

Testimony of the Maine Municipal Association
In Opposition To
LD 1921, *An Act to Create a Statewide Housing Resolution Board*
May 12, 2025

Sen. Curry, Rep. Gere and distinguished members of the Housing and Economic Development Committee, my name is Rebecca Graham, and I am submitting testimony in opposition to LD 1921 at the direction of MMA's Legislative Policy Committee (LPC). Our LPC is composed of municipal officials from across Maine, elected by their peers to represent communities with vastly different enforcement staff, resources and capacities.

There is already an established appeals board with duties described in this bill. The powers of overturning land use determinations extend well beyond housing projects alone, must have a broad understanding of the authority that constructs land use decisions, and these duties belong to the Superior Court. More importantly, decisions that address state and local administrative decisions also establish case law which impacts future judicial decisions and processes. For this reason alone, these tasks are even more important to be conducted by a balanced legal authority, not a developer or land use surveyor.

However, even more important is the ability to understand the legal authority and processes of the government body charged with establishing the procedures listed under Sec. 7 of the bill. Under Sec. 1 of the bill,

"the board," to hear 6 appeals of final decisions by a municipal reviewing authority regarding housing development and mixed-use development that includes housing."

These projects involved much more than knowledge of housing and lot boundaries as implied by the construction of the membership body. Additionally, it is not clear if the local appeals board which provides reviews to establish variance enabled by ordinance is a necessary step or if this board usurps the local review process and further disenfranchises the desires of local residents to protect and mitigate the same types of thoughtful planning that make areas desirable drive-up housing prices and push out both lower income and working-class residents.

If towns and cities fail to prepare for these effects, gentrification and displacement can transform lower-income neighborhoods into areas of concentrated affluence rather than thriving, diverse communities.

Municipalities use ordinances to stop this type of displacement. Democratic tools currently in place protect legacy homeowners in historically minority neighborhoods that are targets for gentrification. Market forces and dense development do not lower the costs of units but instead displace current homeowners and replace multiple units on the same land at the same cost per unit making them no longer attainable by the current residents. The residents who helped build their neighborhoods and benefit from the growth of opportunities are traditionally displaced by these undisrupted market pressures. The construction of this board threatens to further remove the voice of residents, create a distant quasi-judicial process that automatically favors those with individual agency to file and stop a superior court process outlined in Sec. 12. It will be used by those who desire to displace current residents.

For all of these reasons, municipal officials desire investment in the court itself to be adequately staffed to hear appeals on final local decisions and oppose the creation of a board to exclusively review housing. Adequately resourcing our court system will have far broader impacts that communities need, including the adequate movement of all criminal and civil cases currently backlogged, not just those on housing development.