with VAWA Protections

The list is not exhaustive. Federal affordable housing programs for low- and moderate- income households as of 2022 are automatically included.

- Public Housing
- Section 8 Housing Choice Vouchers
- Project-based Section 8
- Section 202 Supportive Housing for the Elderly
- Section 811 Supportive Housing for People with Disabilities
- § 236 Multifamily Rental Housing
- § 221(d)(3) Below Market Interest Rate
- HOME
- Housing Opportunities for Persons with AIDS
- Rural Development Multifamily programs
- Low Income Housing Tax Credit
- National Housing Trust Fund
- Emergency Solutions Grants (ESG)

State Tenant Protections for Survivors

On July 1, 2019, Act 48 enacted a series of tenant protections for survivors. This law, unlike the federal law, applies to all Vermont rental housing. The law protects survivors from being discriminated against in housing due to their victim status, allows a tenant to request that they be released from their lease early, without penalty, and allows survivors to change locks within 48 hours. The law also requires the owner, landlord, or housing subsidy provider who possesses documentation or information concerning a protected tenant's status as a victim to keep the document or information confidential and shall not allow or provide access to another person with few exceptions in 9 V.S.A. §4474.