October 12, 2026

Chair Squirrell
Chair, Legislative Committee on Administrative Rules
115 State Street
Montpelier, VT 05633-5301
Sent Via Email

Chair Squirrell and members of the Legislative Committee on Administrative Rules,

I write today on behalf of the 50 plus organizations and individuals that make up the Housing and Homeless Alliance of Vermont. Together we constitute the largest housing, homelessness, and service advocacy organization in the state. On behalf of our members, we request that LCAR reject the proposed Vermont Homelessness Response Continuum (VHRC) Emergency Rules, as presented to your committee as the and request to the Department of Children and Families (DCF) that they work with providers to modify the rules to be in line with intent of Act 143.

HHAV supports the comments and legal analysis made by Vermont Legal Aid and the ACLU of Vermont in their call to reject the rules for a number of specific legal reasons. Given the feedback from our members who have been asked to implement these rules, we would like to highlight some process concerns and some specific rules that are the most glaringly problematic.

First, from a process perspective, we found the public and provider input to be wholly unsatisfactory. Understanding that these were emergency rules, and there is deference shown to the agency, our members found the initial engagement to be rushed and inadequate given the scope and importance of this issue to thousands of Vermonters and their families. While there have been future public comment events scheduled, these events occur after your Committee's meeting on the proposed emergency rules, lacking sufficient time for adequate feedback. Additionally, the intent section of Act 143 clearly states multiple components of legislative intent. The proposed emergency rules noticeably leaves out the expertise of community providers. With adequate input from community providers and public input, especially from those who have experienced homelessness, we believe the proposed VHRC emergency rules could be updated and reflect the true intent of the law.

The specific rules that our members have found to be most burdensome and that we highlight as examples of why these rules should be rejected and modified are: 1) the housing needs assessment tool as defined by "Part 3 Application and Individualized Needs Assessment" and, 2) "Part 8 Level 4 Services–Hotels and Motels."

Part 4 of the emergency rules lays out the specifics of the HOU-SING needs assessment in a manner which far exceeds the intent of the law. Section 2 of Act 143 articulates the legislature's intent very clearly stating:



“It is the intent of the General Assembly that:
(1) unsheltered homelessness be eliminated and that homelessness in Vermont be rare, brief, and nonrecurring;
(2) Vermont reduce reliance on the inefficient use of hotel and motel rooms for emergency housing;
(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
(4) a continuum of supports and services be available and administered flexibly in a manner that:
(A) provides a stable pathway to permanent housing;
(B) meets the specific needs of households experiencing homelessness; and
(C) supports community partners.

Emergency Rule Part 1, 5.02 states that “The Department shall use the screening tool to assess the relative need of eligible households,” and then goes on to define the parameters of this tool in Part 3. As applied, our members have found that these sections and the implementation of these tools violate both the spirit and the letter of the law. The 22 page assessment tool is not merely a collection of information used to advance the purpose of Act 143, but instead acts as a barrier to its implementation and an obstacle to Vermonters successfully accessing the services they need and are entitled to. In relation to the assessment tool, the law clearly states “the creation of a brief, standardized initial assessment form that may be completed by hand, electronically, or by telephone” be used to screen a household for need. The HOUSING assessment does not meet the intent of the law. For example, providers have expressed frustration that the assessment form itself and process used to administer the assessment, have created confusion, frustrated and angered applicants, created a duplicative process to existing assessments administered by providers, and taken away a key point of contact with a trained and trusted provider. The assessment tool is inefficient, not trauma informed and acts as a barrier to moving out of homelessness

Additionally, the application and requirement of a Housing Plan to be created and implemented as part of Part 3 of the draft rules, goes far beyond the intent of the law and has instead acted as a barrier to people accessing services. Providers report chaos and confusion when housing plans are denied or multiple phone calls are needed to complete plans. The housing plan was intended to serve as a tool to ***identify*** barriers to accessing permanent, stable housing, not serve as a ***barrier*** to emergency housing solutions.

We see similar problems with Part 8 of the Emergency Rules. Unlike when proposed rules are brought before this committee and have yet to be implemented, we have the experience of how these rules are operating in the real world and have found, again, as applied they violate the spirit and the letter of the law. While the rules, as applied, have accomplished a part of the intent of the legislature, the reduction in the utilization of hotels by Vermonters, it has done so without taking into consideration the other intended purposes of the law. The manner in which Part 8 of the rules have been implemented has acted like an outright barrier to services, including the inability to access services at all during nights, weekends and holidays. Furthermore, extended delays, official confusion, a lack of communications with providers and a rigid adherence to a narrow reading of Act 143 has led to an inability of Vermonters to access the benefits they are entitled to under the act. In addition to the examples above, providers have shared that denials to Level 4 services have come with little to no explanation and a laborious process for appealing. When asked how and who to communicate with at the Economic Services Division (ESD), no clear pathway has been given. Finally, providers have clearly shared that across the state, the implementation of the Level 4 services application process has increased unsheltered homelessness, directly going against the intent of the law.

It is for these reasons and more that we ask the Committee to reject the proposed Emergency Rules and request DCF engage in a robust process with community partners and the legislature to draft rules that reflect both the spirit and the letter of Act 143. HHAV believes that with thoughtful communication and input from providers, and then bringing those perspectives into the redrafting of the proposed emergency rules, clear and effective guidance can be achieved, and the full intent of Act 143 can be realized

Thank you for your consideration. We welcome any questions from members of the committee.



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