

1 H.378

2 Introduced by Representatives Andriano of Orwell, Berbeco of Winooski,  
3 Cina of Burlington, Farlice-Rubio of Barnet, Headrick of  
4 Burlington, Priestley of Bradford, Sims of Craftsbury, Stone of  
5 Burlington, and White of Bethel

6 Referred to Committee on

7 Date:

8 Subject: Office of the Housing Advocate

9 Statement of purpose of bill as introduced: This bill proposes to create an  
10 Office of the Housing Advocate to assist landlords, tenants, and homeowners  
11 with housing-related questions by providing information, referrals, and  
12 assistance to individuals about obtaining or providing housing services.

13 An act relating to the creation of the Office of the Housing Advocate

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 10 V.S.A. chapter 16 is added to read:

16 CHAPTER 16. OFFICE OF THE HOUSING ADVOCATE

17 § 351. COMPOSITION

18 (a) The Vermont Department of Housing and Community Development  
19 shall maintain the Office of the Housing Advocate by contract with any  
20 nonprofit organization.

1        (b) The Office shall be administered by the Chief Housing Advocate, who  
2        shall be an individual with expertise and experience in the fields of housing  
3        and advocacy. The Advocate may employ legal counsel, administrative staff,  
4        and other employees and contractors as needed to carry out the duties of the  
5        Office.

6        § 352. DUTIES AND AUTHORITY

7        (a) The Office of the Housing Advocate shall:

8            (1) Assist landlords, tenants, and homeowners with housing-related  
9            questions by providing information, referrals, and assistance to individuals  
10           about obtaining or providing housing services. The Office shall accept  
11           referrals from the Vermont Department of Housing and Community  
12           Development, Vermont State Housing Authority, Vermont Housing Finance  
13           Agency, and Vermont Housing and Conservation Board to assist residents  
14           experiencing problems related to housing.

15           (2) Educate landlords, tenants, and homeowners about their rights and  
16           responsibilities under Vermont law.

17           (3) Provide information to landlords, tenants, and homeowners  
18           regarding problems and concerns of housing as well as recommendations for  
19           resolving those problems and concerns.

1           (4) Identify, investigate, and resolve complaints on behalf of individual  
2           landlords, tenants, and homeowners and assist them with filing and pursuit of  
3           complaints and appeals.

4           (5) Analyze and monitor the development and implementation of  
5           federal, State, and local laws, rules, and policies relating to housing.

6           (6) Facilitate public comment on laws, rules, and policies.

7           (7) Promote the development of citizen and consumer organizations.

8           (8) Ensure that landlords, tenants, and homeowners have timely access  
9           to the services provided by the Office.

10           (9) On or before January 1 of each year, submit a report on the  
11           activities, performance, and fiscal accounts of the Office during the preceding  
12           calendar year to the Governor; the House Committees on General and  
13           Housing, on Ways and Means, and on Appropriations; and the Senate  
14           Committees on Economic Development, Housing and General Affairs, on  
15           Finance, and on Appropriations.

16           (b) The Office of the Housing Advocate may:

17           (1) pursue administrative, judicial, and other remedies on behalf of any  
18           individual landlord or tenant, or group of landlords or tenants;

19           (2) adopt policies and procedures necessary to carry out the provisions  
20           of this chapter; and

21           (3) take any other action necessary to fulfill the purposes of this chapter.

1     § 353. DUTIES OF STATE AGENCIES

2             All State agencies shall comply with reasonable requests from the Office of  
3     the Housing Advocate for information and assistance. The Department of  
4     Housing and Community Development may adopt rules necessary to ensure  
5     the cooperation of State agencies under this section.

6     § 354. CONFIDENTIALITY

7             In the absence of written consent by a complainant or an individual using  
8     the services of the Office or by a complainant's or individual's guardian or  
9     legal representative or the absence of a court order, the Office of the Housing  
10    Advocate, its employees, and its contractors shall not disclose the identity of  
11    the complainant or individual.

12    § 355. CONFLICTS OF INTEREST

13            The Office of the Housing Advocate, its employees, and its contractors shall  
14    take steps necessary to avoid any conflict of interest relating to the  
15    performance of their responsibilities under this chapter. For the purposes of  
16    this chapter, a conflict of interest exists whenever the Office of the Housing  
17    Advocate, its employees, or its contractors or a person affiliated with the  
18    Office, its employees, or its contractors:

19            (1) has a direct or indirect interest in the information, referrals, or  
20    assistance provided to individuals about obtaining or providing housing  
21    services;

1           (2) has a direct ownership interest or investment interest in a place of  
2           housing, housing provider, or housing-related service;

3           (3) is employed by or participating in the management of a place of  
4           housing, housing provider, or housing-related service; or

5           (4) receives or has the right to receive, directly or indirectly,  
6           remuneration under a compensation arrangement with a place of housing,  
7           housing provider, or housing-related service.

8           Sec. 2. EFFECTIVE DATE

9           This act shall take effect on July 1, 2023.