



House Bill 1236 – Real Property – Prohibition on Restrictions of Accessory Dwelling Units – Historic District Exemption

Position: Oppose

The Maryland REALTORS® respectfully opposes changes to existing statewide ADU laws as contemplated in House Bill 1236.

In 2025, the General Assembly enacted statewide policy to encourage the development of accessory dwelling units (ADUs) to expand housing options and make more efficient use of existing residential properties. That policy was not adopted lightly. It was the result of extensive study and collaboration through the Maryland Accessory Dwelling Unit Policy Task Force, as well as multiple legislative hearings and stakeholder discussions. The process included direct input from local planning directors, elected officials, housing advocates, builders, and others to carefully balance housing needs with local considerations. The resulting framework reflects that deliberate and collaborative effort.

HB 1236 would create an exemption from those statewide ADU provisions for properties located within locally designated historic districts. While historic preservation is an important goal, carving out broad exemptions from the recently adopted statewide framework risks undermining the consistency and predictability that the law was designed to establish.

Additionally, limiting ADUs in historic areas is inconsistent with the historical development patterns found in many of these communities. Accessory dwellings have long existed in historic neighborhoods in the form of detached garage apartments, carriage houses, and similar structures. These housing types are part of the traditional fabric of many historic districts and demonstrate that ADUs can coexist with historic preservation goals.

Importantly, the existing policy discussions also considered historic and older neighborhoods in addressing issues such as emergency access. For example, accommodations were incorporated regarding alley access and other public safety considerations that are common in historic areas. These considerations were part of the broader effort to ensure ADU policies remain compatible with local infrastructure and safety requirements.

The current statewide ADU framework reflects extensive stakeholder engagement and thoughtful policy development, and creating broad exemptions at this early stage could undermine the consistency and housing benefits the law was intended to provide. For these reasons, the Maryland REALTORS® respectfully requests an unfavorable report on HB 1236.

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