

Web Version Recommendation

Present on website as seen here on its own page. If not too time consuming, as an accordion style where each issue can be selected to see the recommendation

Issues and Legislative Recommendations

Statewide legislative changes are needed to provide more local options for creating affordable homes, as well as to address local efforts that may intentionally or inadvertently work against this goal. Legislative strategies in both states are necessary to advance the needs for homes in the greater Upper Valley region and other areas of both states.

Issue: **State of homeless population** is not well-documented.

- Provide funding for regular and fully staffed regional Point in Time (PIT) counts of unsheltered populations twice a year.

Issue: Many **evictions** are caused by a single event (such as an unexpected medical bill or car repair) that impairs a tenant's ability to pay rent for a month. Evictions damage residents' credit and future ability to rent, and also create economic, social, and health costs that are later borne in part by the community. Evictions also represent lost income to landlords or homeowners that can prove burdensome especially to those with few units under management.

- Create and fund an emergency fund that enables tenants with singular emergencies to avoid evictions and landlords to receive needed payments

Issue: Increased state oversight of **safe housing** is needed to improve rental quality.

- Create a statewide housing ombudsman office.
- Require all rental properties to register with the state and have a state or local code inspection.

Issue: **Local zoning can create barriers** to housing other than detached single-family homes and can promote inefficient use of land that is served by expensive municipal infrastructure, such as water and sewer.

- Preempt local bylaws and allow duplexes and multifamily as a permitted use in residential districts wherever there is sewer and water (VT & NH) and decrease minimum lot size to one-quarter acre in these areas (VT only).

Issue: **Affordability incentives** in local zoning are not as clearly enabled as they could be.

- Clearly enable local affordable housing incentives in zoning and other areas.

Issue: Some communities **exclude affordable homes**.

- Enact some type of 'fair share' permitting exemption where for towns with low availability of affordable housing there is no local zoning review (VT only).
- Provide financial incentives in communities that meet regional "fair share" affordable housing targets (e.g., reduced state tax liability, increased state education funding allocation).

→ Define regional “fair share” housing targets through Regional Planning Commissions.

Issue: Appeals, or even the threat of appeals, of local zoning permits by neighbors fearing affordable housing derails many projects, even though the appeal is often without merit.

→ Create law to require those who appeal affordable housing permits, and then lose, to pay the defendant's legal fees and costs.

Issue: Accessory Dwelling Units (ADUs) can be held up in permitting over neighbor objections or inadvertently by outdated zoning regulations.

→ Consider a full exemption for ADU buildings from zoning permitting IF there is an affordability covenant. These buildings could still be required to meet dimensional and septic requirements.

Issue: ADUs are risky for homeowners as they make them into landlords with limited eviction rights over a tenant that may be in part of the home.

→ Investigate changing tenant law to be more appropriate for landlords with only a single ADU.

Issue: Property taxation as a revenue source creates an incentive for communities to prefer high-value homes over ones that benefit their own residents, but instead can be a tool that promotes more home affordability and safety

- Change property *transfer* taxation rates for sales to be higher if the sale is of a primary residence that will no longer be used as such, or if ownership has been short term (helping to dampen creation of short-term rentals (STRs) and flipping. This can be customized to exempt things like ski condos, etc.). Channel revenue to address the problem.
- Change property taxation to make housing not a speculative asset (which drives some neighbor concerns about loss in value).
- Change property tax to recognize affordability covenants in valuation to lower tax burden.
- Create property tax ‘holiday’ to forego increased value for some amount of time for improvements to property used for code/safety/health and for affordable housing apartment projects. Enable municipalities to establish “housing opportunity zones” with limited-time property tax relief via expansion of the Community Revitalization Tax Incentive (RSA 79-e).

Issue: Economic development funding tools need to expand as housing is often the most needed item by local employers.

→ Expand TIF districts to incorporate housing. Permit municipal economic development and revitalization districts (NH RSA 162-k) to be used for residential housing.

Issue: Increase state investment in needed for housing and planning support.

- Provide additional funding for affordable housing. In New Hampshire, at least \$10 million per biennium for the state affordable housing trust fund should be provided.
- Fund permanent supportive housing units.
- Increase funding for support agencies to provide counseling services so that prospective owners and tenants can better meet their housing needs.

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<https://nhpreservation.org/commercial-property-79e>

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<https://www.nh.gov/osi/planning/resources/tif.htm>

→ Increase state funding for local and regional planning to focus on planning for housing needs.

Issue: (VT specific) **Septic** rules and water supply rules are unnecessarily rigid.

→ Review Vermont rules to see if there are areas to use technical merits versus an inflexible rule. For example, Vermont Wastewater System and Potable Water Supply Rules (Rules) effective April 12, 2019 require 24-inches of suitable soil to consider an on-site wastewater disposal system. In contrast, New Hampshire wastewater regulations allow a system in all settings except what it defines as Hydric A soils and wetlands.

Issue: (VT specific) **Act 250** creates a second layer of permitting in some areas with sufficient local permitting.

→ Remove Act 250 permitting for affordable housing projects in any state designated areas that are covered by local zoning and subdivision.

Issue: **Short-term rentals (STRs)** can be detrimental to affordability. The location and existence of such rentals is often a mystery to towns.

→ Require all rentals to register with the state and town. Have higher registration rates for STRs and use rental registry fees to fund the inspection and improvement program.

→ Clearly enable local regulation of STRs.

Issue: (VT specific) **Rental conditions** are often poor due to lack of inspection and enforcement. Most towns lack capacity to do inspections and enforcement.

→ Create a state inspection and enforcement program that can be delegated to the local level if desired. Couple increased inspections with funding to make code improvements.

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<https://dec.vermont.gov/water/laws/ww-systems-rules>

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<https://www.des.nh.gov/rules-and-regulatory/administrative-rules?keys=WWReg&purpose=&subcategory=>

Commented [OU5]: Link to:
<https://nrb.vermont.gov/act250-program>