

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, the following is a concise explanatory statement:

AGENCY: Rhode Island Executive Office of Housing

RULE IDENTIFIER: 310-RICR-30-20-1

RULE TITLE: Rules and Regulations for the Establishment of the Repurposing of Vacant Schools for Affordable Housing Program

REASON FOR RULEMAKING:

The Rhode Island Executive Office of Housing (the “Agency”) has promulgated rules and regulations for the establishment, implementation and administration of the Repurposing of Vacant Schools for Affordable Housing Program pursuant to R.I. Gen. Laws § 45-53-10 and R.I. Gen. Laws § 45-53-10(g).

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE:

None.

TESTIMONY AND COMMENTS:

None.

CHANGE TO TEXT OF THE RULE:

None. There were no public comments submitted for this Regulation and therefore, no change to the text of the rule.

REGULATORY ANALYSIS:

The Rhode Island Executive Office of Housing proposes to adopt rules and regulations regarding the establishment of the Repurposing of Vacant Schools for Affordable Housing Program created under R.I. Gen. Laws § 45-53-10 and R.I. Gen. Laws § 45-53-10(g). This analysis estimates the societal benefits and costs that result from the adoption of the proposed rule.

Pursuant to the Administrative Procedures Act (APA), R.I. Gen. Laws § 42-35-2.9, the Agency has conducted a regulatory benefit/cost analysis for the proposed regulation. This analysis will show that the proposed regulation has a low impact effect on the

financial security of society at large, and will not financially affect small businesses within the State of Rhode Island. There will be no financial damage to the State upon the adoption of the proposed Rule and regulation. The analysis examined the costs and benefits of the discretionary decisions made by the Agency.

Benefit/Cost Analysis

Background

In March 2025, the statute was amended to streamline the process for municipalities that contained vacant school buildings within their school district that wanted to participate in the Program for repurposing said vacant school buildings for affordable housing. The EOH has been tasked with promulgating rules and regulations pursuant to the statute to assist municipalities that apply to participate in the Program.

Regulatory Development

The amended statute was passed on or about March 12, 2025. The EOH's policy team has now developed a proposed regulation for adoption.

Analysis

Pursuant to the APA, R.I. Gen. Laws § 42-35-2.9(b)(1), the regulatory analysis must include "the benefits and costs of a reasonable range of regulatory alternatives." The Program is not anticipated to have a direct fiscal impact. However, implementation of the Program is contingent upon the availability of funds to support required cost analyses and feasibility studies which may range between \$150K-\$200K annually. While these activities are preliminary in nature, they are necessary to determine project viability and may inform future development decisions that could result in economic redevelopment, including housing production.

General Assumption

There will be little to no financial impact on the State and its municipalities. The costs associated with the Program will be the responsibility of the developer that wishes to participate in the Program by establishing a project for affordable housing created from the municipality's vacant school building.

Conclusion

The proposed Repurposing of Vacant Schools for Affordable Housing regulations serve primarily to establish the requirements of the enabling legislation.