



## **2021 LEGISLATIVE POLICY MANUAL**

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### **Overview**

The Rhode Island Association of REALTORS® proactively protects private property rights and the real estate industry on state and municipal levels across Rhode Island.

RIAR supports legislation, regulations, and other government actions that protect the right to own, occupy, use and lease, manage, buy, sell, and appraise all types of real estate. RIAR opposes legislation and other government actions that unreasonably burden private property ownership, use, and transfer of real property.

### **RHODE ISLAND BUDGET**

The Rhode Island Association of REALTORS® shall:

1. Review and provide input on the budgetary process of the State of Rhode Island while evaluating expenditures and taxation policy.
2. Evaluate funding mechanisms for the development of housing throughout the State of Rhode Island.
3. Support budget transparency and compel state government to expended funding sources only for the purpose for which they were created.
4. Evaluate new debt service proposals and provide input relative to the impact on housing throughout the State of Rhode Island.

## **APPRAISALS AND ASSESSMENTS**

RIAR opposes spot assessments performed by local tax assessors based on the purchase price after title transfer occurs.

RIAR will monitor legislation relative to real property revaluation frequency.

## **CODE ENFORCEMENT**

RIAR supports reasonable policies that are enforced and interpreted consistently at the state and local level of government.

RIAR supports building and fire safety codes, and housing maintenance and occupancy standards that are not burdensome to RIAR members, private property owners and consumers.

RIAR opposes mandatory sprinklers in new or existing homes.

RIAR opposes legislation and policies that mandate inspections prior to the execution of any residential rental agreement.

## **CONSUMER PROTECTION**

RIAR supports the disclosure of information about issues, such as the condition of a property or a real estate licensee's relationship to the parties to a transaction.

RIAR opposes policies that require only one party to a lawsuit to pay attorney's fees, and punitive damages.

## **ECONOMIC DEVELOPMENT OPPORTUNITIES**

RIAR supports initiatives that create new economic opportunities.

RIAR supports initiatives that promote developable land and have a positive impact on Rhode Island's economy and housing needs.

RIAR supports the concept of mixed-use development related to new and existing projects.

RIAR opposes the government taking of private property through eminent domain for private or public purposes.

## **ENERGY AND CLIMATE CHANGE**

RIAR supports the development and voluntary use of sustainable sources of energy to reduce dependence on non-renewable forms of energy.

RIAR supports awareness programs, voluntary energy audits, incentives, and tax policies to encourage energy conservation.

RIAR supports voluntary, performance-based incentives to conserve energy.

RIAR opposes mandatory energy labeling, energy audits, and retrofitting of existing properties.

## **ENVIRONMENTAL PROTECTION**

RIAR supports policies that reasonably protect and preserve Rhode Island's environment and other natural resources.

RIAR opposes policies that place unreasonable financial and time burdens on the use of privately owned property and economic development.

RIAR supports disclosures and awareness campaigns to educate the public about issues, such as air quality, hazardous waste, lead-based paint, private and public water supplies, storm water runoff, and wastewater disposal.

RIAR opposes mandatory inspections, rehabilitation or retrofitting programs that are imposed only at the time of transfer or leasing of real estate.

RIAR supports a statewide uniform code for wetlands and appropriate local reforms.

RIAR opposes regulatory rulemaking and policy changes related to wetland buffer zones that have adverse impacts on the rights of private property owners and development in Rhode Island.

## **FAIR HOUSING**

RIAR supports the right of all people to freely choose where they will live, regardless of race, color, religion, gender, disability, familial status, marital status, sexual orientation, national origin and other characteristics.

RIAR supports measures that ban housing discrimination against tenants or prospective tenants who receive housing subsidies, such as the Housing Choice Voucher Program (Section 8).

RIAR will continue to monitor extending protected class status based on immigration status and criminal convictions.

RIAR support legislation and regulations that require real estate licensees to successfully complete fair housing education every renewal cycle.

## **HEALTH AND PUBLIC SAFETY**

RIAR strongly encourages owners of residences in areas identified with high levels of radon have their properties tested to determine if elevated levels of radon gas are present.

RIAR supports increased consumer and homeowner education, so that Rhode islanders are proactively addressing potential radon problems.

RIAR strongly supports laws that recommends homeowners to disclose to prospective buyers, real estate brokers and / or agents indoor air problems that present a significant health risk.

RIAR opposes mandatory radon testing during real estate transactions.

RIAR opposes legislation that applies public health and safety language for the purposes of overregulating short-term and seasonal rentals.

## **HISTORIC PRESERVATION**

RIAR supports historic preservation as an important part of reuse and redevelopment of older communities.

RIAR supports the use of tax credits and housing stock, to preserve historic infrastructure, and to create jobs and increase wages and salaries

## **HOMELESSNESS AND TRANSITIONAL HOUSING**

RIAR supports public and private funding of programs that provide shelters and transitional housing as an interim step in creating a path towards sustainable housing.

RIAR supports funding and programs that create transitional housing.

## **HOUSING OPPORTUNITY**

RIAR supports policies that encourage home ownership.

RIAR supports policies that meet the demand for all types of housing and income levels.

RIAR supports incentives that increase the supply of workforce housing and assist home buyers and renters.

RIAR supports reducing housing costs, making the Rhode Island real estate market attractive to new buyers and multiple dwelling owners.

RIAR supports efforts to revitalize foreclosed and blighted properties.

RIAR supports the expansion of eligible units that conform with Rhode Island's 10 percent low-moderate housing stock mandate.

RIAR supports legislation and policies that create first-time homebuyer savings accounts.

## **INDEPENDENT CONTRACTOR RELATIONSHIP**

RIAR supports legislation to allow real estate professionals to work as independent contractors.

RIAR opposes legislation to change the federal legal definition of an independent contractor or that legislation that penalizes those who choose to work as independent contractors.

## **INSURANCE**

RIAR supports increasing the number of health insurance options that are affordable for independent contractors, the self-employed, and small businesses.

RIAR supports keeping flood insurance available and affordable and supports expanded free market consumer opportunities

## **LAND AND ZONING USE**

RIAR supports planning and zoning policies that permit development of all types of housing and growth in residential, commercial, and industrial development, while protecting public health, safety, and welfare.

RIAR supports streamlined permitting requirements and opposes excessive requirements that unreasonably delay development and the use of real estate property.

RIAR supports the concept of mixed-use development and zoning.

RIAR supports legislation and policies that promote the use of accessory dwelling units and tiny homes.

## **LICENSING AND PROFESSIONALISM**

RIAR supports reasonable licensing requirements that protect members of the public without placing an undue burden on real estate licensees.

RIAR supports real estate license laws that protect consumers and address the practical demands and changes to the profession.

RIAR supports a Department of Business Regulation and Real Estate Commission that are reasonably funded and staffed to protect the public from unlicensed practitioners and real estate licensees who violate state law.

RIAR supports mandatory pre licensing education and continuing education requirements for all real estate licensees.

RIAR supports commercial broker lien laws to ensure that brokers are paid.

## **REGULATORY ISSUES / DRONES**

Pursuant to policy established by the National Association of REALTORS®, RIAR supports the use of unmanned aerial systems (UAS).

RIAR supports the Federal Aviation Administration's (FAA) proposed regulations for the commercial use of UAS.

## **RENTALS AND PROPERTY MANAGEMENT**

RIAR supports reasonable policies that balance the rights of tenants and landlords.

RIAR opposes rent control.

RIAR opposes mandatory rental registration and licensing.

RIAR opposes restrictive short-term and seasonal rental laws and legislation.

RIAR opposes legislation and zoning amendments that limit the number of renters that may reside in a residential unit based on their college enrollment.

## **TAXATION AND FEES**

RIAR supports a tax system that encourages economic growth and healthy real estate markets.

RIAR supports fiscal responsibility at all levels of government.

RIAR supports the use of tax policy to encourage home ownership, investment in all types of real estate, and to stimulate the economy.

RIAR supports equitable assessment and taxation of real estate at the local level.

RIAR supports policies that cap increases in local property tax levies.

RIAR supports government fees that reasonably relate to the cost of providing the service for which the fee is charged.

RIAR opposes disguising taxes as fees, such as excessive impact fees, and fees for permits, rental registration fees, and recording documents.

RIAR opposes statewide property taxes.

RIAR opposes conveyance taxes and other taxes that are triggered by the transfer or sale of real estate.

RIAR supports state and local government use of current real estate conveyance tax revenue to fund a dedicated revenue stream for the purposes of creating housing opportunities.

RIAR opposes sales tax on services.

RIAR opposes any state taxes levied on any short-term rental dwellings or units.