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THE SENATE OF MARYLAND
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TESTIMONY OF SENATOR SHELLY HETTLEMAN
SB 333 HOUSING AND COMMUNITY DEVELOPMENT – AFFORDABLE HOUSING –
IDENTIFYING SUITABLE PROPERTY

In 2022, the Assembly passed Senate Bill 744 with the goal of increasing the availability of state and for the development of attainable housing within Maryland.¹ SB 333 seeks to clarify where such housing is appropriate and where it is not.

Maryland is expected to add 97,200 households between 2020 and 2030 with earnings below 50% of the Area Median Income. There is a significant need for attainable housing within the State, especially for low-income and working-class individuals. SB 333 modifies criteria previously laid out for the Department of Housing and Community Development (DHCD) to determine the suitability of state properties for use as affordable housing. The law, as we changed it a few years ago, has not had the intended consequences we had hoped. This bill will provide more flexibility for the department to consider additional factors about a potential property rather than necessitate that a property be identified as suitable if certain criteria are met.

In recent years, multiple states have begun utilizing their excess or underused state lands to construct affordable housing for needed communities.² In fact, the US Department of Housing and Urban Development (HUD) has criteria for suitability which resembles those under Maryland current law with several exceptions. Accessibility, documented deficiencies, and location within a floodway are each disqualifying characteristics under HUD's suitability criteria, alongside federal government-specific factors.³

SB 333 proposes to consider such property-specific characteristics, as well as many others, but places such considerations into the realm of DHCD and the property-owning State agency as they are the most aware of which properties and criterion are most important to suitability in each location or situation. Updating Maryland's law to ensure that future affordable housing is suitable is crucial for many reasons. The simplest, however, is that it will promote the health, safety, and housing security of Marylanders while repurposing state lands otherwise going unused or underused.

I urge a favorable report on SB 333. Thank you.

¹ SB 744 (2022).

² Brown, A. (2023, October 26). *Western states look to these lands for new affordable housing*. Stateline. <https://stateline.org/2023/10/26/western-states-look-to-these-lands-for-new-affordable-housing/>

³ 24 C.F.R. 581.6