

## I. INTRODUCTION AND IMPLEMENTATION:

This is the first of three Program Reports required by the State of Vermont Grant (034000-VLA-TenantPilot-GF-FY25) awarded to Vermont Legal Aid (“VLA”). The pilot was funded for the period of November 1, 2024 through October 31, 2026. The first Program Report is for the period of November 1, 2024 through October 31, 2025. The grant funding was authorized by Act 47, Section 44, which section is attached hereto as Exhibit 1.

Act 47 establishes the unique opportunity for VLA to solicit all tenants (and Mobile Home Park residents) facing eviction in Windsor and Lamoille Counties for the purpose of full representation when appropriate. Income eligibility is broad and inclusive (at 120% of Area Median Income); to date, not one tenant has been excluded because they are over income. The grant funds representation for all tenants facing eviction regardless of whether they receive a subsidy and demonstrates full commitment to representation of Vermont tenants in eviction proceedings. It is an investment in Vermont tenants, (approximately 76,262 of occupied households as of 2022),<sup>1</sup> intended to prevent eviction, stabilize housing, protect due process, and contribute to equity and accessibility for tenants in eviction proceedings. Tenants and Mobile Home Park residents are valuable community members who are entitled to safe and affordable housing.

Implementation of the grant has taken many forms. Outreach to tenants was the first priority and commenced on 11/1/2024.<sup>2</sup> VLA receives a weekly spreadsheet from the Judiciary which identifies the Docket/Case number for each newly filed Eviction Complaint. Our designated support staff person reviews each case in the public portal where the tenant’s address should be identified in the Complaint.<sup>3</sup> The support staff person sends a letter to each tenant that describes our services. The solicitation letter is attached hereto as Exhibit 2. These letters are sent to tenants at a moment in time when the tenants may be unaware that a Complaint has been filed.

The Sheriffs’ Departments in Windsor and Lamoille Counties, as well as the Fire Chief in Springfield, the primary Civil Process servers, agreed to include a Civil Process Insert provided by VLA, attached hereto as Exhibit 3, when effectuating personal service of Ejectment pleadings. The Civil Process Inserts are printed on brightly colored paper so as to stand out in what are often very thick packets. The process servers may include the Civil Process Insert with service of any pleading, including Writs of Possession, which represent

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<sup>1</sup> See Vermont Housing Finance Agency’s Vermont Housing Needs Assessment Fact Sheet, 2025-2029.

<sup>2</sup> Outreach was seamless given the pre-existing protocol developed through VLA’s prior Housing For Everyone Law Project (“HELP”) (2020-2025).

<sup>3</sup> Complaints for Ejectment should include an address or proper description of the property, but if the address is not included, we are unable to solicit the tenant without further research. See 12 V.S.A. Section 4852.

one of the most vulnerable stages for the tenant. Many tenants are not aware, until they are personally served, that a Complaint has been filed against them. The cooperation of the Sheriffs' Departments is not surprising given that the deputies are intimately involved in the eviction process.<sup>4</sup> Their partnership is essential, but we are not able to collect reliable data on the success of the Civil Process Inserts, because we do not have direct knowledge regarding inclusion of each Civil Process Insert.

Implementation has also included extensive outreach to Community Action agencies in the two Counties, including providing training and flyers. The flyer (for Windsor County) is attached hereto as Exhibit 4. We have made the information available on our social media, including direct contact information for our designated support staff person. Eligible tenants and mobile home park residents do not need to join an intake queue and may email or call the designated staff person directly.<sup>5</sup> We have sent information to frequent opposing counsel (so that they may easily pass the information on to defendants if they so choose) and to Court staff members.<sup>6</sup>

Significant resources have been dedicated to building specified data collection into our case management platform. VLA has expanded data collection significantly, as required by the Pilot, although it is currently limited to data collection in the identified counties. Data collection is evolving as we learn more about how to track outcomes more efficiently and effectively.

## II. DATA AND OUTCOMES:

During the first year of the pilot, VLA solicited 206 cases, a number roughly equivalent to the number of new eviction Complaints filed in Windsor and Lamoille counties during the same time period.<sup>7</sup> Also in the first year, VLA opened 94 cases, and closed 72 cases. 94 is 46% of 206, which suggests a 46% success rate for our initial solicitation of tenants.<sup>8</sup> Of the 72 cases that we closed, 10 cases were fully or partially resolved with assistance from our Act 47 partners as follows: 2 with assistance from the Champlain Valley Office of Economic Opportunity ("CVOEO"), 4 with funds from Housing Opportunity Grant Program (HOP), and

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<sup>4</sup> See Out of House and Home: Chittenden County Landlords Are Evicting at a Record Pace. But It's the Sheriff Who Comes Knocking. | Seven Days.

<sup>5</sup> See, for example, Evictions in Vermont | VTLawHelp.org.

<sup>6</sup> There are some limitations associated with Lamoille and Windsor Counties that have likely impacted intake numbers, which are addressed in Section III below.

<sup>7</sup> The Vermont Judiciary Statistical Summary FY 2024 shows a total of 215 eviction cases in 2024 for Windsor and Lamoille combined. VLA solicited 206 tenant households during the first 12 months of the grant.

<sup>8</sup> HELP achieved a 49% success rate (that is, 49% of the tenants who received letters from VLA, contacted VLA).

4 with funds from the Vermont State Housing Authority Eviction Prevention Funds (Section 45 of Act 47).

Of the 8 cases that resolved as a result of funds paid, 4 were paid on behalf of tenants in Federally Subsidized units, and 4 were paid to private landlords (which included one mobile home park resident). Of those 8, 7 of the tenants remained housed in the same unit, including all 4 of the tenants in federally subsidized housing. Although it is a very small sample, the data suggests, not surprisingly, that money paid directly to individual landlords can stabilize housing.

The funds available through the Act 47 partners, which funds were available statewide and not limited to the pilot counties, were only available to tenants who met certain criteria. Most critically, tenants who faced eviction for nonpayment combined with something else (no cause, for cause), were not eligible. Of the 94 cases opened in the first year of the pilot, almost a third (30), were for nonpayment alone. The remainder of Complaints which included nonpayment were combined with another count that made tenants ineligible for available funding.

Of the 72 cases that we closed in the first year, 16 involved tenants over the age of 60; 6 of the 16 were over age 70. Tenants over 60 constituted 22.2% of the total cases. Of those 72 cases, we entered a full appearance in more than half of the cases. The majority of the cases closed in the first year involved tenants who lived in private housing with market rent and no subsidies (more than 66%). See the pie chart attached as Exhibit 5.

On July 29, 2025, we added a new data collection question: Did representation by VLA prevent eviction. Of the 34 cases closed between July 29, 2025, and October 31, 2025, representation by VLA prevented 15 evictions, which is almost half of the cases closed during that time. Although this is a small sample over a short period of time, the results suggest that representation may promote housing stability by preventing eviction.

There are many ways to measure success; Eviction outcomes are nuanced and complex. Even where eviction was not prevented entirely, the pilot ensured that represented tenants were in a position to assert their essential due process rights. As an example, in the first year of the pilot, VLA filed at least 18 Motions to Dismiss at the outset of the case, which indicates that there were flaws apparent on the face of the original Complaint that a pro se tenant likely would not have identified. 27 of the cases closed in the first year resolved by settlement of the parties. Settlements create opportunity for the parties to experience closure and satisfaction. While settlement may result in a loss of housing for the tenant, if the tenant is represented, the tenant has structure and notice, as well as input into the terms of the settlement and the move out date.

### III. POLICY RECOMMENDATIONS AND EXPANSION:

Vermont has a vacancy rate of 3.4% (as of June 2025), which is the fourth lowest in the country.<sup>9</sup> A low vacancy rate represents a competitive rental market, making tenants especially vulnerable. Tenants do not have bargaining power. The disadvantages Vermont tenants face securing and maintaining safe and affordable rental housing is exacerbated exponentially when an eviction Complaint is filed and the tenants are compelled to appear in the Court process without an attorney. This grant has created an opportunity for best practice in the State of Vermont with respect to tenants facing eviction - the availability of full representation by an attorney at no cost to the tenant.

The data included herein is in its infancy, and our data collection continues to evolve as part of this grant. However, we are aware that **we can represent more tenants with the existing funding, through October 31, 2026. We are requesting permission to expand the pilot to all counties in Vermont, as resources permit.** The preliminary outcomes support the value of representation at the genesis of the litigation; it is much harder to reverse the consequences of Default Judgments incurred when pro se tenants are navigating on their own and where the stakes are so high.

In 2024, 159 Eviction Complaints were filed in Windsor County, making it the 4<sup>th</sup> largest eviction docket in the State.<sup>10</sup> Coincidentally though, outreach for the pilot may have been impacted by construction that is simultaneously occurring at the Criminal and Family Divisions in Windsor County. Because the Windsor County Civil Division has migrated to the remote platform (in favor of making the primary courtroom available for Criminal Division proceedings), VLA attorneys have limited opportunity to appear in person. In-person appearance creates the opportunity for VLA attorneys to intercept other tenants who may be present, but who have not reached out in response to our solicitation.<sup>11</sup>

The same limitation applies to Lamoille County, but for different reasons. In Lamoille County, the Courthouse is open and in-person appearance is always available. However, the docket is small (56 eviction Complaints in 2024)<sup>12</sup>, such that eviction matters (such as Rent Escrow hearings) occur infrequently and are not docketed together. Therefore, the opportunity to intercept other tenants is not available.

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<sup>9</sup> See <https://vermontbiz.com/news/2025/june/18/vermont-has-fourth-lowest-vacancy-rate-rental-homes-us>.

<sup>10</sup> See The Vermont Judiciary Statistical Summary FY 2024.

<sup>11</sup> The Windsor Family and Criminal Division is expected to be open again in February, 2026, which should create the opportunity for more frequent in-person appearances in Windsor Civil Division.

<sup>12</sup> See Footnote 10 above.

The pilot allows us to continue to collect and build data and to help individual tenants at the same time. At VLA, housing practice has always been a priority and a necessity. However, as the stakes have gotten higher due to housing demand outstripping supply, the practice has grown and we have struggled to meet the needs of tenants in the State of Vermont, especially those who do not receive, or reside in, subsidized housing. Subsidized housing is at a premium now.<sup>13</sup>

The type of housing practice funded by the pilot is best-case scenario for VLA and the tenants we represent. It allows us to step in and assist the tenants at all stages of the eviction process. The eviction process weighs heavily on tenants, and VLA attorneys are required to explain the application of rules and statutes in circumstances that amount to bad news for vulnerable tenants. However, attorney representation supports informed decision making, agency, and procedural due process for tenants.

Although the numbers are smaller than we would like, there are many opportunities to reach more tenants in the upcoming year and beyond. Even with the limited data collected, it is apparent that we reached a broad and inclusive cohort of tenants facing eviction. The request to modify the grant such that VLA may represent eligible tenants in other counties is a short-term solution, using the funds that have already been designated. The terms of the pilot reflect a meaningful commitment to housing stability.<sup>14</sup> The pilot is broadly inclusive at 120% of AMI and allows VLA attorneys to enter a full appearance when necessary and appropriate for the best outcome possible. The long-term policy recommendation is for longer term funding consistent with the pilot.

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<sup>13</sup> See [Vermont's largest provider of Section 8 housing subsidies will stop issuing new vouchers - VTDigger](#).

<sup>14</sup> See <https://www.americanbar.org/news/abanews/aba-news-archives/2024/02/legal-representation-tenants/>.

#### Sec. 44. TENANT REPRESENTATION PILOT PROGRAM

(a) Creation; purpose. Vermont Legal Aid shall create and administer a two-year Tenant Representation Pilot Program:

(1) to provide full representation to eligible and consenting tenants in Lamoille and Windsor counties who have been served with a summons and complaint for eviction; and

(2) to determine the impact of representation on the issuance of writs of possession and homelessness prevention.

(b) Tenant eligibility. Vermont Legal Aid may enter a notice of appearance on behalf of a residential tenant in Lamoille or Windsor County who is served with a summons and complaint in an ejectment action, consents to the representation, and meets the following criteria:

(1) household income equals or is less than 120 percent of State area median income;

(2) the cost of rent equals or exceeds 30 percent of household income; or

(3) household expenses exceed income.

(c) Scope of representation.

(1) Full representation through the Program is limited to eviction.

(2) The pursuit of counterclaims shall be at the discretion of appointed counsel.

(d) Conflicts of interest.

(1) Vermont Legal Aid may subcontract to Legal Services Vermont if it is unable to provide tenant representation due to a conflict of interest as defined by the Vermont Rules of Professional Conduct

(2) If Legal Services Vermont also has a conflict of interest, Vermont Legal Aid may subcontract to one or more private counsels who are members in good standing of the Vermont Bar.

(e) Report. Vermont Legal Aid shall provide interim reports on the progress of the Program on or before November 15, 2023 and November 15, 2024 and a final report on or before July 30, 2025, which shall describe:

(1) the number of tenants represented;

(2) case outcomes, including:

(A) the number of cases fully or partially resolved through access to the Rent Arrears Assistance Fund;

(B) the number of cases fully or partially resolved through the Vermont Landlord's Association mediation program; and

(C) the number of cases fully or partially resolved through access to another resource identified through the Rental Housing Stabilization Services Program; and

(3) recommendations for policy changes and for pilot expansion.

(f) Implementation. The duty to implement this section is contingent upon an appropriation in fiscal year 2024 from the General Fund to the Agency of Human Services for a subgrant to Vermont Legal Aid to provide representation in eligible eviction cases in the two pilot counties of Lamoille and Windsor beginning on July 1, 2023.

## EXHIBIT 1



**Tenant Representation Pilot**

177 Western Avenue, Suite 1, St. Johnsbury, VT 05819

Helpline 800-889-2047

[www.vtlawhelp.org](http://www.vtlawhelp.org) ■ Fax: 802-748-4610

Dear

I am writing to you because court records show that your landlord has filed an eviction case against you, and you live in either Lamoille or Windsor County. You may not have gotten a copy of the court case yet. However, since a case has been filed, there may be deadlines that have to be met to protect your rights.

If you would like help with your eviction case, at no cost to you, please contact us by email or telephone, using the information below. You may qualify for full or limited representation by an attorney. Please get in touch as soon as you can due to the urgency of this matter.

You can find information about the steps in an eviction case on our website:

<https://vtlawhelp.org/court-process-eviction>. We hope to hear from you soon, so that we can help you defend yourself against eviction.

Sincerely,

/s/ Steph Berube

Support Staff

802-424-4701

[sberube@vtlegalaid.org](mailto:sberube@vtlegalaid.org)

EXHIBIT 2





**VERMONT  
LEGAL  
AID**

**WORKING TOGETHER FOR JUSTICE**

You are receiving this insert because you are being served with an eviction case in either Windsor or Lamoille County.

Vermont Legal Aid may be able to help you with your eviction case, at no cost to you. You may qualify for full or limited representation by an attorney. Please get in touch as soon as you can due to the urgency of this matter.

Please call or email:

Steph Berube

Support Staff

802-424-4701

sberube@vtlegalaid.org

You can find information about the steps in an eviction case on our website:

<https://vtlawhelp.org/court-process-eviction>. We hope to hear from you soon, so that we can help you defend yourself against eviction.

**EXHIBIT 3**



HAVE YOU BEEN SERVED WITH A COMPLAINT FOR EVICTION IN WINDSOR COUNTY?

Vermont Legal Aid may be able to help you with your eviction case, at no cost to you. You may qualify for full or limited representation by an attorney. Please get in touch as soon as you can due to the urgency of this matter.

Please call or email:

Steph Berube

Support Staff

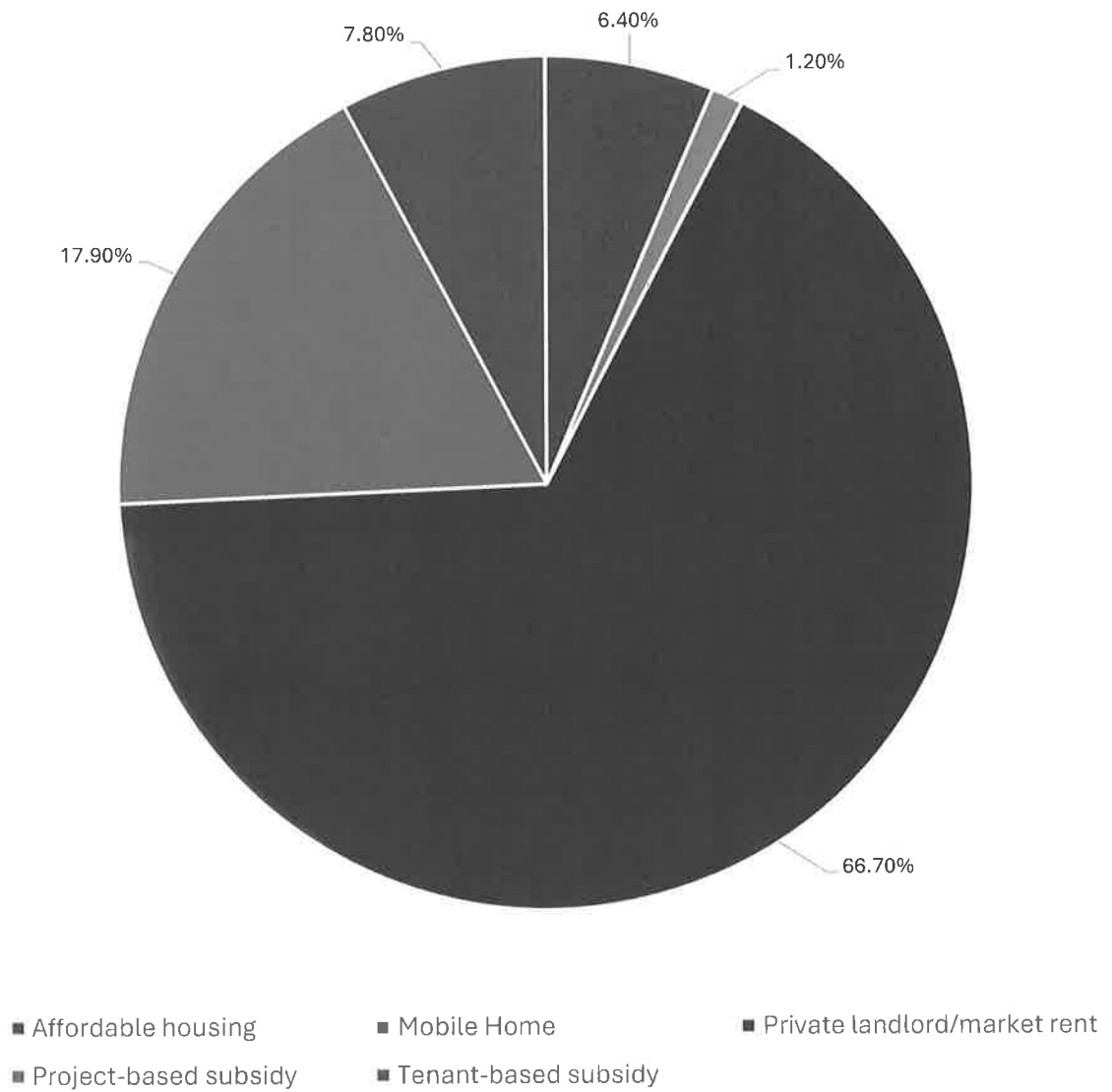
802-424-4701

sberube@vtlegalaid.org

You can find information about the steps in an eviction case on our website: <https://vtlawhelp.org/court-process-eviction>. We hope to hear from you soon, so that we can help you defend yourself against eviction.

EXHIBIT 4

## Cases by Housing Type



**Exhibit 5**