



INSTITUTE FOR JUSTICE

April 29, 2025

Committee on Housing and Economic Development  
Maine Legislature  
Cross Building, Room 206  
111 Sewell St.  
Augusta, Maine, 04330

**Re: Testimony before the Committee on Housing and Economic Development in support of LD 1272**

Chair Curry, Chair Gere, and Members of the Committee:

My name is Samuel Hooper. I am Legislative Counsel at the Institute for Justice (IJ), a nonprofit law firm that works to protect civil and economic liberties, including property rights. Through strategic litigation in courthouses and advocacy in statehouses, IJ's Zoning Justice Project seeks to reform restrictive zoning and land-use regulations that limit housing supply, drive up costs, and infringe upon private property rights.<sup>1</sup>

Maine faces an acute housing shortage. Families, young workers, and retirees across the state are struggling to find affordable and attainable places to live. This crisis is not the result of unforeseen or unavoidable circumstances; it is the predictable outcome of outdated local rules that restrict the supply of housing. LD 1272 is a thoughtful, targeted bill that would eliminate several of these unnecessary barriers by making it easier for property owners to build accessory dwelling units (ADUs).

This bill advances several critical reforms. It allows up to four homes—whether single-family houses, duplexes, triplexes, or accessory dwelling units—on a single lot, without imposing onerous density restrictions. It protects homeowners' rights by prohibiting cities and towns from requiring owners to reside on the property simply because they add an ADU. It eliminates unnecessary fire sprinkler mandates for ADUs, while still ensuring reasonable fire safety standards are met through existing fire-rated construction rules. It streamlines the ability to sell or transfer ADUs separately, giving families flexibility and helping more Mainers build generational wealth. It also modernizes Maine's outdated subdivision definition, raising the threshold from three to five lots, making it easier for small-scale housing solutions to move forward without triggering complex and costly subdivision requirements.

Each of these reforms reflects the simple idea that property owners should be free to use their land to meet the urgent needs of their communities without being trapped by outdated regulations that no longer serve the public interest.

The Institute for Justice has worked in states across the country to defend the right of homeowners to build and rent accessory dwelling units. We have seen firsthand that

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<sup>1</sup> Institute for Justice – Zoning Justice Project: <https://ij.org/issues/zoning-justice/>



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ADUs provide affordable options for young families, aging parents, and individuals living on fixed incomes, while preserving the character and fabric of existing neighborhoods. They are one of the most promising, low-impact tools available to address housing shortages.

LD 1272 balances freedom with responsibility. It allows greater housing flexibility without sacrificing safety, environmental stewardship, or local planning goals. It simply restores to property owners the right to build modest, sensible housing options on land they already own. Maine should not allow bureaucratic red tape to stand in the way of solving its housing crisis. LD 1272 is a commonsense step toward a freer, fairer, and more affordable future. I respectfully urge the Committee to support the bill.

Sincerely,

Samuel Hooper  
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