

February 10, 2026

Testimony – Support with Amendments for House Bill 239/ Senate Bill 36 – Starter and Silver Homes Act

From The People's Voice – a civic/political organization with over 5700 members in Howard County and 570 in Montgomery County.

While it is a commendable goal to expand housing options and to improve affordability for Marylanders, as currently written, this legislation will not achieve those goals and risks significant consequences unless amended.

The Bill would increase potential value of existing parcels. Increasing land value does not translate into affordability for buyers. With respect to rentals, the Bill does not require owner occupancy for the creation nor rental of additional units. This omission incentivizes investor purchases of single-family homes, to convert them into triplexes or townhouses. Investor-driven development will occur more frequently than homeowner-initiated conversions, more likely overwhelming regional areas, and will result in higher, not lower rents, compared to homeowner-occupied lots.

The legislation needs meaningful standards or guardrails to ensure outcomes align with its goals. Reduced setbacks alone do not guarantee smaller or more affordable housing. In fact, they may encourage construction of larger, more expensive homes built closer together, further increasing prices.

Amending to allow local jurisdictions to decide setbacks, infrastructure, and other safety-related considerations, would actually achieve the stated goal of not having one-size-fits-all zoning. Not all single-family zoned neighborhoods have the same structural or infrastructure needs. Some communities face flooding risks, overcrowded schools, insufficient parking, aging water and sewer systems, even differing emergency access issues. The Bill, as written, provides no exemptions nor mechanisms for local governments to address these real constraints, which will result in significant costs for local governments. Instead the Bill, as written, is an unfunded mandate.

Many supporters of the Bill argue that increasing housing density automatically lowers prices through supply and demand, and are willing to forego the needed amendments for this cause. Unfortunately, this assumption ignores key realities: construction costs, interest rates, land prices, resale markets, and persistent demand in many regions. Price reduction forecasts given in testimony recently to the General Assembly committees, are optimistic and minimal. Such small decreases do not make homes affordable to households previously priced out, especially when investor ownership captures any potential savings. There are numerous studies that counter the lower rent outcome belief.

Maryland local jurisdiction can and should pursue affordability directly and intentionally, partly by rezoning targeted areas, including underutilized or open spaces. Well-planned developments of smaller units could be far more effective than imposing blanket changes on established neighborhoods without adequate planning or oversight.

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We request the following amendments:

1. **Require owner occupancy** for the creation and rental of additional units.
2. **Preserve local control over setbacks**, which are essential for utilities, safety, and environmental concerns.
3. **Allow local governments to impose restrictions and/or conditional allowance** based on infrastructure capacity, public safety, and regional conditions.

We must do better than policies that disrupt existing neighborhoods without delivering affordability. We should prioritize direct affordable housing production through financing tools, tax incentives, and other benefits for requirements that actually deliver affordability, rather than relying on speculative market effects. We ask the House to amend this Bill so it genuinely serves Maryland residents.

Thank you,

Lisa Markovitz

President, The People's Voice