



## OMNI DEVELOPMENT CORPORATION

March 27, 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:

Omni Development Corporation respectfully writes in **opposition to House bill H5268, *Act Relating to Towns and Cities – 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.

Omni Development Corporation is a nonprofit developer of affordable housing located in Providence. Since 1986, Omni has provided quality affordable housing, we have helped bring a renaissance to some of Rhode Island’s poorest neighborhoods, replacing vacant lots and abandoned properties with high- quality, safe and affordable housing, resulting in 2,000 affordable apartments and homes in Rhode, Connecticut and Massachusetts.

Omni currently rents 1276 units of affordable housing in the state of RI, and we have taken the necessary steps to meet the needs of our residents and applicants if request are made to make the apartments accessible for the family to live comfortably.

Since 2020 we have created 28 - Type A ADA accessible units to meet the 5% and/or exceed the code requirement at 5 of our developments. This requirement currently exist for all new/rehab housing that are financed in our state. We also have 49 units that are Type B (adaptable) per code since this building contains an elevator.

Below, I have outlined more specifically some of the concerns about the unintended consequences of this legislation.

- **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**

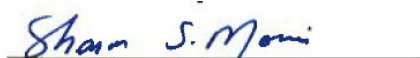
- There are important questions regarding applicability, implementation and enforcement that require clarification.
- How do the requirements of the bill align to current building code and the process for review and approval? The legislation establishes a different process for review and approval, without 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 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 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, I respectfully oppose H5236. I am happy to answer any questions the Committee may have regarding our position and can be reached at 401-461-4442 or [smorris@omnidevelopmentcorp.com](mailto:smorris@omnidevelopmentcorp.com).

Sincerely,



Sharon Morris, Omni Development