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Comments on Specific Bill Sections from the Vermont Community Action Partnership

Submitted to the Senate Health & Welfare Committee

April 15, 2026

Bill Section	Bill language	Comments
Sec. 2. LEGISLATIVE INTENT	(1) unsheltered homelessness be eliminated and that homelessness in Vermont be rare, brief, and nonrecurring;	Achieving this will require not only improving system flow but significantly increasing housing availability. Without expanding housing capacity and upstream supports, the system will continue to cycle people through homelessness rather than resolving it. System efficiency improvements alone will not achieve the stated intent.
	(3) utilization of an emergency housing benefit to access hotels and motels through the General Assistance program end and be replaced by a continuum of services; and	Motels should be viewed as one tool within the continuum of care, particularly during periods of high demand or limited shelter capacity. Eliminating their use does not increase system capacity; it simply removes one of the tools currently used to meet urgent needs. The focus should be on building a coordinated and flexible system, not eliminating resources.
	(4) a continuum of supports and services be available to provide a stable pathway to permanent housing that meets the specific needs of households experiencing homelessness.	The challenge is not the absence of services but ensuring they are deployed at the scale needed. The intent should emphasize aligning shelter, housing, and supportive services based on data and usage patterns, targeting regions with the highest demand and the most chronic homelessness.
§ 2201. DEFINITIONS	(18) “Permanent supportive housing” means long-term housing with wraparound services for individuals with complex health and social needs.	Is this meant to be Permanent Supportive Housing (the program?) or permanent supportive housing (a best practice)?
§ 2204. PREVENTION AND DIVERSION SERVICES	<p>Level 1: prevention and diversion services.</p> <p>(1) Prevention and diversion services shall function as the primary entry point to the Vermont Homelessness Response Continuum for all households, although connection may be made at any level. The Office shall ensure that prevention and diversion services are provided through an agreement with one or more community partners in each region of the State in a manner that accommodates an eligible household’s disability, if any. All households, upon request for assistance, shall receive a brief, standardized initial prevention and diversion assessment to identify safe alternatives to homelessness and resolve immediate housing barriers.</p>	Will this assessment be aligned with Coordinated Entry?

<p>§ 2205. SHELTER SERVICES</p>	<p>(b) Level 2B: low-barrier shelter services.</p> <p>(1) To the extent funds are appropriated for this purpose, the Office shall determine the need for low-barrier shelter services and develop sufficient low-barrier shelters to address that need. The Department through the Office shall enter into agreements with community partners for the provision of low-barrier shelters for a period of not less than two years at a time.</p> <p>(2) Low-barrier shelters shall minimize barriers to entry by reducing the rules and programmatic requirements found in highly structured shelters, while still providing case management and other housing support services in a manner that accommodates an eligible household's disability, if any. Stays in low-barrier shelters shall be time limited, and eligible households shall be transitioned to highly structured shelter services or permanent housing as soon as feasible.</p> <p>(3) The Office shall ensure that low-barrier shelter services meet the Department of Public Safety, Vermont Fire and Building Safety Code (CVR 28-070-001).</p> <p>(4) If an eligible household's needs cannot be met with the level 1 prevention and diversion services in section 2204 of this chapter or the highly structured shelter services in subsection (a) of this section, low-barrier shelter services may be utilized if capacity, staffing, and geographic accessibility are available.</p>	<p><i>Stays in low-barrier shelters shall be time limited, and eligible households shall be transitioned to highly structured shelter services or permanent housing as soon as feasible.</i></p> <ul style="list-style-type: none"> • This seems problematic - if the stay is time-limited but the person is required to work on their plan, and then they get kicked out because their time is up, do they have to start all over again? • It is also inefficient and runs counter to the intent of the bill. If we want to move people as quickly as possible into higher levels of shelter or permanent housing, creating stability for them and having regular access to the guests for the case managers would facilitate this happening in a more efficient way.
<p>§ 2208. HOTELS AND MOTELS</p>	<p>(2) If a hotel or motel is utilized pursuant to this section, the Department shall:</p> <p>(A) enter into an agreement with one or more community partners to provide relevant supportive services to eligible households;</p> <p>(B) permit a population-specific placement to the extent certain populations are not isolated from the wider community served through the Program;</p> <p>(C) propose hotel and motel rates as part of its budget presentation for the General Assembly's consideration;</p> <p>(D) use only hotel and motel rates established by the General Assembly;</p> <p>(E) enter into agreements for the use of blocks of hotel and motel rooms and negotiate conditions of use for those blocks, including access to providers of case management and other supportive services, with space to provide services as negotiated; and</p> <p>(F) ensure that services are not provided pursuant to this subsection on a night-by-night basis.</p>	<p>These room caps will result in more people experiencing unsheltered homelessness in FY27.</p> <p>It is unclear how rooms will be made available to community partners and how geographic equity will be determined. Will there be regional RFPs for community partners?</p> <p>The additional cost of space available to meet with clients in hotels must be financially accounted for and should not be part of the room caps</p> <p>Also: It would be important to clarify that municipalities may not impose limits on the number of motel rooms available for emergency housing within their jurisdiction. Allowing local caps could undermine the state's ability to respond to housing emergencies and create uneven access to shelter resources across regions.</p>

	<p>(3) If a hotel or motel is utilized pursuant to this section, the eligible household shall participate in case management services, planning for housing stability, and other services to the extent of the eligible household's ability.</p> <p>(4) A hotel or motel used pursuant to this chapter shall comply with Program rules and the following rules:</p> <p style="padding-left: 40px;">(A) Department of Health, Licensed Lodging Establishment Rule (CVR 13-140-023); and</p> <p style="padding-left: 40px;">(B) Department of Public Safety, Vermont Fire and Building Safety Code (CVR 28-070-001).</p> <p>(5)(A) To the extent funds are appropriated for this purpose:</p> <p style="padding-left: 40px;">(i) between April 1 and November 30 of each year, the utilization of hotel and motel rooms pursuant to this section shall be capped at 700 rooms per night; and</p> <p style="padding-left: 40px;">(ii) between December 1 and March 31 of each year, the utilization of hotel and motel rooms pursuant to this section shall be capped at 1,000 rooms per night.</p>	
<p>§ 2209. OTHER EMERGENCY HOUSING SERVICES</p>	<p>(b) Emergency cold-weather shelters. Emergency cold-weather shelters shall be managed through an agreement between the Office and one or more community partners to provide overnight, low-barrier shelter when weather conditions warrant. The Office and community partners shall ensure equitable access to emergency cold-weather shelters for communities with a high number of households experiencing unsheltered homelessness. Shelter provided pursuant to this subsection shall be time limited, shall not require a coordinated entry assessment or case management, and shall have minimal data reporting requirements.</p>	<p>Operationally: If extreme cold activation at 10°F happens frequently (it will), the coordination required to stand up short-notice, short-window services are comparable to running a full-season warming shelter—but with less predictability, greater surge staffing costs, and higher failure risk. CVOEO did this at – 10 and it was exceedingly difficult to maintain other work. The city has no capacity or ability to do this so it will fall to us. Idea - Extreme cold weather</p> <ul style="list-style-type: none"> ● SUGGESTION: Raise the hotel beds significantly in the winter based on areas where there is unsheltered homelessness and allow for people who are unsheltered to get rooms at the threshold. It is also much less expensive than pop-up emergency shelters where you must hire them at time and one half and purchase all the food and resources.
	<p>(c) Alternative Agency of Human Services housing solutions. The Agency of Human Services, through its various departments, provides households with other time-limited or permanent housing. Such services include recovery housing, various residential supports for individuals with intellectual or developmental disabilities, home care services for older Vermonters and individuals with physical disabilities, transitional housing for individuals exiting correctional custody, and residential options for individuals with mental health challenges. Emergency housing provided through the Program is not intended in lieu of access to any other Agency of Human Services time-limited or permanent housing.</p>	<p>Alternative AHS housing solutions. We would like to see some clarifying language about how these other options would be integrated into the continuum.</p>

<p>§ 2210. HOUSEHOLD RESPONSIBILITIES</p>	<p>(c) A household may be terminated from the Program for repeatedly refusing suitable placements following documented suitability assessments and reasonable accommodations.</p> <p>(d) A member or members of an eligible household may be subject to immediate termination of services as necessary for the safety of others if the member or members are engaged in:</p> <ol style="list-style-type: none"> (1) criminal activity; or (2) misconduct that is not related to a disability or to victimization related to abuse, sexual assault, or stalking. <p>(e) As used in this section, “misconduct” means documented behaviors that materially endanger the safety of others, involve the intentional destruction of property, or constitute illegal activity.</p>	<p>If an individual or household is “terminated from the program” does that mean they can never be sheltered or provided services again? What does Terminated from the Program mean?</p>
<p>§ 2211. PRIORITIZATION</p>	<p>(a) The Office, either directly or through community partners, shall prioritize services within the funds appropriated for this purpose to eligible households who are homeless or at risk of becoming homeless and have a member who:</p> <ol style="list-style-type: none"> (1) is 65 years of age or older; (2) has a disability; (3) is a minor child; (4) is pregnant; (5) is experiencing domestic violence, dating violence, sexual assault, stalking, human trafficking, or other dangerous or life-threatening conditions; or (6) is under court-ordered eviction or constructive eviction due to circumstances over which the household has no control. 	<p>Does the list align with Coordinated Entry? Veterans should be mentioned (Human Services Committee specifically rejected veterans here)</p> <p>Is this a priority order, or just a list of priorities? This section removes existing categories included within GA (people fleeing natural disasters; households who are homeless as the result of a death of an immediate family member; and households who were evicted through no fault of their own- a particularly important category given the direction of H. 772)</p>
<p>§ 2212. TIME LIMITS FOR PROGRAM PARTICIPATION</p>	<p>(b) The Department may grant extensions to the time limits established in subsection (a) of this section pursuant to criteria adopted in rule, including for:</p> <ol style="list-style-type: none"> (1) an eligible household actively awaiting a placement in housing, treatment, or other services; (2) medical necessity; (3) lack of reasonable alternative accessible placements for a member of the eligible household with a disability; and (4) imminent risk to the health or safety of one or more of the eligible household’s members. 	<p>Time limits are inefficient and run counter to the intent of the bill. If we want to move people as quickly as possible into higher levels of shelter or permanent housing, creating stability for them and having regular access to the guests for the case managers would facilitate this happening in a more efficient way.</p> <ul style="list-style-type: none"> • Again, this is confusing. If people are limited to 30 days in a shelter and 70 days in a hotel in one year and they are also required to be participating in a plan and case management, the time limits will make the participation as well as the case management difficult because the household will be experiencing ongoing instability. <p>If a household meets the prioritization, why not just waive the time limits automatically, rather than making the household apply for extensions?</p>
<p>§ 2214. NEEDS ASSESSMENT</p>	<p>The Office and community partners shall provide advice and consultation to the Department of Housing and Community Development in its completion of a needs assessment that identifies gaps in services for households that are homeless in the State and includes recommendations to ensure the provision of equitable services throughout the State.</p>	<p>It seems like language is missing here.</p>

<p>§ 2216. RULEMAKING</p>	<p>The Department shall adopt rules pursuant to 3 V.S.A. chapter 25 for the implementation of the Vermont Homelessness Response Continuum, addressing at a minimum:</p> <p>(1) requirements for community providers participating in the Program;</p> <p>(2) standards for highly structured, low-barrier, and specialized shelters;</p> <p>(3) documentation requirements for household eligibility, including disability;</p> <p>(4) required elements for supportive services, including case management;</p> <p>(5) the creation of a brief, standardized initial assessment form that may be completed by hand, electronically, or by telephone;</p> <p>(6) a process for issuing timely, written approval or denial notifications to applicants;</p> <p>(7) a process for issuing advanced notice to households when the household is being terminated from the program;</p> <p>(8) applicant and household appeal procedures;</p> <p>(9) time limits for Program participation, including procedures for extensions;</p> <p>(10) expectations for the Office's oversight and quality monitoring; and</p> <p>(11) other subjects as deemed necessary.</p>	<p>This section would benefit from language around the rulemaking process and potentially a check-back to committees of jurisdiction. We suggest adding:</p> <ul style="list-style-type: none"> • Requirement for stakeholder input prior to publishing the draft rule • Review and approval of the draft rule by the House Human Services Committee and Senate Health & Welfare Committee prior to publishing the final rule. • Public hearings in each region of the state (minimum of 5 hearings) with ample time for people to testify and accommodation offered and funded for people with disabilities who want to offer testimony. • A responsiveness summary that is published on the rulemaking webpage in a timely manner. <p>Should the rules include the reporting metrics mentioned in the grants section?</p>
<p>Sec. 8. INTERIM EMERGENCY RULEMAKING; DEADLINE FOR ADOPTION OF PERMANENT RULES</p> <p>§ 844</p>	<p>(a). Emergency rules required by this subsection shall take effect on July 1, 2026, and shall, at a minimum, address the required topics listed in 33 V.S.A. § 2216.</p> <p>(b) Unless extended by the Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 843(c), the Department shall, on or before October 1, 2027, adopt permanent rules pursuant to 3 V.S.A. chapter 25 on the Vermont Homelessness Response Continuum as required by 33 V.S.A.</p>	<p>Too quick. Rather take one year and go through full process</p> <p>This timeline will not allow for any meaningful stakeholder involvement or public participation. The rules cannot be started until the bill is enacted and the deadline is October. Even in a best-case scenario the effective date of enactment would be late May/early June.</p> <p>Also again wondering why this is DCF and not OEO doing the rules.</p>
<p>*** Vermont Rental Assistance Bridge Program ***</p>		<p>The proposed Rental Assistance Bridge Program is a positive element of the legislation. Programs that provide short-term rental support and stabilization resources are concrete examples of policies that can help people successfully transition out of homelessness and into permanent housing.</p> <ul style="list-style-type: none"> • Without significant resources for Rental Assistance, it will be nearly impossible to move people into / keep people in permanent housing.

<p>Sec. 11. VERMONT RENTAL ASSISTANCE BRIDGE PROGRAM</p>	<p>(a) The Vermont Rental Assistance Bridge Program is established within the Vermont State Housing Authority for the purpose of linking households who require rental assistance to permanent housing when the household does not otherwise have access to relevant U.S. Department of Housing and Urban Development rental assistance. The Program shall be accessible to eligible clients served by each of the Agency of Human Services' departments.</p> <p>(b) The Program shall be available to a household for not more than 24 months and shall not provide the full amount of the household's rental payment. Program payments shall be made directly from the Vermont State Housing Authority to a household's landlord.</p> <p>(c) Program priority shall be given to current recipients of the HOME Program, established pursuant to 10 V.S.A. § 321(b)(2), who have not yet reached 24 months of rental assistance.</p>	<p>This is essential to ensure people do not lose their rental assistance before their time period has ended. The HOME program will not be funded in FY27 otherwise.</p> <p>**CVOEO can testify on the HOME program if needed. Here is a handout on the program: https://www.dropbox.com/scl/fi/5zlx4te9818m0md7v4so/HOME-Legislative-Ask.pdf?rlkey=9eifrt6oc78qqjumov9dpg4ys&st=czzg0q13&dl=0</p>
	<p>(e) It is the intent of the General Assembly that funds are appropriated for the Vermont Rental Assistance Bridge Program through fiscal year 2030.</p>	<p>What happens then? Is there any kind of report or recommendation? From Whom?</p>