

**STATE OF VERMONT**  
**EXECUTIVE DEPARTMENT**  
**EXECUTIVE ORDER NO. 02-23**

[Housing Directives]

**WHEREAS**, on Friday, March 13, 2020, a national emergency declaration for the coronavirus (COVID-19) pandemic was issued by the President of the United States, under which the Federal Emergency Management's (FEMA) Regional Administrators were delegated authority to approve and pay for State requests for non-congregate sheltering for the duration of the Secretary of Health and Human Services' declaration of a Public Health Emergency for COVID-19; and

**WHEREAS**, the Vermont Agency of Human Services (AHS), as part of the response to COVID-19, began to work with local governments, state agencies and private non-profit organizations statewide to arrange for placement of current clients, vulnerable populations and any person or persons who requested such housing in hotels and motels for the purpose of avoiding shelters and other traditional congregate housing options thereby reducing the potential spread of COVID-19; and

**WHEREAS**, with the end of the COVID-19 pandemic, broad availability of vaccines and the greatly reduced risk of serious infection in the community, the hotels and motels participating in this program have become sites of significant public health and safety concerns, exposing vulnerable program participants to additional risks, and frequently requiring multiple daily responses by law enforcement to these sites; and

**WHEREAS**, the most vulnerable participants in the hotel and motel program do not have ready access to, and are not required to engage with supportive services, social safety net programs or treatment, including mental health and substance use treatment, job training or counseling, and do not have the oversight or security they require and deserve to make the transition into more permanent and stable housing and economic independence; and

**WHEREAS**, the taxpayer funded costs of housing people in hotels and motels has reached \$190.7 million, which is more than \$148 per room, per day and more than \$54,000 per room, per year, negatively impacting the State's ability to invest in medium and longer-term strategies that better meet the needs of clients by addressing root causes of homelessness and creating permanent housing options; and

**WHEREAS**, the U.S. Congress and President chose not to extend funding for these types of programs, facilitating a return to a normalized system of emergency housing with clear eligibility, responsibility requirements and sustainable funding; and

**WHEREAS**, since October 2022 AHS has been engaging program beneficiaries who are willing to work with the agency, to prepare for the transition to a more effective program with a stronger connection to Vermont's nation-leading social safety net services; and

**WHEREAS**, all agencies and departments in state government, elected officials, municipalities, state funded housing programs and community groups, have a role to play in establishing a system of emergency transitional housing that better meets the human and social service needs of clients, does not drain public safety resources, has clear eligibility and responsibility requirements, and is affordable and sustainable well into the future; and

**WHEREAS**, this transition must be made as part of the ongoing effort to address Vermont's community housing crisis across all income levels, especially low- and middle-income housing needs.

**NOW THEREFORE**, I, Philip B. Scott, by virtue of the authority vested in me as Governor of the State of Vermont do hereby direct as follows:

1. The Agency of Human Services (AHS), and the cross-agency team addressing this issue, are directed to continue implementation of its established plan to better serve current pandemic hotel and motel program participants by:
  - extending the Vermont Housing Improvement Program (VHIP) to bring more existing rental units back online;
  - identifying and utilizing available mobile homes, mobile home lots to site permanent homes;
  - expanding traditional shelter capacity;
  - expanding mental health residential treatment beds;
  - expanding substance use treatment services and recovery housing;
  - expanding the Department of Corrections re-entry housing capacity;
  - expanding residential or skilled nursing levels of care and bring additional subsidized senior housing units online;
  - expanding medical respite program beds;
  - restoring the pre-pandemic General Assistance emergency housing program, with eligibility beginning July 1, 2023, for households transitioning from the pandemic hotel and motel program;
  - expanding the definition of families in General Assistance emergency housing program to include children aged seven years-old up to age 18 or 19 if the child is still in school; and
  - extending eligibility deadline for individuals and families in the pandemic General Assistance program on June 30, 2023, who have a current housing voucher for up to 120 days.
  
2. To add an additional safety net to this transition, AHS shall work with public and private partners, including the Vermont National Guard, to establish a plan for temporary, short-term congregate shelters to be used by individuals transitioning from the free pandemic hotel and motel program to other alternatives. If activated, this temporary, short-term congregate sheltering system will operate week-to-week for a period not to exceed the expiration of this order. AHS shall establish eligibility and personal conduct requirements for any temporary, short-term shelters created under this directive. AHS may also require any fully or partially state-funded community partner to assist in providing a reasonable level of operational support and services needed to move clients to more stable housing alternatives.
  
3. The Commissioner of Public Safety and the Director of Fire Safety, with input from local boards of health and other municipal officials shall, in a reasonable and practicable way, inventory currently uninhabited or abandoned housing units, including mobile homes and mobile home lots, in county economic centers and surrounding communities, that could be brought back into the housing market. The order of inventories shall be prioritized in a reasonable way that supports community housing rehabilitation work being carried out by the Executive Branch. These inventories will be used to help prioritize and accelerate housing and community revitalization program investments. The first inventory report is due no later than June 16, 2023.

4. By June 30, 2023, the Secretary of Natural Resources, in collaboration with municipalities, shall identify all communities served by public community water system and municipally owned wastewater treatment facilities with capacity to absorb additional housing units.
5. By June 30, 2023, the Commissioner of Housing and Community Development, in consultation with the Office of the Treasurer, Vermont Housing & Conservation Board (VHCB) and Vermont Housing Finance Agency (VHFA) shall identify all housing programs, available funding and other tools to significantly expedite construction of short-, medium- and long-term housing. This may include, but not be limited to, a report on how appropriations for housing made in the State FY24 budget to VHCB, and other funds available to the Office of the Treasurer for local investments could be deployed to accelerate reductions in homelessness, new transitional housing capacity, and rehabilitation or construction of more and better, homes for low- and middle- income Vermonters.
6. By July 28, 2023, the Secretary of Commerce and Community Development, in consultation with the Chair of the Natural Resources Board, the Secretary of Natural Resources, the Secretary of Transportation and the Secretary of Civil and Military Affairs shall report to the Governor all local and state rules and regulations which currently impede the timely development of safe, decent, affordable housing in our communities. These officials are further directed to identify where flexibility or discretion exists and advise whether temporary suspension of relevant State rules and local regulations and ordinances, or the adoption or amendment of state rules, would facilitate faster and less costly revitalization of existing housing and construction of new housing units.

This Executive Order shall take effect upon signing and shall continue in full force and effect until August 31, 2023, at which time the Governor shall assess and determine whether to amend or extend this Order.



WITNESS my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 26<sup>th</sup> day of May, 2023.

A handwritten signature in blue ink, which appears to read "Philip B. Scott".

Philip B. Scott  
Governor

By the Governor:

A handwritten signature in black ink, which appears to read "Brittney L. Wilson".

Brittney L. Wilson  
Secretary of Civil and Military Affairs

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