



Habitability and Heating in Rental Housing: Free resources are available now!

Thanks to funding from the Federal and State governments, we have the opportunity to make Vermont's rental housing stock healthier, safer and more energy efficient. Landlords and tenants can both benefit – at no cost to them - thanks to free programs available now: VERAP and the Weatherization Assistance Program.

VERMONT EMERGENCY RENTAL ASSISTANCE PROGRAM (VERAP)

VERAP can provide up to \$30,000, with no matching requirement for the landlord, to bring properties into compliance with rental housing health & safety codes. The funding is only available if linked to a VERAP-approved tenant and documentation is submitted that habitability conditions have been compromised.

Which tenants are eligible for VERAP?

- Tenants must be obligated to pay rent on a residential dwelling in Vermont, and
- Household income must be at or below 80% area median income, and
- The household is experiencing housing instability (defective conditions count), and
- The household has experienced financial hardship during or due to the Coronavirus pandemic.

What expenses can be paid?

- Repairs that are necessary to maintain or return a unit to compliance with safety codes.
 - The following qualify automatically: Red-tagged fuel tank replacement, emergency repair or replacement of essential heating system, well repairs, septic system or sewer repair, plumbing repairs, lead paint essential maintenance practices, mold abatement, and bedbug eradication.
 - Other repairs are considered on a case-by-case basis, with documentation of need from a State or local official. Repairs should be essential for habitability of the unit.
- It does not matter who is responsible for the cost of the repair under Vermont landlord-tenant law. Even if the tenant caused the damage leading to non-compliance with housing codes, VERAP may be able to cover the cost.

What documentation is needed? (VERAP reserves the right to request additional documentation if needed)

- Tenants must complete the VERAP application (<https://erap.vsha.org/>) and be approved.
- Landlords must complete their portion of the VERAP application and provide the following:
 - Documentation of need: Repairs required as documented by a qualified professional, like a town health officer, fire marshal, plumber, electrician, or pest control professional.
 - Cost estimate or invoice: Anticipated or actual repair costs must be documented by a licensed or certified contractor or other home repair professional.
 - If costs exceed \$15,000, two quotes must be submitted.
 - VERAP can provide a “letter of intent” to show that costs will be covered.
- Completion of work and payment: Landlords upload the final invoice through the VERAP portal, and payment is issued upon final approval. The landlord pays the home repair professional directly.

WEATHERIZATION ASSISTANCE PROGRAM

The Weatherization Assistance Program can improve the energy efficiency, safety, and comfort of Vermont rental properties, increasing their value for the landlord and helping tenants save money on energy bills. **On average, the Weatherization Assistance Program makes about \$8,500 worth of improvements per home. No landlord match is required, but units are expected to meet minimum standards of habitability required for Vermont rentals.**

Who is eligible? Properties (not tenants) can only receive weatherization assistance once every fifteen years. Tenants and landlords must both be willing to participate. At least 25% of units must have tenants who fall into one of the categories below:

- Tenants who are below program income limits (<https://dcf.vermont.gov/sites/dcf/files/OEO/Docs/Wx-Income-Guidelines.pdf>).
- Tenants who receive seasonal fuel assistance (below 185% FPL).
- Tenant households where at least one person gets SSI.
- Households in which an adult receives Reach Up benefits (child-only Reach Up does not count).

What kind of services are available and what kind of improvements can be done?

- Whole-house energy assessments and building diagnostics.
- Full-service energy efficient retrofits, including improving insulation and air-sealing. For 1 – 4-unit properties, the program may also be able to assist with indoor air quality issues, like bathroom ventilation.

How can tenants and landlords apply or get more information?

- For single unit weatherization, applications are handled by your local agencies, which you can find here: <https://dcf.vermont.gov/partners/weatherization>.
- For multi-family properties of 5 units or more, contact the local agency (see link above) or 3E Thermal (statewide). Find more information here: <https://3ethermal.org/apply/>.

WHAT SHOULD TENANTS DO IF THEY LIVE IN A PROPERTY WITH BAD CONDITIONS?

Vermont's "warranty of habitability" requires landlords to keep their property "safe, clean and fit for human habitation" and to "comply with the requirements of applicable building, housing and health regulations." Once the temperature outside is less than 55°, the heating system needs to work, and room temperatures must be able to reach at least 65° without overheating one room as a way to heat adjacent rooms. If heat is included in a rental agreement, heat must be provided once the outside temperature is less than 55°. The warranty of habitability cannot be waived.

If a tenant discovers a defective condition in their rental housing, they should notify their landlord and let them know about VERAP and the Weatherization Assistance Program. This is a great time for landlords and tenants to collaborate to improve Vermont's rental housing. Tenants can find out more about their legal rights under the warranty of habitability here:

<https://vtlawhelp.org/renting-repairs>. **If a landlord refuses to make repairs or refuses to participate in VERAP or the Weatherization Assistance Program, tenants can contact Legal Services Vermont and Vermont Legal Aid for help at 800-889-2047.** We can help tenants understand their rights and options under the law, and may be able to represent them if they wish to pursue a free mediation program to resolve any disputes with their landlord (https://vtlandlord.com/mediation_program.php).