

TO: House Committee on General, Housing, and Military Affairs
FROM: Sarah Phillips, Director, Office of Economic Opportunity
RE: H.132 An Act Relating to Funding for an Accelerated Weatherization Program
DATE: February 20, 2019

H.132 ensures that individuals are not denied assistance, evicted or have their housing assistance terminated because of their status as survivors of domestic violence, dating violence, sexual assault or stalking. H.132 does this through three primary mechanisms:

- Permits victims of domestic violence to terminate a lease early without penalty, provided there is a fear of imminent harm or a sexual assault occurred within the six months preceding;
- Provides tenants the right to change locks and install other security measures; and
- Makes domestic violence a full protected class under fair housing laws.

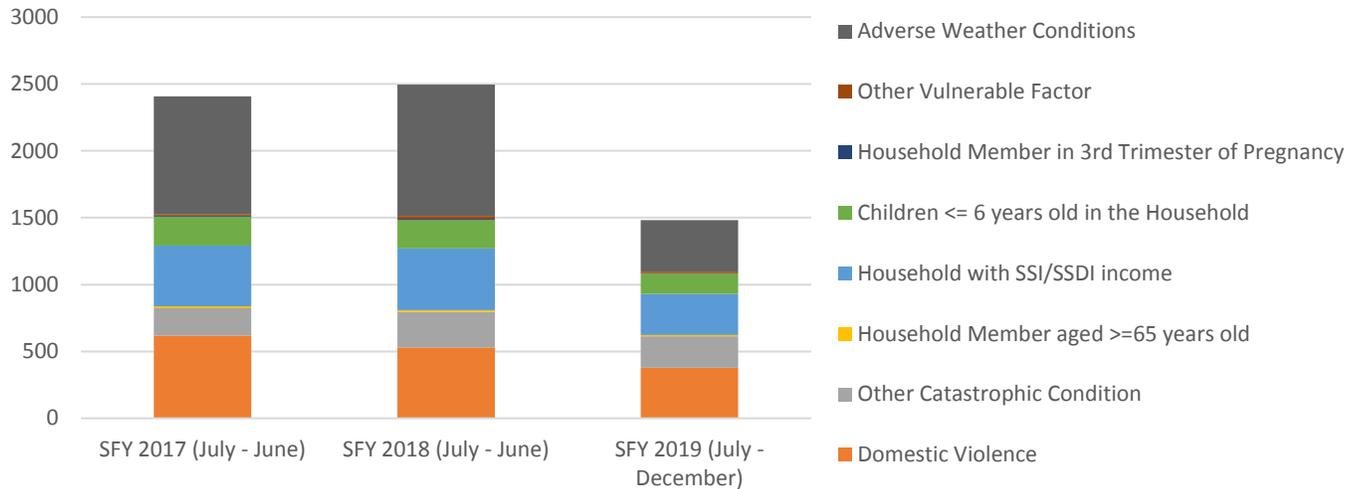
The Department for Children and Families serves victims of domestic violence across all its program and service areas – including Family Services, Child Support, Children’s Integrated Services, as well as homelessness assistance programs – specifically the Housing Opportunity Grant Program (HOP) administered by OEO and the General Assistance Emergency Housing Program, administered by the Economic Services Division. Domestic Violence is a pervasive factor in homelessness.

The Housing Opportunity Grant Program provides funding to 11 shelters for persons fleeing domestic/sexual violence, as well as dedicated funding to prevent homelessness and re-house survivors through a grant to the Vermont Network Against Domestic and Sexual Violence. In SFY 2018, 39% of sheltered children (429, an 19% increase from last year’s 361) and 34% of families (257) spent their stay at a domestic/sexual violence shelter.

As both the chart and table below illustrate, domestic violence is one of the leading factors in why households are served by the General Assistance Emergency Housing program.

	Total Households	Domestic Violence	Other Catastrophic Condition	Household Member aged >=65 years old	Household with SSI/SSDI income	Children <= 6 years old in the Household	Household Member in 3rd Trimester	Other Vulnerable Factor	Adverse Weather Conditions
SFY 2017 (July - June)	2408	618	206	12	455	216	8	13	880
SFY 2018 (July - June)	2494	531	266	11	462	212	9	21	983
SFY 2019 (July - Dec)	1482	378	236	9	308	151	3	11	386

HOUSEHOLDS RECEIVING GENERAL ASSISTANCE EMERGENCY HOUSING, BY ELIGIBILITY CRITERIA SFY 2017, SFY 2018, AND YTD SFY 2019



Preserving housing for victims of domestic violence, dating violence, sexual assault and stalking is critically important for both the families impacted by abuse as well as community efforts to reduce homelessness. Victims of domestic violence experience discrimination in housing due to the desire of landlords to ensure safety on their properties. Policies can screen out potential tenants or permit eviction to criminal activity, but many times these policies fail to account for whether an individual was the victim or the perpetrator. H.132 would ensure that individuals are not denied assistance, evicted or have their housing assistance terminated because of their status as survivors of domestic/sexual violence, sexual assault or stalking, or for being affiliated with a victim. H.132 provides victim parents and youth more flexibility in order to plan for their safety.

The federal Violence Against Women Act (VAWA) provides similar housing protections as those in H.132, for all tenants in housing supported by federal funding – e.g. homeless assistance programs (CoC, ESG-HOP), affordable housing (LIHTC, HOME, CDBG), and rental assistance (Section 8, etc). H.132 essentially extends these housing protections to all tenants in Vermont. The DCF Office of Economic Opportunity administers the Housing Opportunity Grant Program (HOP) and has worked diligently in the past two years to implement new VAWA housing protections in the HOP program. Even within these early years of implementing VAWA housing protections, there are already examples of positive impacts. Expanding similar protections beyond federally-funded housing will benefit more vulnerable Vermonters and provide consistent protections, regardless of whether a household receives federally-funded housing assistance.

We encourage the committee to consider key stakeholder feedback to make modifications to the proposed bill, and we fully support the intent of the H.132.

DCF, in its role as the child welfare agency, would also recommend a specific modification to H.132. As written, the bill defines a protected tenant as:

- (A) a victim of abuse, sexual assault, or stalking;
- (B) a parent or guardian with physical custody of a victim of abuse, sexual assault, or stalking.

The use of “physical custody” in Section B is unclear. The phrase physical custody could be interpreted in different ways. Parentage orders use “physical custody” as one of the two types of legal custody, as in a parent being awarded full physical and full legal custody of her/his child. It may also simply mean someone who is in physical possession of a child, as in a foster/kin parent caring for a youth in custody.

DCF would recommend that the language be clarified to afford foster/kin parents the protections intended in this bill.

§ 4471. DEFINITIONS

As used in this subchapter:

- (1) “Abuse” has the same meaning as in 15 V.S.A. § 1101. 19
- (2) “Protected tenant” means a tenant who is:
 - (A) a victim of abuse, sexual assault, or stalking;
 - (B) a parent, foster parent, or caretaker with at least partial physical custody of a victim of abuse, sexual assault, or stalking.

Please do not hesitate to be in touch for additional assistance or clarification.

Sarah Phillips
(802) 585-9218
Sarah.phillips@vermont.gov