



The Honorable Jacob Bissailon
Chair, Senate Committee on Housing & Municipal Government
Rhode Island State House
Providence, RI 02903

Re: Opposition to S714, Act Relating to Towns and Cities – Home-Fit Dwelling Units

Dear Chair Bissailon and members of the Committee:

The Housing Network of Rhode Island respectfully writes in **strong opposition to S714**, legislation which would require that all new construction of “covered dwellings” comply with certain design provisions aimed to enhance accessibility in residential dwelling units.

During the last four legislative sessions, the growing need for more affordable housing in this state has taken center stage with policymakers. Historically low inventory of homes for sale and for rent coupled with exploding demand for housing have driven housing costs out of reach for many Rhode Islanders, particularly our lowest income households. Decades long reductions in building permit activity, restrictive land use policies, low vacancy rates, the state’s chronic underinvestment in affordable housing and inadequate worker wages have all been major contributing factors to the lack of available homes and housing unaffordability. These points all underscore the importance of the Speaker’s mantra of “Production, production, production.”

While we acknowledge the bill’s intent and conceptually agree that based on housing needs and population trends, there is a need to increase the number of housing units being developed for people with a broad array of accessibility needs, we must respectfully oppose this legislation.

I have outlined below some of the specific concerns we have regarding the potentially negative impacts this bill could have, in enacted:

- Lack of clarity regarding what constitutes a “covered dwelling unit”
- Overly broad definitions of “public financial assistance” which could be applied to almost any new residential unit(s)
- At present developers who utilize federal funds for developments of five or more units are required to provide 5% of the units as accessible for persons with mobility disabilities and state building code requires 2% in developments of twenty units or more. As drafted this bill would require 25% of all the units developed comply with the Type A standard (handicap accessible) and the remaining 75% would be required to be Type B units (handicap adaptable) which is a significant shift from the current requirements and is required nowhere else in the country at that strict a standard.
- Missing definitions for key terms and classifications.

- Confusing and unclear language regarding “multi-family” and “multi-story” that could have much broader impact than the sponsor intended.
- Lack of clarity around whether the standard applies only to new construction due to a reference to the pulling of a building permit after the enactment date. Building permits are pulled for multitude of reasons that have nothing to do with new construction.
- Concern over the capacity of the agencies and entities that need to implement and execute the required program and the various elements outlined within
- Lack of specific details regarding the program with important questions unanswered regarding applicability, implementation and enforcement.
- A lack of consideration for the timeline needed for implementation despite the fact that the bill’s requirements are effective upon passage.
- Concerns over both the potential cost and time considerations associated with adopting the standards as outlined and the impact that will have on the ability to develop more housing, particularly affordable housing.
- The lack of clarity regarding how the required incentive program would be funded.
- As drafted, the bill appears to establish a different process for review and approval of home fit units outside of the current building code, without making clear how a developer would be expected to interface with multiple distinct processes - at a time when it’s clear the state should be moving to streamline production.
- Lack of clarity and specificity around the exemption process and standards needed to demonstrate and evaluate the need for said exemption.
- Concern over the highly punitive nature of the bill as it relates to inclusion of the required features and what chilling effects it might have on developers and related parties to engage in the development of such homes.
- Overly broad definition of “person” responsible for design and construction which could lead to 1) lack of clarity about the responsible party, and 2) could involve multiple people or entities, including those involved with original design/construction or subsequent renovations, including individual homeowners and private contractors.

For these reasons and more, we respectfully strongly oppose **S714**. We are happy to work with the bill’s sponsor in the hopes of finding a version that can accomplish the bill’s laudable goal while addressing our concerns. I am happy to answer any questions the Committee may have regarding our position and can be reached at 401-721-5680 ext. 104 or mlodge@housingnetworkri.org.

Respectfully submitted,



Melina Lodge, Executive Director