



861A Broad Street, Providence, RI 02907 | 401-941-2900

April 10, 2025

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

**Re: Opposition to House bill H5268, *Act Relating to Towns and Cities – Home-Fit Dwelling Units***

Dear Chair Casey and Esteemed Members of the Committee:

Women's Development Corporation (WDC) respectfully writes in ***opposition to House Bill 5268 – Home-Fit Dwelling Units***, which would require that all new construction of “covered dwellings” comply with certain design provisions aimed to enhance accessibility in residential dwelling units. While we acknowledge the bill's intent, we must respectfully oppose this legislation due to concerns regarding its broad language, misalignment to current federal and state accessibility standards, potential to delay construction timelines and increase costs, and highly punitive measures.

As one of the largest developers of affordable housing in the State of Rhode Island, WDC has been committed to the development of deed restricted affordable housing for individuals and families in need for over 40 years. Along with our affiliate property management company, Housing Opportunities corporation (HOC), WDC/HOC owns and operates over 700 units it that it developed and manages an additional 400 for other non-profit developers and service providers. Within the 1100 households we serve there are a myriad of subpopulations, including low-income families, people experiencing homelessness, victims of domestic violence, elderly, veterans, and people with recognized disabilities. Many of our residents have disabilities requiring reasonable accommodation to access their housing.

As a housing developer, we attempt to exceed the state building code and RIH requirements for accessible units in the design of our properties. Over the last 8 years, we have developed nearly 200 units of rental housing, with about 10% of those units being designed to be accessible for people with mobility disabilities, and an addition 2% for people with hearing or visual disabilities. These percentages are in excess of federal and state requirements. While we strive to exceed the regulatory minimums, we must also balance this with price and space constraints. The nature of affordable housing development is such that funding is incredibly scarce and yet the need for affordable units exceeds the resources available.

WDC/HOC agrees that accessibility is an important consideration in the creation of housing. We see this daily in our elderly, veteran, homeless, and disabled developments, as well as our family units. We also believe that Rhode Island, and the nation, should do better to serve those members of our community with disabilities that prevent them from accessing housing. That said, we must balance the need for accessibility with the overall need for housing. This bill

would have the overall effect of significantly reducing the number of affordable units that can and will be created.

Below, we have outlined more specifically some of the concerns about the unintended consequences of this legislation:

- **Overly broad language and applicability**
  - Specifically, the bill makes a circular reference to what is a “covered dwelling unit,” referencing units that are subject to the provisions of the bill.
  - The bill includes very broad definitions of “public financial assistance” which could be applied to almost any housing project but will especially impact affordable housing development.
- **Design standards**
  - The bill refers to “design provisions” as Type A Units as defined in §1103 of ANSI 2017 standards. In 45-24.8-3(a) it sets the requirement that a minimum of twenty-five percent (25%) of units shall follow Type A standards, in (b), it requires that the first floor of a “multi-story building” (which could be interpreted as a two-or three story single family home) must comply with Type A and requires that second and higher-floor units must be Type B adaptable units. It is not clear which standard is superior.
  - The requirements represent a significant shift from existing federal and state building code standards without consideration for timeline to implementation (requirements are effective upon passage) and significant cost increases to produce these units which could lead to a reduction of units produced.
- **Implementation and enforcement**
  - There are important questions regarding applicability, implementation and enforcement that require clarification.
  - How do the requirements of the bill align to current building code and the process for review and approval? The legislation establishes a different process for review and approval, 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.
  - The implementation and compliance are likely to lead to delays in construction and virtually guaranteed to drive-up costs.
- **Punitive measures**
  - There is a broad definition of “person” responsible for design and construction that 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.
  - A person or organization who is “harmed” by noncompliance can bring a cause of action up to three years after the discovery of noncompliance. This means it could be years after the unit is constructed, during which time a developer and



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potentially anyone else involved with the unit's design and construction are vulnerable to a lawsuit, and if found in violation, liable for damages *and* to bring the unit to compliance. Because the statute also applies to renovations, it has the potential to impact individual property owners of existing units.

For these reasons, we respectfully oppose H5236.

Sincerely,

A handwritten signature in black ink, appearing to read "Charlie Thomas-Davison", is positioned below the word "Sincerely,".

Charlie Thomas-Davison  
Director of Real Estate Development  
Women's Development Corporation