



19 Community Drive • Augusta, Maine 04330 • (207) 622-7501 • Fax: (207) 623-3590

Testimony in Opposition to LD 1397 (“An Act Directing the Maine State Housing Authority To Create a Commission To Develop a Comprehensive Rental Registry for Multifamily Housing”)

J. Andrew Cashman on behalf of the Maine Association of REALTORS®

April 26, 2021

Senator Hickman, Representative Sylvester and members of the Joint Standing Committee on Labor and Housing, my name is Andy Cashman. I am a Partner at Preti Flaherty and I am here on behalf of my client, the Maine Association of REALTORS®, which is a professional trade association with over 5600 members state wide. Our members represent both buyers and sellers and are involved in both residential and commercial transactions. Our membership also includes affiliates, which are those professionals involved in real estate transactions, such as bankers, closing agents, title agents, appraisers, building inspectors, surveyors, etc. The Maine Association is a member of the National Association of REALTORS® (NAR) which is the largest trade association in the nation.

The Maine Association of REALTORS® opposes LD 1397. If passed, this legislation directs Maine State Housing Authority to create a commission to develop a statewide registry for multifamily housing. As written, the bill is vague – what constitutes multifamily housing? Do accessory dwelling units count? In addition, how will this registry be paid for? Will rental registration fees, or other taxes and fees be implemented to pay for this? Will the cost of maintaining the registry take away from Maine Housing’s critical role for the development of affordable housing? The bill is silent on these points. Ultimately, every dollar spent on the development and maintenance of a statewide registry is another dollar not spent on increasing the supply of much-needed housing.

Furthermore, one of the fundamental tenets of private property rights is the freedom to contract. By mandating registration, the state is obstructing use of private property and reducing the freedom of parties to mutually benefit from that use.

For these reasons, we urge you to vote Ought Not to Pass on LD 1397. Thank you for your time and consideration.



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