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**Testimony in Opposition to
LD 1829 (“An Act to Build Housing for Maine Families and Attract Workers to Maine
Businesses by Amending the Laws Governing Municipal Land Use Decisions”)**

**J. Andrew Cashman on behalf of the Maine Association of REALTORS®
May 13, 2025**

Senator Curry, Representative Gere and members of the Joint Standing 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® protect private property rights, build Maine communities, and grow our state’s economy. 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® opposes LD 1829. The bill would establish the “Housing Development Resolution Board”, an appeals board within the judicial branch for housing development matters. We believe property owners and developers should continue to have full access to the Maine judicial system. The proposed provisions would weaken the property rights of land owners and developers seeking further review of municipal decisions and would not afford them full due process as our current legal system provides if they choose to bring an action with the board instead of Superior Court.

We do support other aspects of the bill including the following provisions: 1.) requiring a municipality to allow a certain number of dwelling units per lot; 2.) requiring municipal planning board members to attend land use planning training; 3.) requiring a municipality to allow an affordable housing development to exceed height restrictions by up to 14 feet; 4.) prohibiting a municipality from adopting an ordinance to limit growth in a designated growth area; and 5.) prohibiting a municipality from establishing or enforcing a minimum lot size of more than 5000 square feet if served by public water and sewer.

Despite support of those provisions, we feel strongly that the creation of a “Housing Development Resolution Board” without some level of judicial appeal would negatively impact housing development and harm private property rights. We strongly recommend that this Committee consult with the Judicial Branch on this matter. As municipalities continue to navigate housing inventory challenges, it is essential that we are carefully examining all avenues that will lead to the creation of additional housing units.



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We also have concerns around the implementation of a statewide housing board with limited size and expertise, including concerns around sufficient training and eligibility requirements for candidates to serve on the board. We are concerned that this board would not be adequately equipped to handle the complexities of land use cases compared to the balanced legal authority available in the court system with the benefit of extensive legal training and careful analysis of case law. Furthermore, with the state's current limited budget, we are concerned about funding resources for this board. We believe a better approach might be providing additional resources to the court system to help reduce the backlog of all current cases, not just those related to housing development matters.

The Maine Association of REALTORS® believes that every individual should have an opportunity to live in safe, decent, and affordable housing. We urge the adoption and integration of housing policies that respond to the individual and collective housing needs of our state.

For that reason, we continue to support legislation to build more homes across our state and we respectfully urge you to vote Ought Not to Pass on LD 1829 in its current form.