



March 31, 2026

The Honorable Jacob Bissaillon, Chair
Senate Municipal Government and Housing Committee
82 Smith Street
Providence, Rhode Island 02903

RE: S2578- AN ACT RELATING TO ZONING ORDINANCES (ACCESSORY DWELLING UNITS)

Dear Chairperson and Committee Members:

On behalf of the Rhode Island Association of REALTORS® (RIAR), we respectfully submit this testimony in opposition of S2578. RIAR represents more than 5,900 licensed real estate professionals who list, sell, lease, manage, and appraise residential and commercial real estate to make Rhode Island a better place to call home.

RIAR supports thoughtful expansion of housing opportunities, including accessory dwelling units (ADUs). S2578 would allow municipalities to impose new restrictions on ADUs, including owner-occupancy requirements, mandatory affordability provisions, and size limitations. In practical terms, this bill allows cities and towns to add new conditions that make it more difficult for homeowners to build, maintain, or rent ADUs.

While intended to provide local flexibility, these changes may discourage ADU development and reduce housing production.

Reintroduces Fragmented Local Regulation That Weakens Statewide Consistency

Under current law, ADUs are governed by a uniform, predictable statewide framework. S2578 would enable municipalities to layer on additional requirements.

Key provisions include:

- **Allows municipalities to require that primary residences with ADUs be owner-occupied for a minimum of up to five years.** This does not address enforcement or what occurs if a homeowner must relocate due to job loss, financial hardship, or other life events.
- **Authorizes municipalities to require that ADUs not occupied by family members or caretakers must be rented at “affordable rates.”** S2578 does not define “affordable” or identify who would set or enforce these limits, effectively introducing a form of local rent control.
- **Permits municipalities to impose size limits, including 1,000 square foot cap, notwithstanding existing state law.** This may conflict with current “by right” provisions that allow ADUs under specific conditions, creating uncertainty as to which standards apply.

These provisions reintroduce a patchwork of local regulations, reduce predictability for property owners, create potential conflicts with existing law.

Imposes Owner-Occupancy Requirements That Constrain ADU Production

Within this broader framework, these owner-occupancy requirements present a significant barrier to ADU development and long-term property use.

- Limits flexibility for homeowners who may need or choose to relocate.
- Complicates financing, refinancing, and estate planning considerations.
- Diminishes the viability of ADUs as a practical tool for generating rental income.

As a result, otherwise willing property owners may be discouraged from pursuing ADUs, slowing overall housing production.

Establishes Affordability Mandates That Undermine ADU Feasibility

In addition, S2578 permits municipalities to require certain ADUs to be rented at below-market, “affordable” rates, effectively introducing local price controls without a defined framework.

- Reduces financial viability for homeowners constructing ADUs.
- Introduces ongoing administrative, monitoring, and compliance obligations.
- Discourages participation by small-scale property owners.

Because ADUs are typically financed by individual homeowners rather than large developers, these requirements may limit participation and reduce new unit creation in practice.

Constrains ADU Size Standards in Ways That Limit Functionality

S2578 allows municipalities to impose a cap of 1,000 square feet on ADUs, even where existing state law would otherwise permit larger units as a matter of right.

- Limits the ability to accommodate families or multigenerational households.
- Conflicts with existing provisions allowing larger units based on proportional sizing.
- Weakens adaptability of ADUs to meet diverse housing needs.

These constraints further reduce the practical utility of ADUs and their effectiveness as a flexible housing option.

Conclusion

Rhode Island has made progress in promoting ADUs through policies that prioritize “by right” development and reduced barriers. S2578 moves in the opposite direction by introducing new conditions that may discourage participation and create uncertainty at a time when increasing housing supply remains critical.

Maintaining a consistent, predictable framework that supports homeowners in developing ADUs will be more effective in expanding housing opportunities than introducing additional layers of restriction.

The Rhode Island Association of REALTORS® respectfully urges the Committee to oppose S2578.

Thank you for your time and consideration.

Respectfully submitted,



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Rhode Island Association of REALTORS®