



C H A P A

**Citizens' Housing and
Planning Association**

**Testimony in Support of S. 587
Joint Committee on Housing**

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**Submitted by:
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CHAPA**

Thank you for the opportunity to testify in support of S. 587, *An Act Relative to Statutory Affordable Housing Covenants*, filed by Senator Jamie Eldridge.

CHAPA's mission is to encourage the production and preservation of housing that is affordable to low-income families and individuals. While there are many ways to accomplish the goal, it is important that housing that is created as affordable housing retains that status, which is often accomplished through a deed restriction.

Similar to other restrictions placed on deeds that limit future use, affordable housing restrictions insert language in a deed to ensure that a property is available to and used by people of a certain limited income through limitations on value. However, because there is no standard statutory language, the language that comprises these restrictions varies from deed to deed. These restrictions are sometimes unenforceable if not properly drafted and thus interpreted so that the restriction is not tied to the property. The purpose of this legislation is to standardize and simplify elements of affordable housing restrictions to promote consistent interpretation and use.

The legislation accomplishes that goal by establishing regularly used terms in statute and offering a consistent definition to have the restriction's meaning derived directly from the statute. Though not required to create a valid affordable housing restriction, the use of these terms will provide consistency and reduce the possibility for interpretation contrary to the original intent to tie affordability to the property.

CHAPA respectfully requests the Committee to support this legislation and favorably report S. 587. Thank you for your consideration and support.