



April 10, 2025

The Honorable Stephen Casey
Chair, House Municipal Government & Housing Committee
Rhode Island State House
Providence, Rhode Island 02903

Re: Opposition to House bill 5374

Dear Chair Casey, First Vice Chair Fogarty, Second Vice Chair Speakman, and Distinguished Committee Members,

Rhode Island Housing and Mortgage Finance Corporation ("RIHousing") respectfully opposes House bill 5374, *Act Relating to Health and Safety – State Building Code- Rhode Island Inclusive Home Design Act*

Ensuring that all Rhode Islanders have access to homes they can afford and that meet their needs is a central part of RIHousing's mission, therefore we strongly support the goal of improving the accessibility and visitability of housing for residents with mobility challenges. Many of the multi-family homes we finance already significantly exceed the accessibility requirements for market rate housing. Specifically, federal funding sources often require developments of five or more units to include 5% of the dwelling units (or at least one unit, whichever is greater) that meet the Uniform Federal Accessibility Standards (UFAS) which is similar to the Type A standard of accessibility referenced in this legislation. An additional 2% of the dwelling units, (or at least one unit, whichever is greater) must be accessible for persons with hearing or visual disabilities. The standard in Rhode Island's building code is that only 2% of units in properties with 20 or more units are required to meet the Type A standard.

However, RIHousing has gone beyond even the federally required standard to improve the accessibility of the homes we finance. In 2024, RIHousing undertook a comprehensive update to the Design and Construction Standards that the developments we finance must follow. RIHousing contracted with Utile Design to carry out the update, and they subcontracted with KMA (a nationally known firm that specializes in universal design and accessibility planning). We held eight stakeholder sessions in 2023-2024 to inform the update including two sessions specifically focused on accessibility features. Participants in the accessibility sessions ranged from developers and property managers to advocates for persons with disabilities. The updated Standards were adopted in October and included a range of new accessibility features including wider hallways and door widths, roll in showers in one out of five required accessible units, in-wall blocking in all bathrooms to support future installation of grab bars and shower seats, lever style hardware throughout the unit and light switches and thermostats at a height accessible to all residents.

RIHousing also contracted with the consultant team to develop an Accessibility Resource Manual to assist developers receiving funding through RIHousing to improve accessibility standards in their developments. The manual complements the accessibility requirements in the Design Standards with the inclusion of a list of additional recommended best practices as well as a comprehensive list of resources for a variety of project types

and sizes. More specifically, the broad goal of the manual is to enhance accessibility, visitability, and adaptability in projects supported by RIHousing. We will be rolling out that manual soon.

Clearly, we are committed to increasing the accessibility of housing, however our top priority, particularly in the current critical affordable housing shortage, is to increase the supply of homes affordable to low and moderate-income Rhode Islanders. In administering state and federal affordable housing programs, RIHousing must balance important policy priorities such as accessibility, sustainability, and proximity to transit to name a few, against the need to produce as many affordable units as possible to address the serious housing shortage. Most of these policy priorities, including accessibility, increase the cost of development. Accessible units also generally have to be larger than typical units to accommodate a wheelchair, so a proposed development might not be able to include as many units if a larger number of those units must be handicapped accessible. Therefore, requiring more accessible units will result in fewer affordable units being developed.

This bill would require most new publicly financed developments, including single family homes, to meet the “Type C” visitability standard under the Rhode Island building code. The visitability standard does not require the same level of adaptation as a fully accessible unit, but could still be problematic for some developments, particularly where a no step entrance or entrance ramp cannot be accommodated in the building or site design.

RIHousing is also concerned about the very broad definition used to define public financial assistance in the bill. Given the breadth of that definition, developers would have to operate under the assumption that most new construction and substantial rehabilitation projects would have to meet the requirements of the bill.

In addition, RIHousing is concerned that this legislation appears to incorporate a burdensome design approval process as part of any application for public assistance and sets up a separate process for the approval of covered projects. The bill also opens up any person or entity responsible for any part of the design or construction of covered developments to legal action and financial penalties for noncompliance for decades after a project is completed. Together these provisions could greatly slow the development process and discourage developers from moving projects forward at all.

RIHousing shares the sponsor’s interest in increasing the accessibility of all housing in Rhode Island, however we believe that this legislation as drafted could in fact increase challenges for persons with disabilities by reducing housing production thereby exacerbating the current shortage of affordable and market rate housing. RIHousing would be happy to work with the sponsor to address these concerns. We would also support the establishment of a commission to bring together stakeholders representing households with disabilities and the housing development community to consider the most effective approach to improve housing accessibility balanced with the need to streamline the development process and increase housing production.

Sincerely,



Carol Ventura
Executive Director