COMMUNITY AND ECONOMIC DEVELOPMENT CLINIC
YALE LAW SCHOOL

TO: Senator Gary Winfield, Co-Chairman
Representative Larry Butler, Co-Chairman
Members of the Housing Committee

FROM: Lynsey Gaudioso, Community & Economic Development Clinic, Yale Law School

DATE: February 5, 2015

RE: Sec. 8-30g Moratorium Provisions

RECOMMENDATION: Reject all proposed changes to sec. 8-30g
Reject bills No. 123; No. 171; No. 172; No. 403; No. 2138; No. 5055; No. 5056; No. 5057; No. 5254; No. 5306; 5576; No. 5577; No. 5578; No. 5579; No. 5580; No. 5581; No. 5582; No. 5802; No. 5803; No. 5804; No. 5805; No. 6126; No. 6127; No. 6128; No. 6129; No. 6130; No. 6131; No. 6135; and No. 6139.

Good evening. My name is Lynsey Gaudioso and I am a member of the Community and Economic Development Clinic at Yale Law School. I am here today to urge you to reject the proposed amendments to Section 8-30g, which would weaken the current statute, and to discuss ways we can learn from our neighbors in Massachusetts. Massachusetts' Chapter 40B statute is similar to Section 8-30g, offering a builder's remedy for affordable housing development. In fact, 8-30g was modeled on the Massachusetts statute. However, there is one key difference I want to highlight: the inclusion of a bedroom mix policy.

One of the most important ways affordable housing can improve people's lives is by allowing low- and middle-income families to move to better school districts. But often, affordable housing developers in Connecticut focus on one- and two-bedroom units or elderly units. These forms of affordable housing are valuable, but can leave out the very families with children who might benefit most from the state's great schools. In order to address a similar issue, just this past year, Massachusetts adopted a bedroom mix policy.[1] Under the bedroom mix policy, in order for affordable housing units to count towards Massachusetts' exemption threshold, at least 10% of the units in the affordable housing development must include three or more bedrooms.[2] Massachusetts adopted the bedroom mix policy in order to address an "imbalance of age-restricted housing versus housing for families with children."[3] In their 2013 report recommending this change, the Massachusetts Department of Housing and Community Development specifically

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[1] *Interagency Agreement*, EXEC. OFFICE OF HOUS. & ECON. DEV., http://www.mass.gov/hed/docs/dhcd/hd/fair/familyhousinginteragencyagreement.pdf (last visited Jan. 30, 2015).
[2] *Id.* This policy does not apply to age-restricted housing.
[3] *Analysis of Impediments to Fair Housing Choice*, DEP'T OF HOUS. & CMTY. DEV. 295 (2013), http://www.mass.gov/hed/docs/dhcd/hd/fair/2013analysis.pdf.

recognized the need for more affordable family units in order to connect low-income families and households of color with "educational, employment and public health opportunities."[4]

Connecticut should consider adopting a similar policy for a number of reasons. First, there is a huge education achievement gap in Connecticut. A lack of affordable family housing widens this gap instead of narrowing it, and contributes to the cycle of poverty. A bedroom mix policy similar to Massachusetts' would help narrow the state's achievement gap and increase the chances for children in Connecticut to receive a good education. Second, Connecticut is losing residents in their prime working years. Promoting more affordable three-bedroom units would attract more young people and workers to this state. Moreover, Connecticut is also seeing a rise in family homelessness. In 2013, 2,440 children used Connecticut's homeless shelters and transitional housing programs.[5] A 2014 report found that "family homelessness remains a challenge, mostly because affordable units are unavailable."[6] A bedroom mix policy would help combat this issue.

In sum, Connecticut should consider adopting a bedroom mix policy in order to increase the number of affordable family units developed. This in turn would help connect families with better educational opportunities, attract young workers to Connecticut, and decrease the incidence of family homelessness. For these same reasons, Connecticut should reject proposals to increase the number of moratorium points awarded for elderly units. These proposals would only increase the incentive to develop elderly units, when the most needed forms of housing are family units—as our neighbors to the north have recognized. Thank you for your time and consideration. I am happy to answer any questions.

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[4] *Id.* at 4.

[5] *HousingInCT2014: The Latest Measures of Affordability*, P'SHIP FOR STRONG COMMUNITIES 2 (2014), http://pschousing.org/files/PSC_HousingInCT2014_Final.pdf.

[6] *Id.*