H7940Aaa and S3058

- Deputy Secretary of Commerce and Housing becomes Secretary of Housing on 7/1/22. Retains all authority as Deputy Secretary.
- Adds responsibilities: participation in promulgation of any regulations having an impact on housing and coordination with HRC (although is not a Commissioner).
- Gives Secretary of Housing direct oversight over OHCD. Will coordinate with the Secretary of Commerce on a shared staffing arrangement until 6/30/23.
- Secretary of Housing shall develop a housing organizational plan by 11/1/22 that includes a review, analysis, and assessment of functions related to housing of all state departments, quasi-public agencies, boards, and commissions. With input from each dept, agency, board, and commission, include comprehensive options/advantages and disadvantages of each option/recommendations relating to functions and structure of the new department of housing.
- Removes Commerce’s responsibility to provide oversight and coordination of all housing initiatives in the State.
- Creates Department of Housing, headed by the Secretary of Housing, effective 1/1/23.

H7941A and S3044

- Creates an incentive for municipalities to allow the development of more rental housing by allowing all multi-family rental units built under a comprehensive permit to be calculated towards meeting the requirements of a municipality’s low- or moderate-income housing inventory if:
  - At least 30% of the units created are deed-restricted for households at 60% AMI
  - At least 50% of the units created are deed-restricted for households at 80% AMI
- Non-restricted units count as .5 LMIH units
- Defines multi-family housing as a building with 3 or more residential units or 2 or more buildings on the same lot with more than one dwelling unit in each building.

H7942A and S2623A

- Creates a clear definition of Accessory Dwelling Units (ADUs) that includes detached structures
- Prohibits municipalities that allow ADUs from imposing burdensome restrictions such as:
  - Restrict tenants based on a familial relationship
  - Charge unique or unreasonable application fees
  - Require infrastructure improvements except as required by state law
  - Discriminate against populations protected by the Fair Housing Act
  - Impose unreasonable dimension requirements that preclude ADU development
  - Require a larger lot minimum for a property with an ADU
  - Require more than one additional parking space
- Municipalities may allow ADUs in primary or accessory structures that are lawfully established pre-existing non-conforming through a special use permit and not require a variance
- Prohibit homeowner/condo associations from banning ADUs
- Allows for applications for ADUs to be reviewed through an administrative officer or development plan review process or may use a unified review process
Municipalities may exempt ADUs from utility assessment or tie-in fees
Municipalities may require modifications necessary for compliance with state law or regulations
Allows ADUs by right in any residential district with a minimum lot size of 20,000 sq ft or more where the ADU does not expand the footprint of the existing primary structure or detached structure
ADUs would be counted towards low and moderate-income housing if a yearly lease is provided and:
  o The ADU is occupied by a household whose income does not exceed 80% of AMI and the cost of rent and utilities does not exceed 30% of household income as established by an approved monitoring agent annually
  OR
  o The ADU is occupied by a household earning less than 80% AMI using a rental assistance voucher as documented by an approved monitoring agent annually
Qualifying ADUs may count as 0.5 LMIH units (toward 10% housing goal)
Clarifies student housing is not eligible to count toward 10% goal
Reporting Requirement: Municipalities must annually report to Statewide Planning on:
  • Ordinances related to ADUs
  • ADUs permitted in the last 2 calendar years
  • ADUs issued COs in the last 2 calendar years
  • Due to statewide planning 2/2
Statewide Planning will submit a report to the Speaker, Senate President, and Secretary of Housing by 3/1 annually

H7943A and S3048
Establishes a review process for repurposing vacant schools as affordable housing administered by the Secretary of Housing
RIDE is required to provide Secretary of Housing a list of all school buildings which have been abandoned, are not being used by the district or expected to no longer be used in the next 6 months. Municipalities that have not met the 10% LMIH are required to provide RIDE with their list of vacant properties; others are only encouraged to after an affirmative vote of the school board and municipality
List will also include buildings expected to be no longer used in the next 6 months
Secretary of Housing, RIH, statewide planning, in conjunction with DEM, DOH, fire marshal and local building inspector and zoning officer, will investigate the feasibility of a site for conversion to housing – completed within 150 days
If determined to be feasible, OHCD will identify and invite prospective developers to apply and shall promulgate regulations to ensure a competitive bid process
OHCD shall maintain a separate website for the program containing a list of all feasible buildings – must have a report on their condition, estimate on renovations and costs. Also, must provide a contact point
OHCD shall assist and facilitate developers who want to repurpose buildings with technical advice, low-interest loans, and assistance in obtaining grants.
State-owned sites: Offer a right of first purchase to municipalities provided it is for repurposing as affordable housing
Secretary of Housing will report annually on the number of schools that are vacant and include a status report on development feasibility
H7944A and S3051
• Requires RIHousing to maintain a database of LMIH units at or below 80% AMI
• Must provide contact info, populations served, and an application to the extent possible
• Database must be accessible by July 1, 2023
• RIHousing to submit a report, due annually on March 15, including:
  • The identity of projects receiving funding
  • The amount of funds awarded, in total and by project
  • The number of housing units created, in total and by project
  • Amount of payments made to municipalities under the 8% law, in total and by municipality
• Municipalities must submit the amount of funds collected, disaggregated by development, under the 8% law annually by January 15

H7945A and S3045
• HRC will prepare an annual status report on cases before the SHAB due by 3/15, which shall contain:
  • Total appeals before the board
  • Number of appeals a decision has been rendered, settled by agreement, or otherwise disposed of in a calendar year
  • Number of board decisions appealed in the previous calendar year and their status
  • Length of time for the board to decide appeals
• Adds 2 voting members to SHAB: One from the Center for Justice, One from Direct Action for Rights and Equality
• Adds 2 additional alternates appointed by the governor, who are submitted by realtors or developers

H7946A and S3049
• RIHousing shall collect data on the number of HCVPs utilized by PHAs
• OHCD shall prepare a report annually by March 1 containing:
  • The total fees collected by each municipality from developers in lieu of development of low- and moderate-income housing
  • The number of unfunded vouchers which result either due to cost of rent or due to unavailability of housing units. This information shall be provided by all PHAs to OHCD
  • The total number of vouchers received and utilized by all public housing authorities in the state during the preceding calendar year.
  • The administrative fees received and utilized by the public housing authorities to administer the vouchers.

H7947A and S3052
• Requires Statewide Planning to report annually the following:
  o Information regarding letters of eligibility issued for a 12-month period
  o Status of each comp permit application for which an LOE was issued, disaggregated by municipality
- Number of comp permits that have building permits, including the number of market and LMIH units, aggregated in total and disaggregated by municipality
- Municipalities must provide statewide planning information on comp permits annually by 2/1

H7949Aaa and S3046A
- Shortens time frame for municipal review of comprehensive permits to align with time frame for review of other development applications
- Clarifies that the local review board can deny a comprehensive permit if it is inconsistent with the town’s affordable housing plan and the municipality has made significant progress in implementing that plan
- Addresses quorum challenges by allowing the majority of local review body or SHAB members to make a decision as long as a quorum is present
- Requires local review board to transmit the record to SHAB within 30 days of appeal
- SHAB decisions must be made within 9 months unless extended by a SHAB vote. SHAB extension beyond 9 months only for good cause and for no more than an additional two months
- SHAB responsibility transferred from RIHousing to HRC

H7949Aaa and S3046A
- Shifts oversight of monitoring agents to HRC
- HRC to promulgate regulations by 7/1/23
- Establishes monitoring agent certification term length
- Approved monitoring agent responsible for overseeing the implementation of affordability restrictions for deed-restricted properties and eligible ADUs
- HRC to report annually on monitoring activity by January 1

H7948A: passed the House but not the Senate.
- Would have allowed non deed restricted mobile homes to count as LMIH units (0.5 units) if they met certain criteria
- Would have created a weighting formula for the counting of LMIH units based on income targeting