



National Housing Trends

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Factors Impacting Affordable Housing

There are several contributing factors impacting the lack of affordable housing, including:

1

Land use regulations (zoning) that limit the types of housing that can be built.

2

The amount of land zoned to allow rental housing, and housing at higher densities

3

Increases in construction and development costs

4

Lack of financing and capital available for homeowners and builders looking to invest in workforce, affordable, and low-income housing

5

Lack of government funds earmarked for housing

6

The growth of institutional investment in housing (following recent foreclosures)

7

Allowing institutional investors to take over foreclosed property, (only to sell it for a higher price)

8

Transfer taxes, development impact fees, and other soft costs

9

Increasing property taxes



Accessory Dwelling Units

Accessory dwelling units (ADUs) are independent housing units, typically (but not always) created on single-family lots through remodeling or expanding the existing home or constructed as a detached dwelling

Definition Source: [ADU Model State Act and Local Ordinance](#), Image Source: [The ABCs of ADUs](#)



Older Adults & ADUs



Independent living space



Extra Source of Income



Care of loved ones



Increasing Affordable Housing Options



Downsize



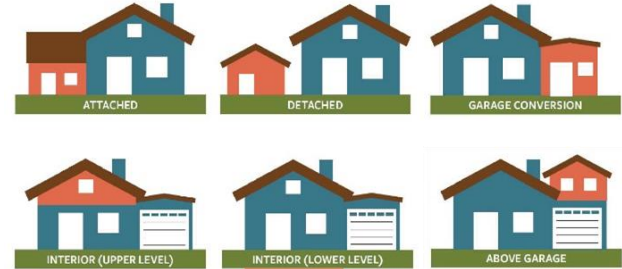
Intergenerational Housing



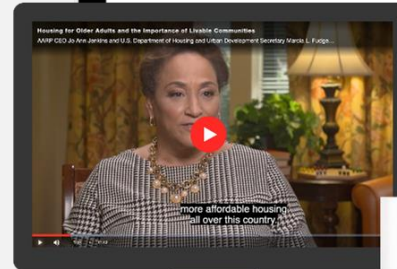
Source: [2021 AARP Home and Community Preferences Survey: A National Survey of Adults Age 18+](#)

ADU - National Discussion

- > AARP CEO **Jo Ann Jenkins** and HUD Secretary **Marcia Fudge**;
- > **White House Briefing** on ADUs: AARP was the only non-government organization invited to speak, and various stakeholders referenced AARP's ADU efforts;
- > AARP's ADU Publications: [ABCs of ADU](#) and [ADU Model State Act and Local Ordinance](#)
- > The **White House** released a fact sheet on September 1, 2021 stating the federal government will work with state and local governments to boost housing supply, including ADUs.



Access the full video at [Jo Ann Jenkins & HUD Secretary Marcia Fudge Interview, White House Briefing on ADUs, and Biden-Harris Administration Announces Immediate Steps to Increase Affordable Housing Supply](#)

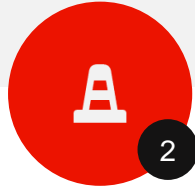


THE WHITE HOUSE
WASHINGTON

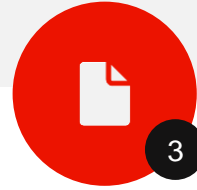
Poison Pills: ADU Legislation



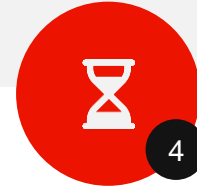
Owner
Occupancy
Requirements



Parking
Requirements



Conditional
Use Permitting
for ADUs



Short-term
Rentals

ADU Legislative Landscape [Statewide]

Notes:

* Laws passed earlier in California, Washington, and Vermont had required that localities allow for ADUs but did not require by-right approvals.















** Connecticut's law requires by-right approvals. However, it also allows localities to opt out of this provision with a two-thirds vote of both their planning board and legislative body.

*** Rhode Island requires by right on owner occupied lots for family members, on large lots, for internal ADUs, or for an ADU within an existing accessory structure. Owner occupancy required if applying "by right".

****Colorado requires owners to live in the primary unit while the ADU is being constructed.

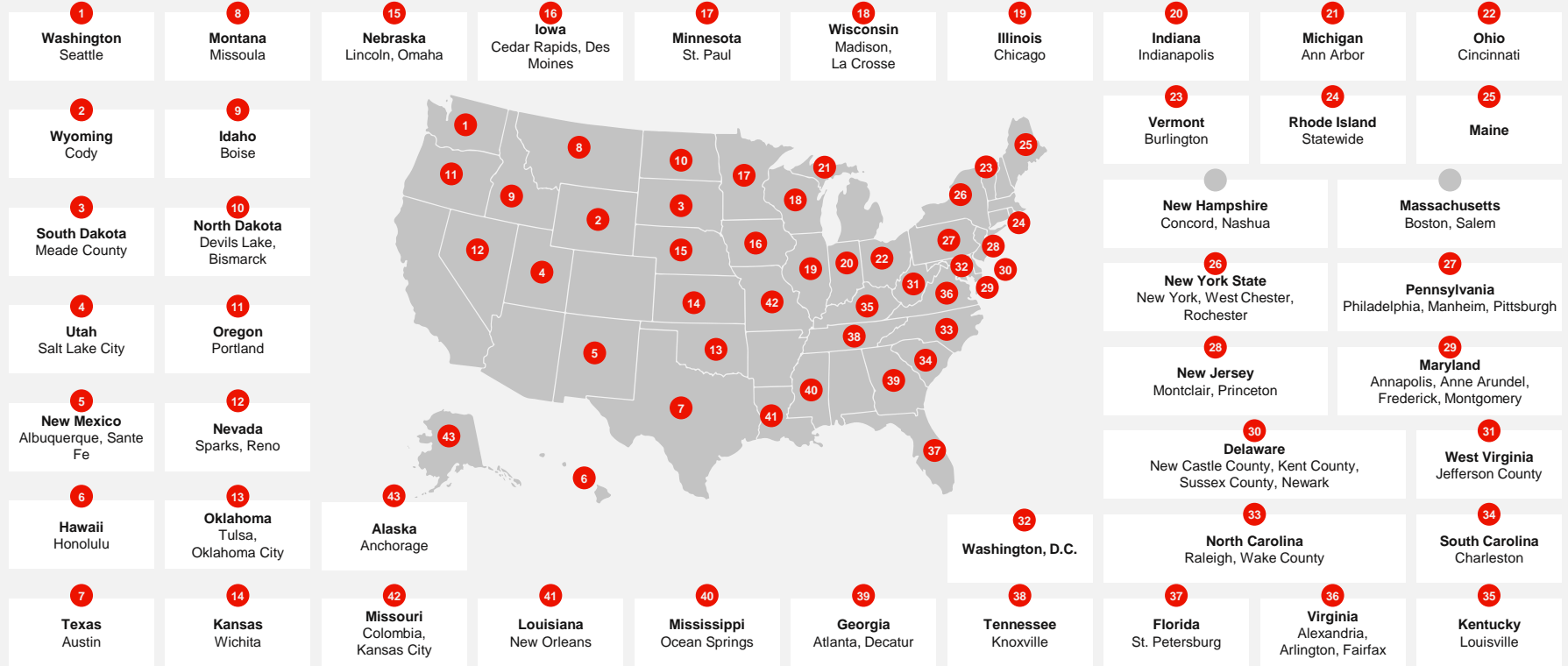
*****Hawaii recently updated their ADU laws in May 2024

*****Massachusetts prohibits parking mandates within ½ mile of transit.

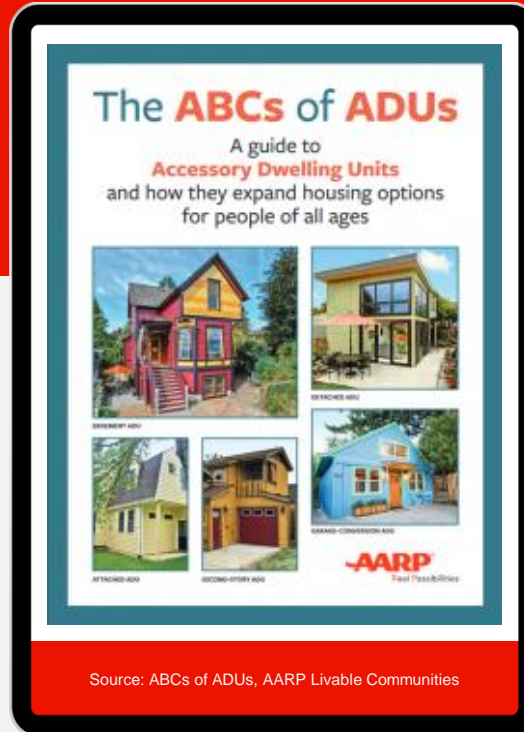
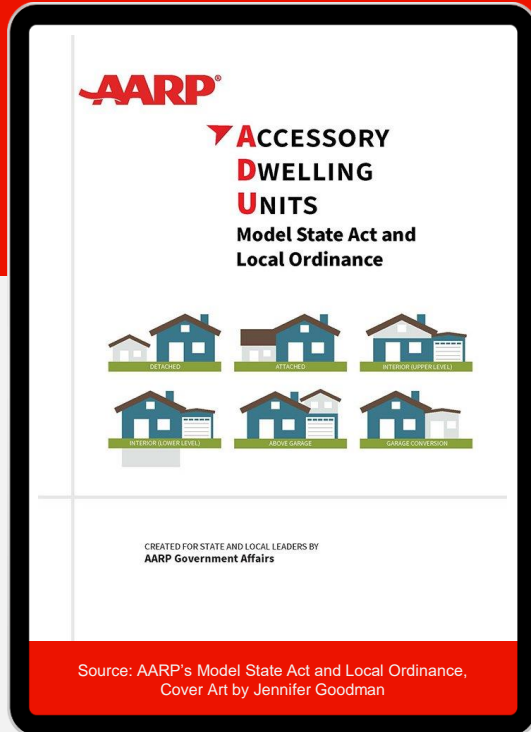
	State	Year(s)	By-Right Permitting Required?	Ban on Owner Occupancy Requirements?	Limits on Parking Requirements?
	Hawaii	1981/2024*****	No	No	No
	California*	2016	Yes	Yes	Yes
	Washington*	2019	Yes	Yes	Yes
	Oregon	2023	Yes	Yes	Yes
	Utah	2017	Yes	Yes	Yes
	Montana	2021	No	No	No
	Vermont*	2023	Yes	Yes	Yes
	New Hampshire	2020	Yes	No	No
	Connecticut	2016	No	No	No
	Maine	2021	Mixed**	No	Yes
	Rhode Island	2022	No	No	No
	Colorado	2022/2024	Yes***	Partial***	Yes
	Arizona	2024	Yes	Partial****	Yes
	Massachusetts	2024	Yes	No	No
	Massachusetts	2024	Yes	Yes	Yes*****

Source: Learning from State Efforts to Encourage Accessory Dwelling Units, Thursday, November 9, 2023 | Ellie Sheild, David Luberoff, Joint Center for Housing Studies, Harvard University, available at <https://www.ichs.harvard.edu/blog/learning-state-efforts-encourage-accessory-dwelling-units>

ADU Legislative Landscape [Local]



AARP's ADU Publications



Visit:

<https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>

to learn more.

Middle Housing?



A group of different housing types that:



Have **multiple** housing units



Are more similar in scale to **single-detached homes** than to apartment buildings



COTTAGE



SIDE-BY-SIDE DUPLEX



STACKED DUPLEX



STACKED TRIPLEX



TOWNHOUSE



FOURPLEX

Why Does AARP Support Middle Housing?



Helps **meet housing needs** of growing communities and provides **diverse** housing options such as smaller homes, multigenerational homes



Allows for **lower-cost housing** options, **expands homeownership** opportunities in **high-opportunity neighborhoods** (schools, parks, jobs)



Promotes **smart land use and sustainability** by supporting infill and compact development, often in walkable neighborhoods, closer to public transit



Preserves neighborhoods and blends well in neighborhoods with single-detached homes

Middle Housing Legislative Landscape (Statewide)

Oregon

HB 2001



(2019)

- Population based implementation
- There were concerns about local control even within this context
- The requirements for smaller cities and small jurisdictions simplified or exempted.
- More technical assistance provided by state to local jurisdictions
- Provided a timeline for implementation

Nebraska

LB 866



(2020)

- It directed cities with populations greater than 20,000 to adopt an affordable housing action plan by a set deadline
- Non-compliance would mean that jurisdictions must allow middle housing in areas zoned for single-detached dwellings
- Got bipartisan support, with local opposition
- Discussion around workforce and economic development

California

SB 9 2001



(2019)

- Allows homeowners to create up to four homes on an existing parcel
- AARP was part of the negotiating process
- Part of the YIMBY coalition
- Prior to its passage, other bills offering incentives to expand middle housing achieved minimal results
- This was more prescriptive

Florida

SB 102



(2023)

- Preemptive legislation
- Waiver of local processes for multifamily projects if 10% of Units are affordable
- Administrative approval for all multifamily projects
- Tax exemptions for middle housing projects

Middle Housing Legislative Landscape (Statewide)

Washington

HB 1110



(2023)

- To allow a broader range of housing options, including duplexes, triplexes, quadplexes, townhouses, stacked flats, courtyard apartments, and cottage housing
- Took two years of negotiation and broader YIMBY coalition
- Streamlining design review processes
- Restrictions on the ability to require off-street parking
- Limits on development standards that may create barriers to middle housing

Vermont

SB 100



(2023)

- Requires 5 or more units per acre in areas served by water and sewer
- Reduces parking minimums to no more than 1 space per dwelling unit
- Allows duplexes everywhere single-family homes are allowed and multi-unit dwelling up to 4 units in areas served by sewer and water

Montana

SB 382



(2023)

- Requires local municipalities to quantify their housing needs and adopt at least 5 out of 13 zoning reforms (Section 19)
- Including allowing multi-family housing
- Multi-round negotiations
- Local government buy in

Arizona

HB 2721



(2024)

- Allows the construction of missing middle housing types within central city areas and large new developments
- Require municipalities with a population of 75,000 or more to allow townhomes, duplexes, triplexes or quadplexes in all single-family zoned areas within a mile of their central business districts

Maryland

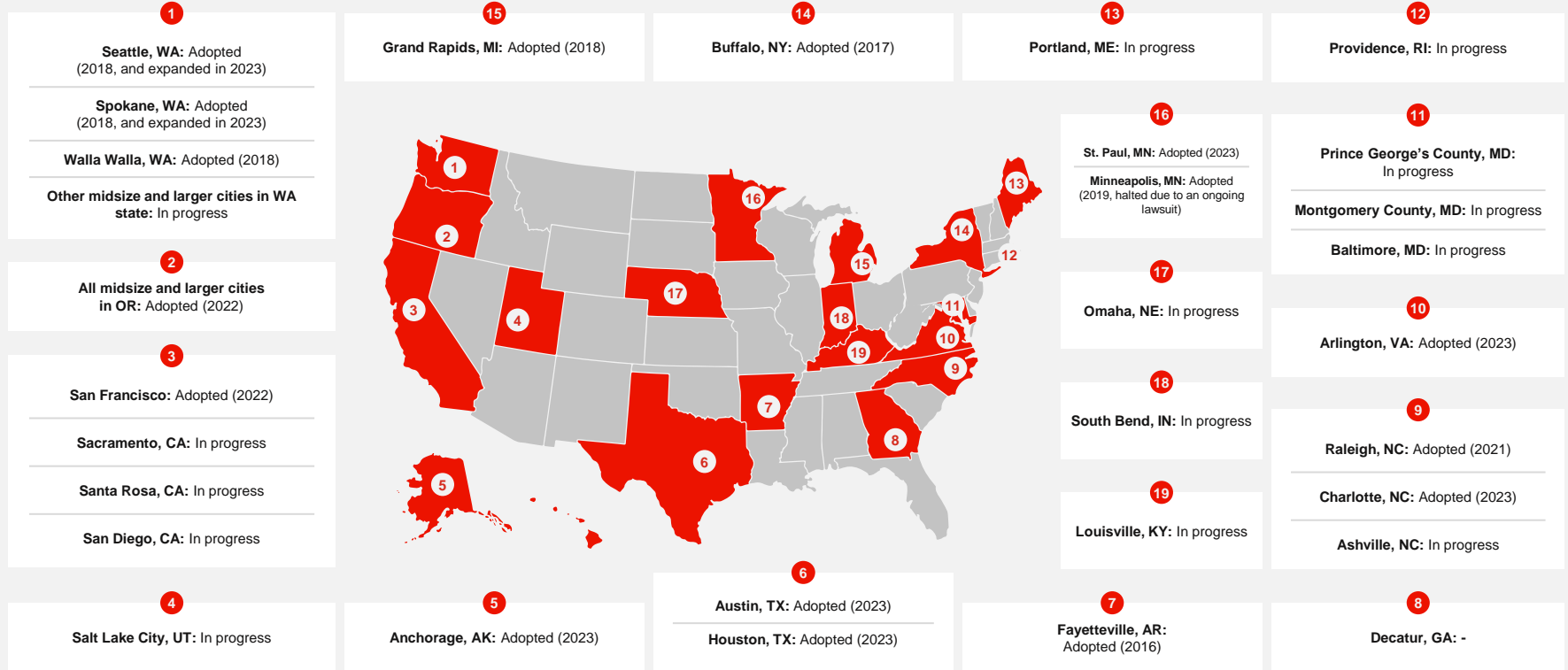
HB 538



(2024)

- Allows for middle housing, including duplexes, triplexes, quadplexes, cottage clusters, and townhouses
- Middle housing will be allowed in single family zoned

Middle Housing Legislative Landscape (Local)



Source: Expanding Middle Housing Options: A Guide to Local Middle Housing Regulations, AARP Livable Communities, April, 2024

AARP's Middle Housing Publications

AARP Discovering and Developing Missing Middle Housing



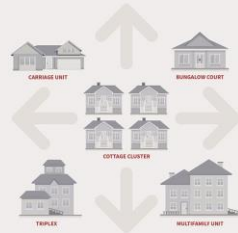
- What it is
- Where it went
- And why it's a needed housing option for people of all ages



Source: AARP's Middle Housing Publication, AARP Livable Communities



AARP Expanding Middle Housing Options A Guide to Local Middle Housing Regulations



CREATED FOR STATE AND LOCAL LEADERS BY
AARP GOVERNMENT AFFAIRS
and ECONORTHWEST

Source: AARP's Local Middle Housing Guide,
Cover Art by Jennifer Goodman

AARP Re-Legalizing Middle Housing A Model Act and Guide to Statewide Legislation



CREATED FOR STATE AND LOCAL LEADERS BY
AARP GOVERNMENT AFFAIRS
and ECONORTHWEST

Source: AARP's State Middle Housing Model Act
and Guide, Cover Art by Jennifer Goodman



Visit:

<https://www.aarp.org/livable-communities/>

to learn more.

What is Transit Oriented Development (TOD)?



Transit-oriented development is a development practice that includes a mixture of housing, office, retail and/or other commercial development and amenities integrated into a walkable neighborhood located within a half-mile of quality public transportation.



TOD development attracts people and adds vibrancy and connectivity to the broader networks of communities.



TOD has been shown to provide a wide range of benefits to residents, local economies, and local and state authorities, such as municipal governments or transit agencies.

How TOD Benefits and Supports Equitable Communities?



Increased transit ridership and revenue for transit systems and agencies

01



Reduces car-dependency – leading to less traffic, fewer vehicle emissions, and pedestrian and cyclist accidents

02



Increased density and reduced sprawl – supporting multimodal transit options, walkability, increased foot traffic for local businesses, and reduced household costs

03



Leverages public and private infrastructure, often leading to increased property values and increased tax revenue

04



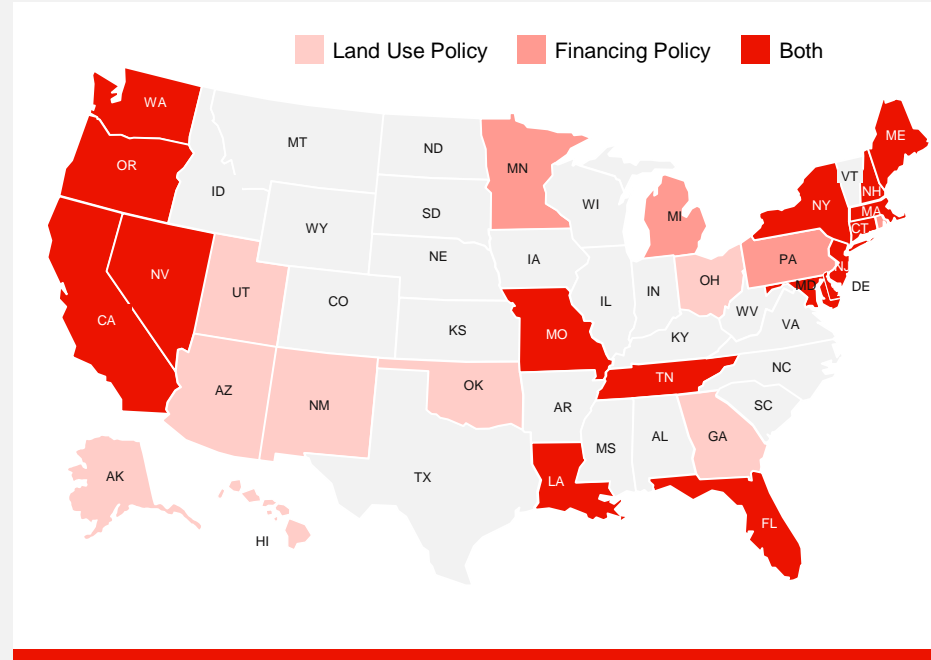
Increase land efficiency, leading to increased housing supply

05

Relevant Enacted TOD Legislation/ Relevant TOD-Related Action

AK	Spenard Corridor Plan
AZ	Valley Metro Transit
CA	SB961
CA	AB2923
CA	AB512
CA	SB125
CA	AB894
CA	AB1287/SB-713
CA	AB1764/SB-341
CA	SB423
CO	HB1009
CO	HB1304 (2022)
CO	HB1304 (2024)
CO	HB1313
CT	HB7229
CT	HB7138
CT	HB7424
CT	HB7361
CT	SB998
CT	HB5390
DE	HB18
DC	Comprehensive Plan
FL	SB102
FL	State Statutes
	Atlanta Regional Commission's
GA	Metropolitan Atlanta Rapid Transit Authority (MARTA)
	Hawaii Interagency Council for Transit-
HI	Oriented Development & Hawaii's Environmental Advisory Council

LA	In State Law as Eligible Enterprise Zone
ME	Portland Area Comprehensive Transit System
MD	HB12
MD	HB538
MA	Chapter 40A
MA	H4138
MI	HB5074
MN	Transportation Finance & Policy Bill
MN	Livable Communities Act from MN Metropolitan Council
MO	Metro of St. Louis
NV	SB247
NV	AB213
NH	Southern New Hampshire Planning Commission's TOD Plan
NJ	Transit Villages
NJ	New Jersey Transit TOD Policy
NM	Albuquerque Rapid Transit (ART) System
NY	Smart Growth Public Infrastructure Policy Act
NY	Complete Streets Act
OH	Cuyahoga County Planning Commission Research & Model Zoning Codes
OK	Oklahoma BRT System
OR	Vertical Housing Development Zone Program
OR	Oregon Metro TOD Program
PA	Act 151: Transit Revitalization Investment District Act Amendments
RI	TOD Pilot Program
TN	Multimodal Access Grant
UT	HB462
UT	SB208
VT	Community Partnership for Neighborhood Development Program
VA	TOD in Comprehensive Plans
WA	HB1080
WA	HB1110



What is Universal Design in Housing?



Universal design is a design technique which creates public and private spaces for equal access by individuals of all ages and abilities.



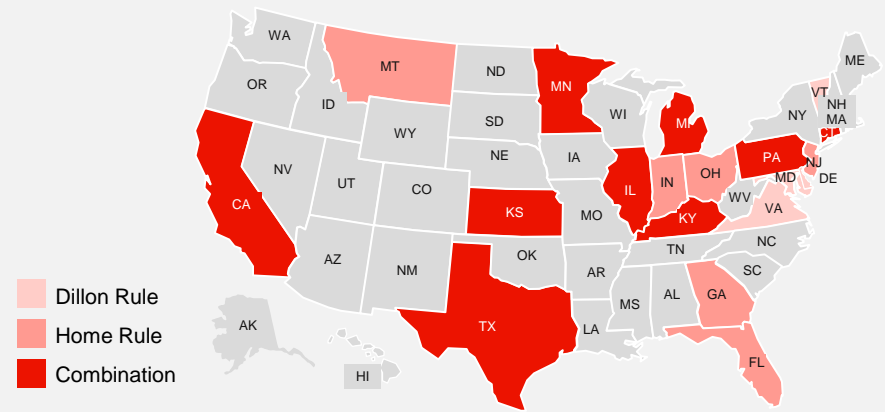
Such features can be incorporated into private homes and residential facilities to facilitate aging in place and those with disabilities and mobility issues.



AARP is currently working on a model universal design ordinance.

Universal Design in Housing- Statewide Legislative Landscape

State	Mandatory or Voluntary	Dillon/Home Rule	Application	Incentive
CA	Voluntary	Dillon-Home Rule Combination	Apply to all housing	Incentive/grant policy-making authorization to localities
CT	Voluntary	Dillon-Home Rule Combination	Apply to all housing	Incentive/grant policy-making authorization to localities
FL	Mandatory	Home Rule	Require visitability features and some UD features in all	
GA	Combination [mandatory for single-family homes built through government funds]	Dillon-Home Rule Combination	Apply only to affordable housing	Incentive/grant policy-making authorization to localities
IL	Voluntary	Dillon-Home Rule Combination	Apply only to affordable housing	Incentive/grant policy-making authorization to localities
IN	Voluntary	Home Rule	Covers all single-family homes, duplexes and townhomes	
KS	Mandatory	Dillon-Home Rule Combination	Apply only to affordable housing	
KY	Mandatory	Dillon-Home Rule Combination	Apply only to affordable housing	
MD	Mandatory	Dillon Rule	Apply to all housing with 11+ units.	
MI	Mandatory	Dillon-Home Rule Combination	Apply only to affordable housing	
MN	Mandatory	Dillon-Home Rule Combination	Apply only to affordable housing	
MT	Mandatory	Home Rule	Require visitability features and some UD features in all	Montana has the most comprehensive policy, with multiple levels of design requirements (accessibility, adaptability, visitability and livability) that are detailed in the state's 2025 Qualified Allocation Plan (QAP)
NJ	Mandatory	Home Rule	Apply only to affordable housing	



State	Mandatory or Voluntary	Dillon /Home Rule	Application	Incentive
OH	Mandatory	Home Rule	Require visitability features and some UD features in all	Ohio has defined 23 mandatory design requirements in its QAP as well.
OR	Mandatory	Home Rule	Apply only to affordable housing	
PA	Voluntary	Dillon-Home Rule Combination	Apply to all housing	Incentive/grant policy-making authorization to localities
RI	Mandatory	Home Rule	Apply only to affordable housing	
TX	Mandatory	Dillon-Home Rule Combination	Apply only to affordable housing	
USVI	Mandatory	Dillon Rule	Apply to all housing	offers a tax credit of 20% of real property value for 10 years if they build the standard set of Visitability features into their homes (new and remodeled).
VA	Mandatory	Dillon Rule	Apply to all housing	offers homeowners tax credits up to \$6,500 for including basic visitability and/or accessibility features in new or remodeled homes
VT	Mandatory	Dillon Rule	Mandates visitability features in all homes (except owner-built homes).	

Other Zoning Initiatives

Tiny Homes:

A tiny home is a small house or mobile home that is usually less than 500 square feet, excluding lofts. Tiny homes are designed to be space efficient and ergonomic. They can be built on a permanent foundation or a mobile platform. States like **Montana** recently passed a Tiny House Legislation. **Maryland** does not have a statewide tiny house legislation. Vermont and **Massachusetts** have strong Tiny Homes legislation in the north-east. **Texas and Pennsylvania**, while it does not have statewide legislation, has strong local rules on the issue.



For more visit:

<https://www.tinysociety.co/articles/tiny-house-laws-united-states/>



Manufactured Housing:

- Manufactured housing, also known as a mobile home, is a single-family home built in a factory and transported to a property.
- Southern states have strong pipeline for the production of manufactured housing.
- From 2021 to 2023, the average sales price of single-family homes increased by approximately 11%, rising from \$383,000 to \$427,000.
- While the average sales price of manufactured homes increased by 14% over the same period, (\$108,000 in 2021 to \$124,000 in 2023), they are still significantly less expensive than site-built homes.
- There continues to be a greater concentration of manufactured housing in rural areas, representing now 15 percent of occupied housing in rural and small-town communities as opposed to 13 percent in 2021.

Funding Affordable Housing



Big push for funding affordable housing by states



Picture Source: <https://www.shutterstock.com/image-photo/saving-money-home-loan-mortgage-property-1318396043>

- ✓ **Arizona** - Funding for new affordable housing and homeless Response, more funding for Housing Trust Fund
- ✓ **Delaware** – Provided funding for workforce housing program and home modification
- ✓ **Iowa** - Creating Workforce Housing Tax Credit programs
- ✓ **Maryland** - Providing incentives to multi-family housing projects
- ✓ **New York** - Tax incentive for affordable housing developments
- ✓ **Pennsylvania** – Funding for home repairs
- ✓ **Hawaii** - Issuing bonds to raise money for housing, allocating money for strategic housing initiative, amending state LIHTC priority program.
- ✓ **Massachusetts** - \$5 billion housing bond bill supporting various housing programs, including providing funding for ADUs, supportive housing, inclusionary zoning programs, an first time home buyers program
- ✓ **New Jersey** - A4 Bill providing incentives to housing programs, including, ADUs, TODs, and mixed-income housing
- ✓ **Alabama** - Created a workforce housing tax credit program

Real Estate Fraud and Elder Financial Exploitation (EFE) Prevention

Visit:

<https://www.alta.org/advocacy/federal-advocacy/elder-real-estate-fraud>

to download the document.



NCLC NATIONAL ASSOCIATION OF REALTORS ALTA AARP

Elder Real Estate Fraud and Financial Exploitation Prevention

Background

Elder Real Estate Fraud and Financial Exploitation refers to a broad range of actions including, but not limited to:

- Forging a signature on legal or financial documents
- Coercing or unduly influencing the signing of a legal or financial document
- Non-disclosure of critical information
- Defrauding older adults out of money or property
- Inappropriate utilization of authority under a Power of Attorney (POA)

Criminals targeting older adults for these crimes can include family members, trusted friends or advisors, unscrupulous professionals, or complete strangers.

Statistics show the amount and impact of elder fraud and financial exploitation:



It is also important to note that existing statistics are undercounted because fraud victims often do not report the crime to authorities.

Therefore, it is critical that policymakers and the private sector put in place measures to combat fraud and financial exploitation targeting older adults.

¹ https://www.consumer.ftc.gov/articles/2023/01/elder-fraud-losses-2022
² https://www.fbi.gov/press-releases/2023/02/01/real-estate-scams-2022
³ https://www.fbi.gov/press-releases/2023/02/01/real-estate-scams-2022

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Legislative Initiatives

These are examples of legislative initiatives that can help states combat and limit the prevalence of Elder Real Estate Fraud and Financial Exploitation:

- Enacting Uniform Service Agreements: Prohibiting unfair and deceptive long-term residential real estate agreements that purport to create liens, run with the land, and result in financial loss.¹
- Enacting and enforcing the Uniform Law Commission's Uniform Transfer of Attorney Act (UTATA), which provides protections to guard against financial exploitation by those acting in official representative capacity.²
- Enacting the Uniform Law Commission's Uniform Real Property Transfer on Death Act (URPTDA), which provides for easier and less costly transfer of property to heirs.³
- Combating deed theft through consumer and practitioner education, expanded use of multi-factor authentication and free property record monitoring services.
- Requiring wholesaler licensing to track securitization of contractual agreements. Wholesalers target people experiencing financial hardship, using high pressure tactics to persuade them to sign agreements to sell their homes, often resulting in a loss of equity and transfer of generational wealth.⁴

Expanded Enforcement

States and the Federal government could also support data gathering and enforcement of laws designed to protect older adults by allocating resources and promoting initiatives through:

- Offices of state attorneys general and district attorneys.
- State and local Adult Protective Services (APS).
- Federal, state, and local law enforcement.
- Consumer Financial Protection Bureau (CFPB).

Education and Outreach

Consumers, practitioners, advocates, law enforcement and other interested parties can access these resources for professional continuing education and public awareness:

- AARP BankSafe Initiative**, which helps the financial industry better meet consumer financial needs and safeguard their assets.
 - AARP Fraud Watch Network™**, which equips consumers with up-to-date insights, alerts, and fraud prevention resources to help spot and avoid scams.
 - AARP's The Perfect Scam Podcast**, an award-winning podcast that explores real scams from the viewpoints of victims and law enforcement.
 - ALTA Homeclosing101**, which provides consumers with information about buying and selling property.
 - NAR Fraud, Negligence, and Liability**, which provides resources on avoiding real estate related fraud scams.
 - NACCA Scamline 24/7**, which provides precise, practical advice from the nation's consumer law experts on how to deal with existing and emerging millions of Americans.
- ¹ https://www.uniformlaws.com/uniforms/uniform-transfer-of-attorney-act-uta.aspx
² https://www.uniformlaws.com/uniforms/uniform-transfer-of-attorney-act-uta.aspx
³ https://www.uniformlaws.com/uniforms/uniform-transfer-of-attorney-act-uta.aspx
⁴ https://www.aarp.org/real-estate/2023/02/01/real-estate-scams-2022
⁵ https://www.aarp.org/real-estate/2023/02/01/real-estate-scams-2022
⁶ https://www.aarp.org/real-estate/2023/02/01/real-estate-scams-2022
⁷ https://www.aarp.org/real-estate/2023/02/01/real-estate-scams-2022

Unfair Service Agreement



There is a concerted effort to preserve housing equity and prevent EFE

Unfair Service Agreement:

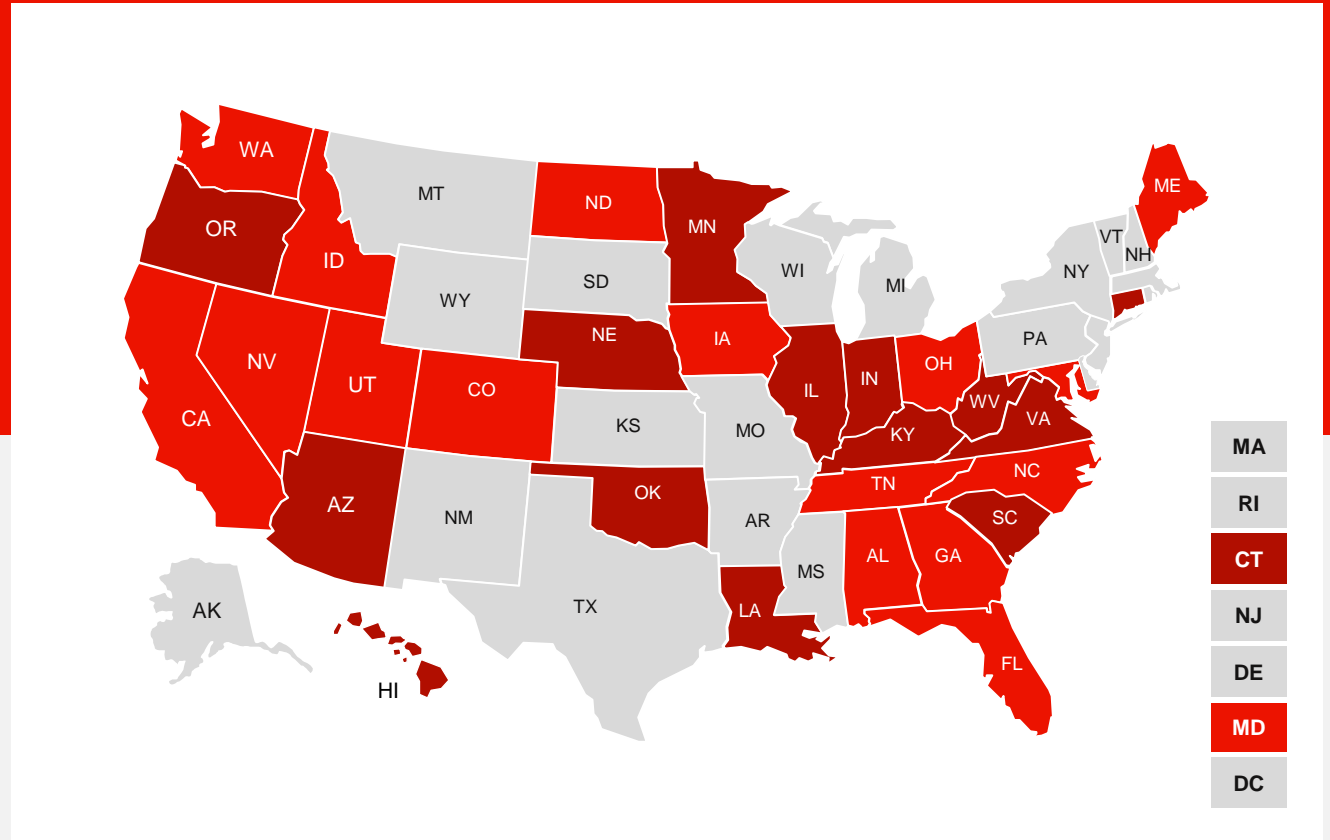


- Unfair and deceptive act of signing a 40-year exclusive real estate listing agreement
- Runs with the land and creates liens
- Upon homeowners pay up to 6% of the property price
- AARP and American Land Title Association developed a model bill to prohibit the practice
- 30 States (including MD) have passed a bill to prohibit Unfair Service Agreement based on the Model Bill

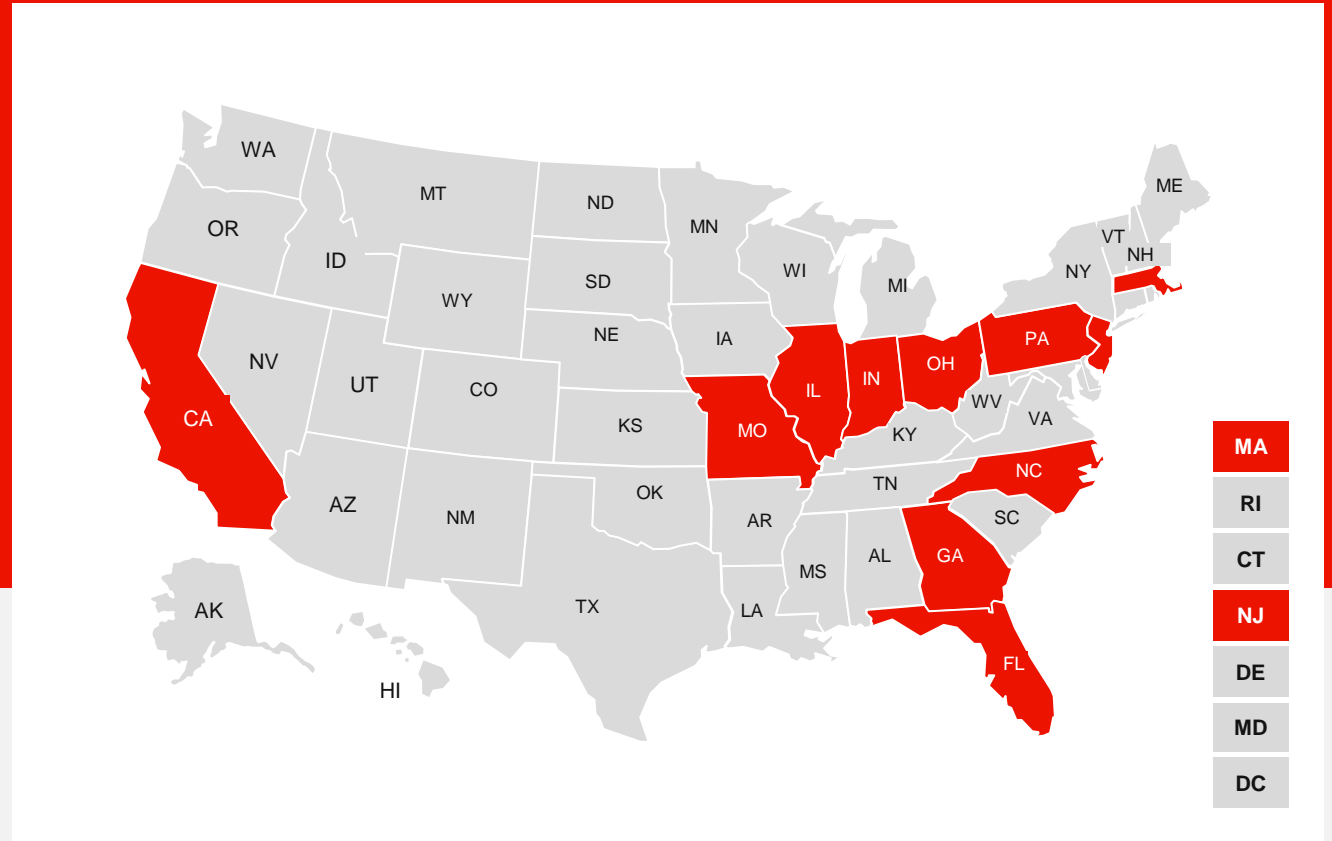
Legislative Action: Unfair Service Agreement

● **2023**
16 Bills Passed

● **2024**
14 Bills Passed



State Attorneys General Action: Unfair Service Agreement





Thank you!

AARP Livable Communities | [AARP.org/Livable](https://www.aarp.org/Livable)

