

February 17, 2026

Good Morning Committee Members:

I am writing to request that the Committee provide Vermont Legal Aid with an opportunity to testify on S.196 on behalf of the low-income, older adult, disabled, and other vulnerable Vermont homeowners who would be most impacted by passage of this bill. In the summer of 2024, the Act 106 Working Group, a stakeholder group convened by the legislature to consider a number of issues related to tax sale policy, unanimously recommended *against* allowing third-party tax-sale purchasers, who have no cognizable title interest in the property during the redemption period, unilateral access to someone else's property. Not only because of significant liability concerns but also to protect the health and safety of the tax-sale purchasers. This bill would unnecessarily create financial liability concerns and could lead to very dangerous outcomes even for well-meaning purchasers.

Further, the proposed amendment to reduce the long-standing, post-sale one-year redemption period would seriously harm low-income, older, and disabled homeowners who are particularly susceptible to property tax delinquencies because they often do not meet the income-tax filing threshold and unwittingly miss out on filing for property tax credits to which they are entitled. This has led to a system where Vermont homeowners who are most in need of property tax relief are least able to access it, at a time when assessments are increasing exponentially along with rising property tax rates. In the midst of a historic affordable housing crisis, shortening the redemption period to only 6 months would most certainly lead to increased homelessness among vulnerable Vermonters who currently have a place to call home.

Finally, this is the wrong time to consider such a significant tax-sale policy change. The Supreme Court of the United States is currently hearing an appeal from the Sixth Circuit, scheduled to be argued later this month, where it will decide the constitutionality of tax-sale laws like Vermont's where homeowners lose their homes to tax sale for bids that represent a mere fraction of the actual value of the property. In *Pung v. Isabella County*, <https://www.supremecourt.gov/docket/docketfiles/html/public/25-95.html>, the Sixth Circuit decided it was not unconstitutional for the county to sell a property taken for unpaid property taxes for less than the value of the property, so long as the surplus proceeds were paid to the taxpayer. The Supreme Court, however, saw fit to grant certiorari on the question of whether such conduct by a government taxing authority violates the Takings and/or the Excessive Fines clauses of the U.S. Constitution. Given that the case should be decided by this summer, and depending on the outcome, that it could require a whole-scale revision of Vermont's tax sale law, I urge you to refrain from making any tax-sale policy decisions this session.

I greatly appreciate your consideration and look forward to an opportunity to share Vermont Legal Aid's perspective, based on many years of working with vulnerable Vermont homeowners struggling to keep up with their property taxes.

Sincerely,

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Project Director

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