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Testimony in Support of LD 1926
(“An Act to Require Increased Housing Density or Lower Minimum Lot Sizes for Workforce Housing”)

J. Andrew Cashman on behalf of the Maine Association of REALTORS®
May 9, 2025

Senator Curry, Representative Gere and members of the Joint Select Committee on Housing and Economic Development, my name is Andy Cashman. I am the Founder of Resolve Government Relations. We represent the Maine Association of REALTORS®, a professional trade association established in 1936 with over 6,500 members statewide. REALTORS® grow Maine’s economy and build Maine communities. Our members represent buyers and sellers involved in both residential and commercial real estate transactions. Our membership also includes industry affiliates, such as lenders, closing agents, title agents, appraisers, building inspectors, surveyors, etc. The Maine Association is chartered by the National Association of REALTORS® (NAR), the largest trade association in the country.

The Maine Association of REALTORS® supports LD 1926 because it would encourage the development of more housing in our state. This bill requires a municipality to allow for increased housing density or lower minimum lot sizes for housing developments rented or sold to low income owners and provides priority to workforce housing development. The passage of this bill would streamline housing development and address the lack of available workforce. By removing barriers to development, LD 1926 would provide solutions to a critical component of the housing shortage: laws that inhibit housing development.

MAR supports policies that respond to the individual and collective housing needs of our communities. It is essential that housing is both available and attainable for our current and future workforce and LD 1926 aims to provide a pathway ensuring that. However, MAR does have concerns around the proposed provision in 30-A MRSA Section 4364-D(9) “Declaration of restrictive covenant”, which would require an owner of a workforce housing development to record a declaration of restrictive covenant on the property for 30 years. Over the lifespan of a property, it can change ownership and use for a number of reasons. Requiring that a property remain in one use despite its likely change in ownership, and possibly change in the community is an unreasonable and burdensome provision that will disrupt the transfer of real property and create administrative challenges to manage at the municipal level. Much can change in 30 years and restricting a property into one use does not adequately allow a community or a property owner to prepare for the housing needs of tomorrow should that change and evolve.

MAR acknowledges the intent to ensuring that workforce housing remain readily available and within the parameters as suggested in the bill. We appreciate the proactive approach but respectfully request the committee carefully consider alternative means to this. A property deed with a 30-year restrictive covenant requirement could create problems similar to Maine’s current zoning concerns today, laws that inhibit adaptive use based on community need. Laws and land use policies carefully consider the the housing needs for both today and tomorrow. The Maine we lived in 30 years ago is vastly different from the Maine today, and for that reason we encourage consideration of this provision.



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EQUAL HOUSING OPPORTUNITY

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MAR favors joint public and private sector housing initiatives that encourage homeownership by individuals and families at all income levels as well as support for incentives that develop rental housing. For these reasons, we support LD 1926 and respectfully urge you to vote Ought to Pass with an amendment addressing the restrictive covenant concern. Thank you for your time and consideration.