

State of Vermont

Analysis of Impediments to Fair Housing Choice

Preliminary Update: November 2022

Executive Summary

Equal and free access to residential housing (housing choice) is a fundamental right that is critical to personal, professional, and community development. If equal opportunity is to become a reality, fair housing is a goal that government, public officials, and private citizens must embrace. Therefore, the State of Vermont is planning a comprehensive update to the 2012 and 2017 Analysis of Impediments to Fair Housing Choice (AI) to further the goal of fair housing and satisfy the requirements of the Housing and Community Development Act of 1974 as amended. This act requires any community receiving Community Development Block Grant (CDBG) funds to affirmatively further fair housing.

The responsibility of compliance with the federal Fair Housing Act extends to nonprofit organizations and other entities, including units of local government which receive federal funds through the State. To carry out its responsibility to affirmatively further fair housing, once every five years, the State analyzes the impediments to fair housing in Vermont and develops an action plan to address these impediments. This condensed update is a preliminary report on the impediments to fair housing in Vermont and provides updates on the 2017 AI action items. However, a more comprehensive update will be published in early 2024 that includes input from stakeholders that are highly involved with housing issues throughout Vermont.

Demographic and Fair Housing Observations

Vermont's population has continued to grow slowly. Although Vermont is one of the least diverse states in the nation, Vermont has continued to become more racially diverse, a trend that has both persisted and accelerated during the last ten years. Important changes in Vermont demographics since the 2017 AI update:

- From 2020 to 2021, the number of unhoused individuals and families doubled.
- The proportion of cost burdened homeowners have remained at a level similar to those reported in 2017. However, the proportion of renters who are cost burdened or severely cost burdened has increased.
- From 2010 to 2020, Vermont's BIPOC Population increased by 157%. This increase has been most pronounced for persons identifying as two or more races.

Fair Housing Legislative Achievements

2022 was a historic year for housing-related legislation in Vermont. Through both the Omnibus Housing Bill, Act 182, and the Rental Safety Bill, Act 181, Vermont strengthened protections and made historic investments in fair housing.

Expanded Protections for Harassment

The 2022 Omnibus Housing Bill, Act 182, addressed several fair housing issues, including strengthening protections against harassment and unfair housing practices. This legislation defines the term “harass” as engaging in unwelcome conduct *that detracts from, undermines, or interferes with the person’s terms, conditions, privileges, or protections in the sale or rental of a dwelling or other real estate or in the provision of services or facilities in connection with a dwelling or other real estate* based on a protected status. Additionally, this bill expanded who can report unlawful housing harassment to include third-party individuals. This means that more people can report harassment on another person’s behalf, a vital expansion of housing protection because harassment can go unreported for several reasons, including:

- A lack of awareness about how and where to file a complaint;
- To avoid confrontations with prospective landlords (especially in a tight rental market such as Vermont);
- Persons may be unaware that discrimination is occurring because they do not have the benefit of comparing their treatment with that of another home seeker;
- Persons may not be aware that discrimination is against the law and that there are legal remedies to address the situation; and
- Households may be more focused on finding decent housing and may prefer to avoid going through the process of filing a complaint.

Prospective, current, or past renters or home buyers may file complaints regarding harassment which will be investigated and followed up based on the findings. To learn more about housing discrimination complaints in Vermont or how to file a report, refer to the [Fair Housing Complaints](#) section.

First Generation Homebuyers Program

In 2022 the Vermont Legislature passed Act 182, which provided \$1 million in funding for a First-Generation Homebuyer Program. The program offers down payment assistance to households historically sidelined from homeownership. This provides a crucial opportunity for traditionally underserved households to build wealth through homeownership. The Vermont Housing Finance Agency (VHFA) is administering the program and has planned robust outreach to BIPOC Vermonters and individuals who have been in the foster care system.

Based on data from the 2020 U.S. Census, Vermont has a population of approximately 643,000, with about 38,500 BIPOC Vermonters (approximately 6% of the overall population).¹ A recent American Communities Survey (ACS) shows that homeownership for BIPOC residents ranges from 21% for Black Vermonters to 50.4% for Hispanic Vermonters. White Vermonters, however, have a significantly higher homeownership rate of 72.3%.²

The First-Generation Homebuyer Program will facilitate opportunities for underserved Vermonters to become homeowners and build wealth. This program will have a particular impact on BIPOC populations that have lower homeownership rates due to historic and ongoing housing discrimination. By supporting

¹ US Census: [Census.gov/Library/America Counts: Stories Behind the Numbers /STATE PROFILES: 2020 Census /VERMONT: 2020 Census](https://www.census.gov/library/america-counts/stories-behind-the-numbers/state-profiles/2020-census/vermont-2020-census)

² The University of Vermont, Vermont Legislative Service, https://www.uvm.edu/sites/default/files/Department-of-Political-Science/vlrs/EconomicIssues/Housing_Assistance.pdf

these historically underserved populations, this program will help to further the goals of fair housing throughout the State of Vermont.

Even with down payment assistance opportunities, significant barriers exist for BIPOC and other under-represented first-generation homebuyers. For example, renters' credit scores often do not reflect their rental history. This is starting to change, but in many cases, renters need to be proactive in asking landlords to report rent payments through an online service for rent to be reported to the credit bureaus.³ The First-Generation Homebuyers Program is a step in the right direction. However, more work needs to be done in Vermont and across the United States.

Rental Safety

Also passed in 2022, Act 181, the Rental Safety initiative will help make rental units safer for tenants. Act 181 allows the State Division of Fire Safety to enforce rental health and safety codes in addition to completing fire safety inspections. This is critical for communities with overstretched and volunteer code enforcement teams.

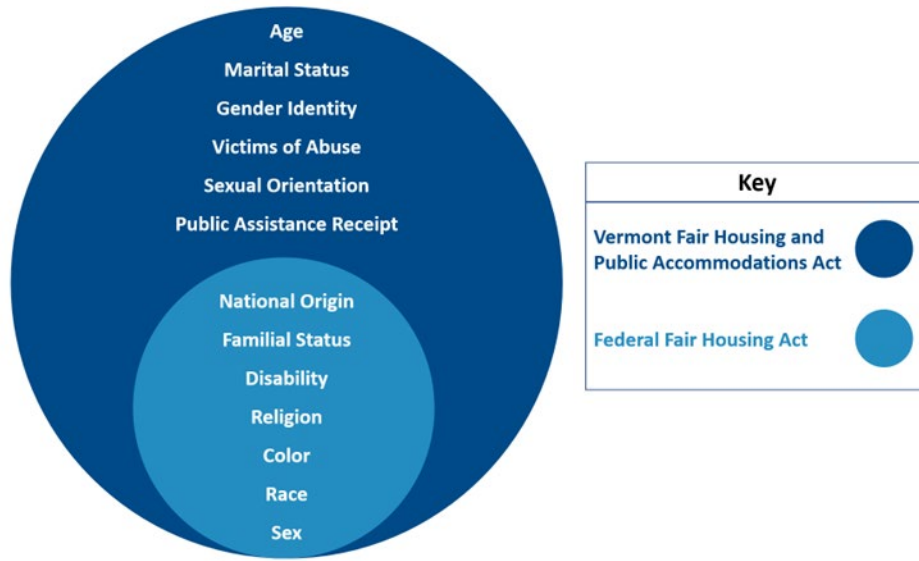
While the Fair Housing Act intends to provide equitable access to housing for persons in protected classes, this access has limited benefit if the housing offered isn't in safe and decent conditions. The Rental Safety initiative will help provide safe, decent rental housing throughout the State of Vermont and greatly benefits low-income families, the elderly, and persons with disabilities.

Protected Classes

Vermont added abuse victims as a protected class under the Vermont Fair Housing and Public Accommodations Act. This protection applies to victims of abuse, sexual assault, or stalking. This update was made in 2019 under Act 48 and means Vermont now has protections for six classes that are not included under the Federal Fair Housing Act.

³ Money.com, How to Use Rent Payments to Increase Your Credit Score, <https://money.com/how-to-build-credit-with-rent-payments/>

Figure 1. Statutory Comparison of Protected Classes



Introduction

The State of Vermont has updated its 2012 and 2017 Analysis of Impediments to Fair Housing Choice (AI) to satisfy requirements of the Housing and Community Development Act of 1974 as amended. This condensed update is a preliminary report on Vermont’s impediments to fair housing. However, a more comprehensive update will be published in early 2024 that will include input from the public as well as stakeholders who are highly involved with housing issues throughout Vermont.

Demographic Information

Population Trends

According to U.S. Census data, from 2010 to 2020, Vermont’s population increased by 2.8% or 17,336 persons. This growth was most pronounced in the most populous county, Chittenden. Chittenden County, excluding the City of Burlington, grew by 8.3% during this period, while the City of Burlington grew by 6%. Conversely, the least populous county in Vermont, Essex, which is only home to 5,920 individuals, actually shrunk by 6.1%.

Areas of Racial & Ethnic Minority Concentration

Vermont does not have any areas of racial and ethnic minority concentration if you use the definition provided by the U.S. Department of Housing and Urban Development (HUD). Vermont’s 2012 AI identified areas of minority concentration by defining such areas as any place with more than double the statewide proportion of a given minority group. The thresholds for a census tract to be considered an area of minority concentration are presented in Figure 2 based on the definition used in the 2012 AI.

Figure 2. Defining Thresholds for Areas of Minority Concentration

Race or Ethnicity	Percent of Overall Population	Threshold for Area of Minority Concentration
Black	1.4%	2.8% or more of Census Tract
Asian or Pacific Islander	1.8%	3.6% or more of Census Tract
Native American* or Alaskan Native	0.4%	0.8% or more of Census Tract
Hispanic	2.4%	4.8% or more of Census Tract

Source: U.S. Census Bureau, National Historical Geographic Information System.

**Officially called American Indians by U.S. Census Data.*

Based on the revised definition, several census tracts qualified as areas of minority concentration; these findings are presented in Figure 3. There were 60 areas of minority concentration, down 17 from the 2012 AI. Most of this decline occurred within the Hispanic population. Notably, the Hispanic population in Vermont increased by 68.4% from 2010 to 2020. However, the number of areas with a concentration of Hispanic residents decreased from 17 to 3 during the same period. These preliminary findings will be supplemented with maps in the comprehensive 2024 update.

Figure 3. Areas of Minority Concentration in Vermont, 2020

Race or Ethnicity	Areas of Minority Concentration	Maximum Concentration
Black	18	10.1%
Asian or Pacific Islander	25	14.6%
Native American* or Alaskan Native	14	2.5%
Hispanic	3	7.2%

Source: U.S. Census Bureau.

*Officially called American Indians by U.S. Census Data.

Vermont is 89.8% white, significantly higher than the national average. However, Vermont has consistently become more diverse since the 1990s, and this trend has accelerated in the last ten years. From 2010 to 2020, Vermont's BIPOC Population increased by 157%. This increase has been most pronounced for persons identifying as two or more races. Many of the state's minority households live in and near the City of Burlington, in Chittenden County, which is Vermont's largest city and is a HUD entitlement community.

Concentration of Low-to-Moderate Income (LMI) Persons

Vermont's overall poverty rate was 10.8% in 2020.⁴ On the county level, poverty rates varied from as low as 6.3% (Grand Isle County) to as high as 14.1% (Essex County). Mirroring the findings from the 2017 AI, three "Northeast Kingdom" counties of Caledonia, Essex and Orleans continued to have higher than average poverty rates of above 12%.

Low-to-moderate income is typically defined as a household with an annual income equal to or less than 80% of the Area Median Income (AMI). An area of LMI concentration would be one in which 51% of residents meet the criterion for LMI status. In Vermont, only one county, Essex, would be considered an area of LMI concentration.⁵ However, there are many more census tracts that meet this definition. The Department of Housing and Community Development maintains a [Planning Atlas](#) that details LMI areas at the county and census tract levels.

Disability & Income

The Fair Housing Act (FHA) prohibits housing providers from discriminating against applicants or residents because of their disability or the disability of anyone associated with them. The FHA also prohibits housing providers from treating persons with disabilities less favorably than others because of their disability. In addition, the FHA makes it unlawful for any person to refuse to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling. Furthermore, the FHA also prohibits housing providers from refusing residency to persons with disabilities or placing conditions on their residency because those persons may require reasonable accommodations.

Reasonable accommodations may include modifications to address the needs of persons with disabilities, including changes in rules, policies, practices, and procedures (e.g., permitting the use of an assistance animal). In certain circumstances, the FHA requires that housing providers allow residents to make

⁴ U.S. Census Bureau, 2030 American Community Survey 5-year estimate (S1701). Includes the City of Burlington.

⁵ Vermont Department of Housing and Community Development, Planning Atlas, <https://maps.vermont.gov/ACCD/PlanningAtlas/index.html?viewer=PlanningAtlas>

reasonable modifications to units and public/common areas in a dwelling when those modifications may be necessary for a person with a disability to enjoy a dwelling fully. Reasonable modifications include changes to a physical structure (e.g., constructing an entrance ramp). This AI's [Comparison of Accessibility Standards](#) section includes more detailed information on the protections for individuals with disabilities.

Persons with disabilities were more than twice as likely to live in poverty as persons without disabilities in 2019.

In Vermont, 15.1% of the population, or approximately 1 out of every 7 Vermonters, reported at least one disability in 2019.⁶ According to the National Organization on Disabilities, a significant income gap exists for persons with disabilities, given their lower employment rate. Therefore, households comprised of persons with a disability, particularly those living at or below the poverty level, will struggle more than the average household to pay for housing, groceries, childcare, and other costs. This income disparity exists in Vermont, where 18.7% of persons with disability are living below the poverty line. In comparison, only 8.6% of persons without a disability live below the poverty line.⁷

The 2017 AI update reported on the level of rental discrimination in Vermont against persons with disability. This data came from a Rental Discrimination Report published by Vermont Legal Aid's Housing Discrimination Law Project.

Housing Market

According to the [2020 Vermont Housing Needs Assessment](#), Vermont has a vacancy rate of 3%. Rental vacancies are higher than homeowners' vacancy rates, which are reported to be 3.4% and 1.4%, respectively. A healthy vacancy rate is typically between 4 to 6%, depending on the composition of the housing stock in the region.⁸ These low vacancy rates indicate that there is an insufficient supply of housing in the state.

The lack of available rental housing is even more pronounced among government-subsidized rental housing. Only 0.8% of subsidized rental properties are vacant, based on the listings of subsidized rental properties analyzed in the Vermont Housing Needs Assessment. Furthermore, subsidized properties in Vermont reported waitlists as large as 540 applicants, with an average wait time of as long as four to five years.

Cost Burdened Vermonters

If a person pays more than 30% of their income on housing, they are considered "cost burdened." This is the maximum amount considered affordable for the average household, meaning that households paying more than this are likely exceeding what they can afford. A household is considered "severely cost burdened" if they spend more than half of their income on housing-related expenses. The 2020 Vermont Housing Needs Assessment reported that 36% of Vermont households are cost burdened, and of those nearly 90,000 households, 39,000 are severely cost burdened. Severely cost burdened households are at an

⁶ U.S. Census Bureau, 2019 American Community Survey (B18101). Includes the City of Burlington.

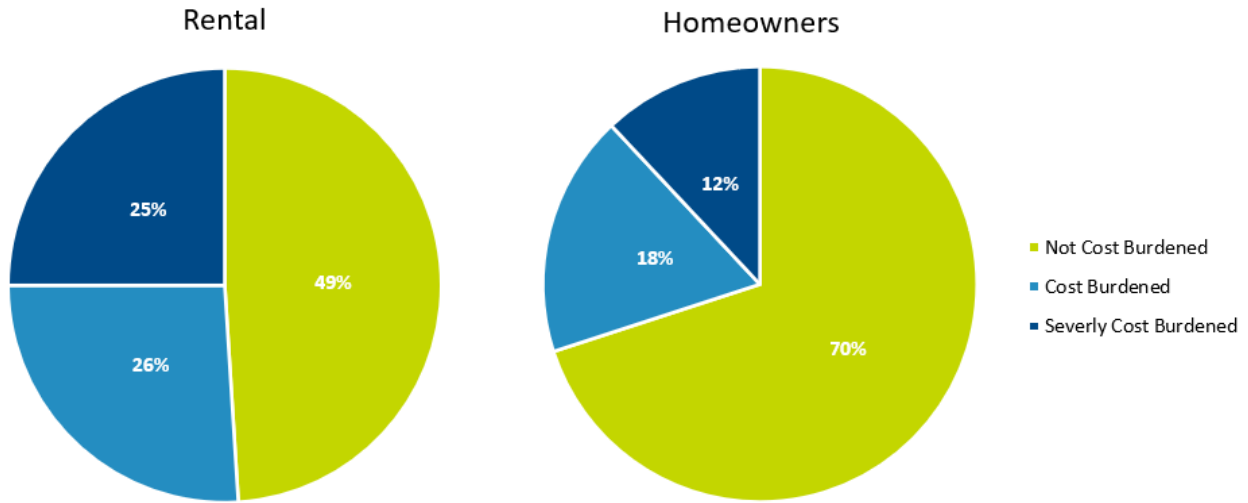
⁷ U.S. Census Bureau, 2019 American Community Survey (B18130). Includes the City of Burlington. Poverty line as defined by the U.S. Census Bureau.

⁸ [Lincoln Institute of Land Policy](#), "The Empty House Next Door: Understanding and Reducing Vacancy and Hypervacancy in the United States", 2018.

exceptionally high risk of housing instability and homelessness because they may not have enough income remaining to meet their other living expenses.

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Figure 4. Cost Burdened Vermonters



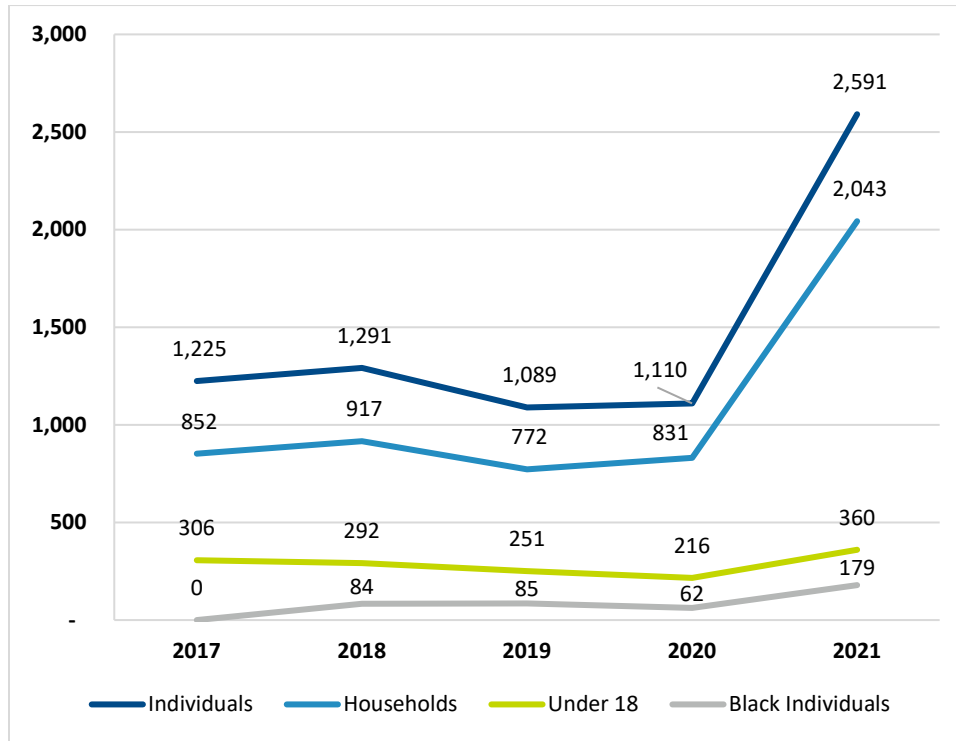
Source: 2020 Vermont Housing Need Assessment based on data from the U.S. Census Bureau.

Figure 4 depicts the proportion of Vermont renters and homeowners who are cost burdened. Over half of Vermont renters are cost burdens, with over a quarter being severely cost burdened. This is significantly higher than the proportion of homeowners in Vermont, of which 30% are cost burdened, with 12% being severely burdened.

Unhoused Vermonters

[Vermont's 2021 Point-in-Time \(PIT\) Count](#) reported that on January 27th, 2021, 2,591 individuals and 2,043 households were unhoused. This was an increase of 1,481 individuals and 1,212 households from the previous year, meaning that the number of unhoused Vermonters more than doubled from 2020 to 2021. These impacts may be partly due to the economic hardships many households experienced related to the COVID pandemic. This finding is particularly concerning given the additional risk unhoused populations faced during the pandemic, especially for those living in congregate shelters, which posed a serious health risk.

Figure 5. Point-in-Time Data, 2017-2021



Source: Vermont Point-in-Time Counts, 2017-2021.

10.2% of households counted in the 2021 PIT included children. A disproportionate number of unhoused individuals identified as black. While only 1.4% of Vermont’s population is black, at the time of the PIT, 6.9% of unhoused individuals were black. Additionally, 29.6% (768 individuals) of unhoused persons reported having a severe mental illness.

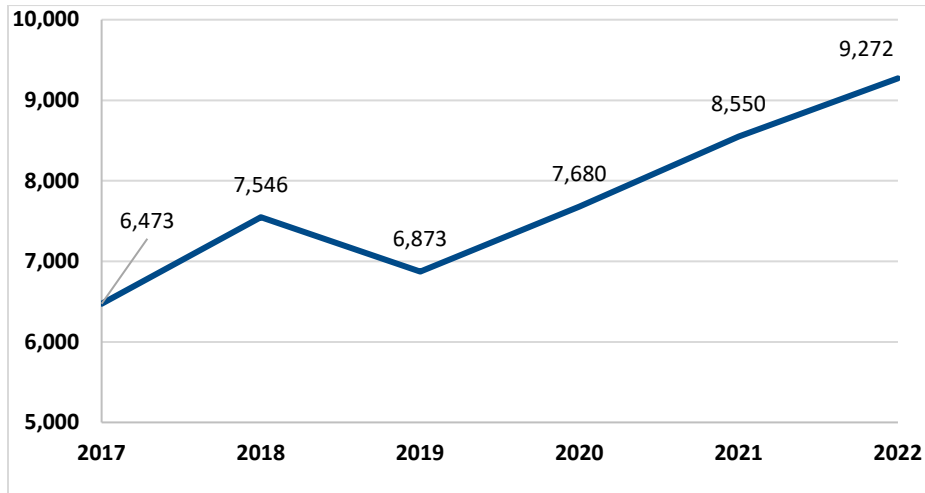
From 2020 to 2021, the number of unhoused individuals and households more than doubled.

Short-Term Rentals

The Vermont Housing Finance Agency tracks short-term rentals through www.housingdata.org. This data captures entire homes or apartments being used as short-term rentals but does not include rooms being rented in an otherwise occupied home. From 2017 to 2022, there has been a 43% increase in short-term rentals, representing 2,799 total housing units ⁹. It is not possible, however, to determine what proportion of these units would be available for long term rentals or are seasonally occupied by the owner and rented when not otherwise in use. Therefore, the true effects of the increase in short term rentals on the availability of long term stock is still difficult to determine.

⁹ https://outside.vermont.gov/agency/ACCD/ACCD_Web_Docs/Housing/Housing-Needs-Assessment/HNA-Fact-Sheet-3-Housing-Stock.pdf

Figure 6. Short Term Rentals in Vermont, 2017-2022

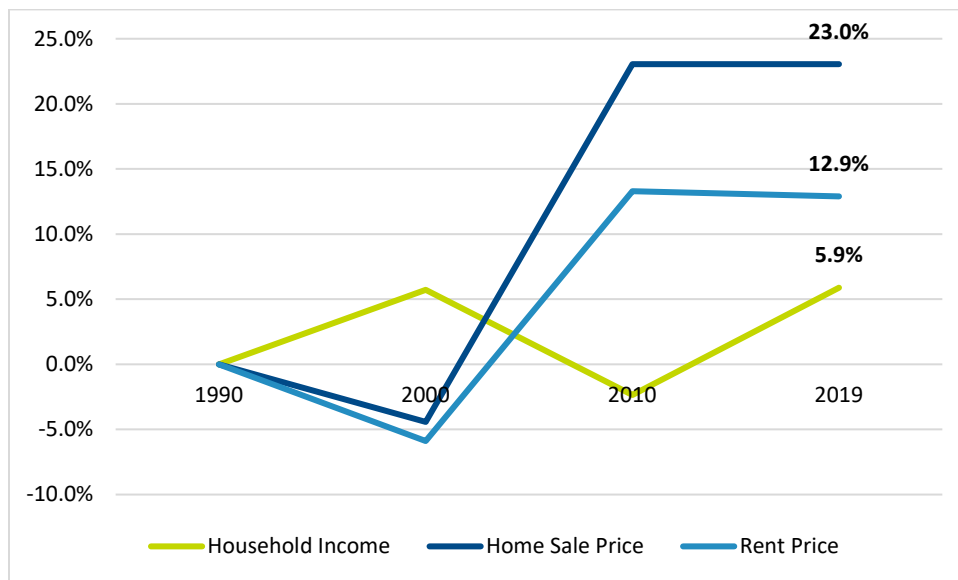


Source: Vermont Housing Finance Agency, Housing Data Profile: Short Term Rentals.
<https://www.housingdata.org/profile/housing-stock/short-term-rentals>

The Increased Gap between Housing Prices and Incomes

The number of housing cost-burdened Vermonters discussed earlier in this brief is linked to three factors: income, housing costs, and the overall cost of living. From 1990 to 2019, the increases in median income, the sales price of single-family homes, and rent in Vermont varied drastically, with the median income lagging far behind the increases in rent and housing prices. During this period, median rent prices have increased by 12.9%, over twice the increase of income (5.9%), while housing prices increased well over four times more than income (32.5%).

Figure 7. Changes in Income, Rent, and Home Prices, 1990-2019



Sources: [1] National Center for Education Statistics, 2020 US Census, [Table 102.30](#), Median Income by state. [2] [Vermont Housing Finance Agency](#), Vermont Department of Taxes: Property Transfer Tax (PPT) records. [3] [Vermont Housing Finance Agency](#), US Census Bureau: American Community Survey 5 year Estimates (Table B25064).

*Median Rent, Sales Price and Income are reported in 2019 dollars. [CPI Inflation Calculator](#).

In June 2022, VT Digger reported on a study published by Harvard University's Joint Center for Housing Studies.¹⁰ This study showed that housing prices have continued to skyrocket and that in Vermont, only a few areas have home prices in line with median incomes.

"The Harvard report found that, nationwide, home prices rose a record 20.6% from March 2021 to March 2022. The northwest Vermont counties of Chittenden, Grand Isle and Franklin saw a median sale price increase of 18.3 percent between May 2021 and May 2022, according to Multiple Listing Service data analyzed by Parsons.

Home prices were somewhat lower in other regions of Vermont, according to the Harvard study. In Washington County, it found, an individual or family would need to make \$86,195 a year to afford a median-priced home of \$313,464. In Bennington County, it would take \$83,484 to buy a median-priced home of \$303,600, and in Rutland County \$68,642 to buy a \$249,630 home."

The 2020 Median Household Income for Vermont was \$63,477,¹¹ which puts even the lesser expensive priced homes in Rutland out of reach*.

The income gap for families in Vermont is becoming untenable and, for the most vulnerable, impossible to navigate. In short, the inability to cover rising housing costs with current incomes is a fair housing issue because it limits access to safe, standard housing and inherently creates housing instability for our most vulnerable.

*Note- The most recent Census income data available is from 2020 (not 2022), however, income only increased by 5.9% from 1990-2019. \$68,642 would represent an 8.1% increase from \$63,477, which is not impossible but is also not in line with what has been observed over a 30-year period.

¹⁰ Fred Thys, "You need to make \$116K a year to afford a median-priced home in northwest Vermont, Harvard study finds", vtdigger.org, VT Digger, June 24, 2022. <https://vtdigger.org/2022/06/24/you-need-to-make-116k-a-year-to-afford-a-median-priced-home-in-northwest-vermont-harvard-study-finds/> (accessed 9/15/2022)

¹¹ US Census: American Communities Survey 5-year Estimates (Table B25119), <https://www.housingdata.org/profile/income-employment/median-household-income>

Evaluation of Fair Housing Profile

Fair Housing Complaints

As noted earlier in this report, Vermonters have both federal and state Fair Housing protections. Therefore, the ability for persons in protected classes to file complaints and have those complaints investigated and adjudicated is a key enforcement tool for federal and state Fair Housing Acts.

Federal law provides protections for persons based on the following classes:

- National Origin
- Familial Status
- Disability
- Religion
- Color
- Race
- Sex

The State of Vermont provides protections for persons based on additional classes:*

- Age
- Marital Status
- Gender Identity
- Victims of Abuse
- Sexual Orientation
- Public Assistance Receipt

*The State of Vermont also has protections against harassment for anyone in a protected class.

Current, past tenants, or prospective tenants, homeowners, and home buyers can file fair housing complaints through nonprofit and governmental agencies, including the Vermont Human Rights Commission, Vermont Legal Aid, and HUD. This condensed update examines complaints to the Vermont Human Rights Commission. The upcoming comprehensive report will examine additional sources for comparison.

Vermont Human Rights Commission

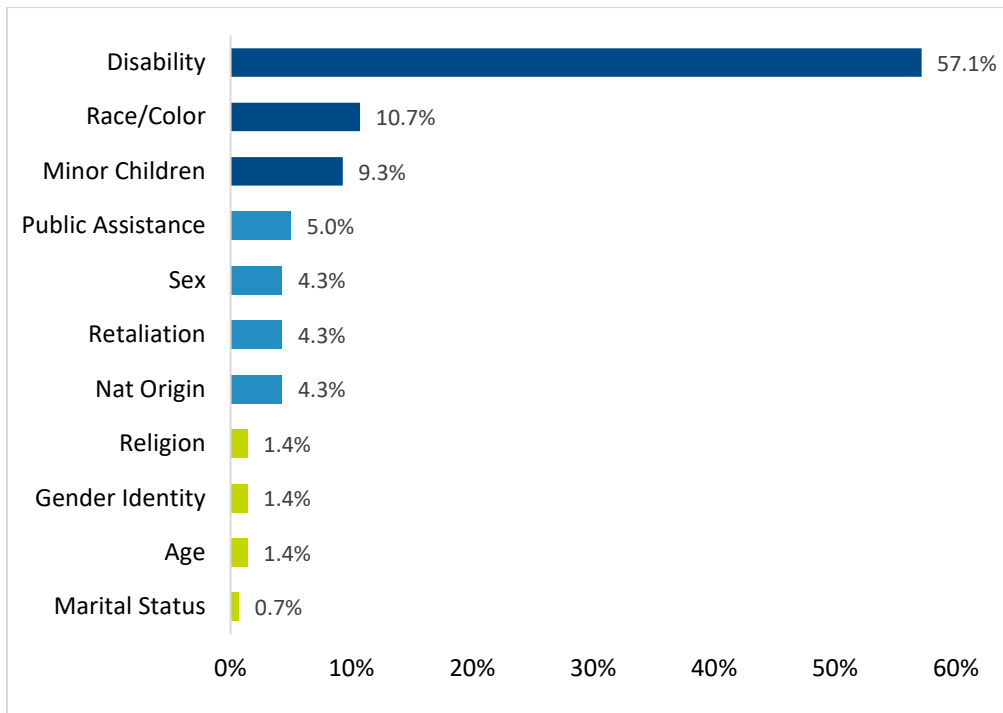
The Human Rights Commission enforces the following state anti-discrimination/civil rights laws:

- The Vermont Fair Housing and Public Accommodations Act (VFHPA); and
- The Vermont Fair Employment Practices Act (FEPA) and Conditions for Employment under 21 V.S.A. §309 (flexible working arrangements) for State government employees.

Vermonters who feel they have been victims of discrimination can call the Human Rights Commission to request an investigation. From 2017 to 2021, the Human Rights Commission received 3,840 calls and accepted 118 formal housing complaints. The majority of formal housing complaints were for discrimination against persons with a disability. Discrimination based on race or color and if the family had minor children were the next most common formal complaints.

Investigations of these complaints and subsequent hearings resulted in over \$100,000 in financial relief to complainants and various non-financial settlements. These non-financial settlements include requiring property managers and staff to attend fair or sexual harassment housing trainings and requiring management to implement policy changes. These policy changes were largely aimed at improving accommodations for persons with disabilities.

Figure 8. VHRC Formal Fair Housing Complaints by Protected Class 2017-2021



Source: <https://hrc.vermont.gov/content/annual-reports-and-budgets>

Note. The 2017 AI update includes information on Fair Housing Testing based on an audit conducted by Vermont Legal Aid’s Housing Discrimination Law Project. Unfortunately, a more recent audit measuring housing discrimination has not been conducted since the publication of the 2017 AI. Therefore, one recommendation of this AI is to conduct a rental discrimination audit to evaluate how these issues have progressed or worsened over time and provide up-to-date information for individuals working in housing.

Resources for Filing a Fair Housing Complaint

If you would like to file a formal fair housing complaint, contact:

- [Vermont Human Rights Commission](#) for complaints, investigation, conciliation, and education: 802-828-1625
- [Vermont Legal Aid/Legal Services of Vermont](#) for free legal advice, referrals, eviction support, and education: 1-800-889-2047
- [U.S. Attorney’s Office, District of VT](#) for complaints – especially sexual harassment in housing: usavt.ContactUs1@usdoj.gov
- [United States Department of Housing & Urban Development](#) (HUD) for complaints, investigations, and referrals: 1-800-827-5005 or 617-994-8200

Revised 2017 AI Action Plan Items and Current Status of Each

A lot has happened since 2017 to reshape our collective thinking about equality, equity, and social justice. Completing the condensed update to the “2017 Analysis of Impediments to Fair Housing” has brought this to the forefront for staff at DHCD. As a result, the 2017 Proposed Action Plan items have been carefully combed through and updated to reflect current norms, values, and terminology. The 2017 Action Plan, as published, is included in the Appendix of this report. However, the original intent of providing better and more fair opportunities for all Vermonters, we hope, continues to shine through in our revisions below.

Finally, we acknowledge that decent, affordable housing is a shrinking commodity in Vermont and throughout the United States. This inherently harms fair access to housing. Many factors have led us here; some of those challenges are more difficult to navigate than others, and most cannot be fixed overnight. But Vermont has always been a “brave little state,” and we can work together to create the housing we need and an open and welcoming atmosphere for all.

Revised 2017 Proposed Action	Status
<p>1. The State’s supply of decent, affordable housing is inadequate. “Not in My Backyard” (NIMBYism) is a significant factor affecting the development of affordable housing.</p>	
<p><i>Investment Strategies</i></p>	
<p>The State should continue to make investments that de-concentrate poverty and create equitable opportunities for all households.</p>	<p>In 2022, Vermont passed S. 226, an omnibus housing bill that:</p> <ul style="list-style-type: none"> • reforms permitting and land use regulations to make it easier to develop new housing; • provides tax incentives and grants to promote housing development; and • makes housing more affordable.
<p>Investments should be made in the right-sized housing for households and families in their given area.</p> <p><i>The State of Vermont has a mismatch in housing needs and supply. Parts of the state have large, multi-bedroom homes in areas with primarily 1-2 person households, and there are parts of the state with housing that is too small to accommodate their population of larger families.</i></p>	
<p>DHCD should continue to leverage its funding to encourage municipalities to eliminate discriminatory land use policies.</p>	
<p>DHCD and others should evaluate the challenges that are affecting the supply of rental housing that is affordable to low, moderate, and middle-income households, with a focus on the eviction process, increase in short-term rentals, and potential solutions to improve housing stability and eviction prevention.</p>	<p>DHCD is including data on short-term rentals in its housing analysis and working with partners such as CVOEO to provide better access to rental and eviction information and assistance in multiple languages. DHCD will also continue to work with Vermont Landlords Association to assist landlords and property managers in understanding and carrying out their responsibilities.</p>

Education Strategies	
DHCD and other agencies should continue to promote fair housing training, education, and outreach services for various stakeholders, including code officials, tenants, municipal officials, landlords, land trusts, CHDOs, various property management companies, and realtors. Training should specifically include Vermont’s legal prohibition on discrimination in housing based on receipt of public assistance.	DHCD conducts trainings for municipal officials, nonprofit leadership, and staff, including live online events and videos, which are posted on state-owned and nonprofit partners’ websites. For example, from 2017 to 2021, the Vermont Human Rights Commission (HRC) provided 71 fair housing trainings to landlords, property managers, etc., totaling 1,317 participants.
The State, through DHCD, should expand fair housing training opportunities by creating an online training course more easily accessible to municipal officials and grantees of federal funds.	This is still in discussion. CVOEO does offer interactive workshops and trainings for housing professionals and service providers, municipal officials, and the public via zoom and will tailor trainings to groups upon request. https://www.cvoeo.org/get-help/fair-housing-and-discrimination
The State, through DHCD, should develop a Fair Housing Training Guide for permitting officials and affordable housing developers to ensure everyone involved in the development of affordable housing is aware of their legal rights and obligations under the federal and state Fair Housing Acts.	This guide has not been created. Future discussions with Community Planning and Revitalization will include opportunities to collaborate on creating such materials.
Planning Strategies	
The State should build upon VHFA’s Directory of Affordable Rental Housing to create a statewide database of all identified publicly and privately-funded affordable housing units to better serve the identified need, including real-time availability data and detail about accessibility features of available units and any restrictions on residency, e.g., age of residents.	Ongoing. www.housingdata.org has been launched and is regularly updated by landlords and property managers. This site includes information on age restrictions and the number of accessible/adaptable units in the building.
DHCD and others should continue encouraging municipalities to address the need for affordable housing in Town Plans and modify zoning requirements as needed to facilitate the development of affordable housing.	As part of applying for Community Development funding, the Vermont Community Planning and Revitalization Division (part of DHCD) works with municipalities to create more inclusive zoning. For example, VCDP applicants are required to submit a completed Inclusionary Zoning questionnaire to certify their compliance with 24 V.S.A. sec. 4412.
DHCD should require VCDP applicants to explain how their project is consistent with their Town Plan and how it supports efforts to affirmatively further fair housing. This requirement should include protecting classes under the 2019 Act 48, which added age, marital status, gender identity, victims of abuse, sexual orientation, and public assistance receipt.	Ongoing. DHCD requires a letter from the municipality that explains how a project is consistent with the Town Plan. In addition, a designee from the organizations that receive VCDP funding is required to attend a DHCD-approved Fair Housing Training every three years.

2. The State’s supply of affordable housing that is accessible to persons with disabilities is inadequate.	
The State should promote the development of training for architects and interior designers regarding compliance with the State’s accessibility standards for residential construction (20 VSA sec. 2907) as well as HUD’s Fair Housing Design Manual.	This training has not been developed yet but is still in discussion for the short-medium term.
The State should continue to provide funding to VCIL for its Home Access Program. This will enable VCIL to maintain its efforts to keep persons with disabilities housed in accessible units.	The Home Access Program is ongoing. More information can be found at https://vcil.org/services/home-access-program
3. Discrimination based on disability, familial status (e.g., presence of minors), and other protected categories continue to impact fair housing choice in Vermont.	
The Fair Housing Committee should collaborate with nonprofits and local radio and television stations to develop education and outreach with a special focus on the following: <ul style="list-style-type: none"> • Landlords, property managers, and condominium associations on all aspects of fair housing. • Educating the public at large on Reasonable Accommodations and Reasonable Modification to combat discrimination based on disability. 	Radio and television advertising is still under consideration. Additional efforts underway include: <ul style="list-style-type: none"> • Vermont Legal Aid has fair housing video trainings on reasonable accommodations in American Sign Language and in English: https://vtlawhelp.org/asl-fair-housing-videos • DHCD is providing grant funds to CVOEO to interpret/translate fair housing videos and “The Definitive Guide to Renting in Vermont” in 9 languages. These will be made available to interested nonprofits, governments, and agencies statewide.
VHCB should continue to require Fair Housing training for recipients of HOME funds.	Ongoing.
Vermont Legal Aid or others should continue testing for discrimination in rental and other housing because often people may not realize they are victims of discrimination or may not file a complaint. If possible, testing should include State- protected classes, such as receipt of public benefits, as well as federally protected classes.	Ongoing.

4. There continue to be barriers that make it difficult for minority households and new Americans to become homeowners.

<p>The State, local units of government, fair housing advocates, certified housing counselors, and financial lenders should continue their work to increase homeownership among minorities, residents of LMI census tracts, and LMI residents through methods including:</p> <ul style="list-style-type: none"> i. Continuing to expand sustainable homeownership opportunities through financial literacy education, including credit counseling and pre- and post-home purchase education. ii. Providing lending, credit, and banking services in LMI and minority census tracts. iii. Continuing marketing and outreach efforts of affordable mortgage products that are targeted at residents of LMI census tracts, LMI residents, and minorities. 	<p>In 2022 the Vermont Legislature passed Act 182, which provided \$1 million in funding for a First-Generation Homebuyer Program. The program offers down payment assistance to households historically sidelined from homeownership. This provides a crucial opportunity for traditionally underserved households to build wealth through homeownership. The Vermont Housing Finance Agency (VHFA) is administering the program and has planned robust outreach to BIPOC Vermonters and individuals who have been in the foster care system.</p>
<p>DHCD should encourage Homeownership Centers to target outreach to minority groups, perhaps making connections with organizations such as NAACP, Refugee Resettlement, and other groups that represent or work with historically marginalized groups.</p>	<p>The Vermont Housing Improvement Program (VHIP) assists owners of vacant residential rental properties in making needed repairs. In exchange for grants of up to \$50,000, property owners agree to create affordable rental units for unhoused, at-risk, and refugee households working with Continuum of Care and other approved nonprofits.</p>
<p>The Fair Housing Committee should work with the Vermont Association of Realtors (VTAR) to encourage the inclusion of an “affirmative marketing” statement in all real estate marketing.</p>	<p>There are ongoing discussions on affirmative marketing opportunities. VTAR also provides fair housing trainings for real estate professionals. https://www.vermontrealtors.com/?s=Fair+housing+fairhaven</p>

5. Lack of public transit services outside higher-density developed areas limits housing choice, especially for low income Vermonters, including a disproportionate number of minority groups.

<p>Identify opportunities for developing medium-density affordable family housing along existing transit routes. Collaborate with VTrans and public transportation providers throughout the State to serve these areas with public transit.</p>	<p>Ongoing. ACCD provides funding and technical assistance through State designation programs for historic downtowns, town centers, and village centers. Designation requirements focus on planning, capital expenditures, and regulatory tools that promote a pedestrian-oriented development pattern.</p>
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Appendix Item #1

Original 2017 Action Plan Items

Proposed Action
<p>1. The State’s supply of decent, affordable housing is inadequate. “Not in My Backyard” (NIMBYism) is a significant factor affecting the development of affordable housing.</p>
<p><i>Investment Strategies</i></p>
<p>Through the efforts of DHCD, VHFA, and VHCB, the State should continue to strike a balance in investing in both concentrated areas of poverty and areas of opportunity. Investment in housing that is available to families with children is especially important.</p>
<p>DHCD should continue to refuse to grant funding requests for municipalities found to have discriminatory land use provisions.</p>
<p>Anecdotal evidence suggests that difficulties in evicting tenants lead property owners to withdraw housing units from the rental market. DHCD and others should evaluate the extent to which difficulties in the eviction process decrease the availability of rental housing. If it is found that these challenges are affecting the supply of housing, DHCD should recommend and support solutions to that problem, including solutions that will improve housing stability and eviction prevention.</p>
<p><i>Education Strategies</i></p>
<p>DHCD and other agencies should continue to promote fair housing training, education, and outreach services for various stakeholders, including code officials, tenants, municipal officials, landlords, land trusts, CHDOs, various property management companies, and realtors. Training should specifically include Vermont’s legal prohibition on discrimination in housing based on receipt of public assistance</p>
<p>The State, through DHCD, should expand fair housing training opportunities by creating an online training course more easily accessible to municipal officials and grantees of federal funds.</p>
<p>The State, through DHCD, should develop a Fair Housing Training Guide for permitting officials and affordable housing developers to ensure everyone involved in the development of affordable housing is aware of their legal rights and obligations under the federal and state Fair Housing Acts.</p>
<p><i>Planning Strategies</i></p>
<p>The State should build upon VHFA’s Directory of Affordable Rental Housing to create a statewide database of all identified publicly and privately-funded affordable housing units to better serve the identified need, including real-time availability data and detail about accessibility features of available units and any restrictions on residency, e.g. by age of resident.</p>
<p>DHCD and others should continue to encourage municipalities to address the need for affordable housing in Town Plans and modify zoning requirements as needed to facilitate the development of affordable housing.</p>

DHCD and others should increase awareness of Vermont’s legal prohibition on making zoning decisions based on income or receipt of public assistance.
DHCD should require VCDP applicants to certify their compliance with 24 V.S.A. sec. 4412, which prohibits any zoning bylaws that would have the effect of (a) excluding housing that meets the needs of the population as reflected in the municipal plan, (b) excluding mobile homes, modular housing, or prefabricated housing, (c) excluding mobile home parks from the municipality, (d) excluding multiunit or multifamily dwellings from the municipality; (e) excluding accessory dwelling units from areas zoned for single family dwellings; and (f) excluding residential care homes or group homes from areas zoned for single family dwellings.
DHCD should require VCDP applicants to explain how their Town Plan supports efforts to affirmatively further fair housing.
2. The State’s supply of affordable housing that is accessible to persons with disabilities is inadequate.
The State should promote the development of training for architects and interior designers regarding compliance with the State’s accessibility standards for residential construction (20 VSA sec. 2907) as well as HUD’s Fair Housing Design Manual.
The Vermont Human Rights Commission should work with the New England ADA Center, the Department of Fire Safety, and others to develop an inspection protocol and appropriate training for compliance with the accessibility standards for residential construction.
The State should continue to provide funding to VCIL for its Home Access Program. This will enable VCIL to maintain its efforts to keep persons with disabilities housed in accessible units.
3. Discrimination based on disability, familial status (e.g., presence of minors), and other protected categories continues to impact fair housing choice in Vermont.
The Fair Housing Committee of the Vermont Housing Council should collaborate to develop education and outreach regarding Fair Housing targeted at landlords and condominium associations.
The Fair Housing Committee should work with local television stations to produce and promote Public Service Announcements to educate the public on Reasonable Accommodations and Reasonable Modification, to combat discrimination based on disability.
VHCB should continue to require Fair Housing training for recipients of HOME funds.
Vermont Legal Aid or others should continue testing for discrimination in rental and other housing, because often people may not realize they are victims of discrimination or may not complain. If possible, testing should include State- protected classes, such as receipt of public benefits, as well as federally protected classes.
4. There continue to be barriers that make it difficult for minority households and new Americans to become homeowners.

<p>The State, local units of government, fair housing advocates, certified housing counselors, and financial lenders should continue their work to increase home ownership among minorities, residents of LMI census tracts, and LMI residents through methods including:</p> <ul style="list-style-type: none"> i. Continuing to expand sustainable home ownership opportunities through financial literacy education, including credit counseling and pre- and post-home purchase education. ii. Providing lending, credit, and banking services in LMI census tracts and minority census tracts. iii. Continuing marketing and outreach efforts of affordable mortgage products that are targeted for residents of LMI census tracts, LMI residents, and minorities.
<p>DHCD should encourage Homeownership Centers to target outreach to minority groups, perhaps making connections with organizations such as NAACP, Refugee Resettlement, and other groups that represent or work with members of protected classes.</p>
<p>The Fair Housing Committee should work with the Vermont Association of Realtors to encourage the inclusion of an “affirmative marketing” statement in all real estate marketing.</p>
<p>5. Members of the protected classes should be more fully represented on State boards and committees dealing with housing issues.</p>
<p>The State should ensure that its outreach efforts in making gubernatorial appointments to boards and commissions includes a directed effort to solicit applications from members of classes protected by the federal and state Fair Housing Acts.</p>
<p>Identify opportunities for the development of medium density affordable family housing along existing transit routes. Collaborate with VTrans and public transportation providers throughout the State to serve these areas with public transit.</p>
<p>The Fair Housing Committee should continue to support a variety of anti-poverty and economic development initiatives, including increases to the minimum wage.</p>

Appendix Item #2

Table for Figure 9. Changes in Income, Rent, and Home Prices, 1990-2019

	Median in 2019 Dollars		
	Household Income ¹	Home Sale Price ²	Rent Price ³
1990	\$ 59,500	\$ 184,848	\$ 872
2000	\$ 62,900	\$ 176,673	\$ 821
2010	\$ 58,100	\$ 227,453	\$ 988
2019	\$ 63,000	\$ 227,453	\$ 985
Percentage Increase 1990-2019	5.9%	32.5%	12.9%

Sources: [1] National Center for Education Statistics, 2020 US Census, [Table 102.30](#), Median Income by state. [2] [Vermont Housing Finance Agency](#), Vermont Department of Taxes: Property Transfer Tax (PPT) records. [3] [Vermont Housing Finance Agency](#), US Census Bureau: American Community Survey 5 year Estimates (Table B25064).

*Median Rent, Sales Price and Income are reported in 2019 dollars. [CPI Inflation Calculator](#).