

March 25, 2026

House Judiciary Committee
Rhode Island General Assembly
82 Smith St
Providence, RI 02903

Chair Hagan McEntee and Members of the Committee,

Thank you for the opportunity to submit testimony. My name is Pat Garofalo, and I am the director of state and local policy at the American Economic Liberties Project, a research and advocacy organization focused on reducing the power dominant corporations wield over our economy and democracy.

I write in strong support of H 8106, which would eliminate the use of restrictive land covenants employed by dominant grocers and big box retailers to reduce competition. As several investigations have shown, restrictive land covenants can lead directly to the creation of food deserts, those areas where there is limited or nonexistent access to fresh groceries at fair prices, by locking up land that otherwise could host a grocery store.¹ As the International Association of Assessing Officers — a trade group for property assessors — said in a 2017 guide, “It is certain that deed restrictions, by design, are imposed to limit competition.”²

Indeed, the whole point of including a restrictive covenant is to prevent new competition from entering an area and to alter the retail makeup of a community in a way that is advantageous to

¹ Inklebarger, Timothy, “Albertsons lifts land use restriction in Washington,” Supermarket News, June 26, 2024 <https://www.supermarketnews.com/legislation-regulatory-news/albertsons-lifts-land-use-restriction-in-washington>

² “Commercial Big-Box Retail: A Guide to Market-Based Valuation,” International Association of Assessing Officers,” Sept. 2017 https://www.iaao.org/wp-content/uploads/Big-Box_Paper_Sept17.pdf

the incumbent retailer. Some of these restrictions last decades, ensuring that communities are deprived of competitive food-purchasing options for potentially multiple generations.

To that end, several cities, including Bellingham, Chicago, and Washington, D.C., have made restrictive deeds illegal in the name of fighting food deserts. Washington State recently became the first to ban them statewide.

Research shows that food deserts are the result of corporate power and consolidation, which allow dominant grocers to ignore underserved areas in the name of driving business to existing stores elsewhere, and make it impossible for small, local entities to get into the market and compete.³ Eliminating restrictive deeds is part of the solution, as is stopping mergers, enforcing price discrimination laws, and reforming economic development programs.

H 8106 is a serious step in the right direction, and we urge its passage.

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³ Garofalo, Pat, "Tax Breaks Won't Fix Food Deserts," Boondoggle, Aug. 9 2021
<https://boondoggle.substack.com/p/tax-breaks-wont-fix-food-deserts>