

2024 -- H 7891

LC003532

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY  
JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO PROPERTY -- RENT CONTROL IN THE CITY OF PROVIDENCE

Introduced By: Representative Enrique George Sanchez

Date Introduced: March 04, 2024

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Findings and purpose.

2 The general assembly finds and declares that a serious state of emergency exists in the City  
3 of Providence ("the city") with respect to housing, whereby there is an inadequate supply of low  
4 cost rental housing; that, further action to protect residents from exorbitant rent increases and  
5 evictions is necessary to address serious threats to the public health, safety and general welfare,  
6 including housing insecurity, rent burden, homelessness, and displacement, and further finds that a  
7 rent control ordinance will address the most egregious rent increases.

8 SECTION 2. Title 34 of the General Laws entitled "PROPERTY" is hereby amended by  
9 adding thereto the following chapter:

10 CHAPTER 18.3

11 RENT CONTROL IN THE CITY OF PROVIDENCE

12 **34-18.3-1. Power for local rent control.**

13 (a) The city of Providence may, by ordinance, establish regulations to control the rent in  
14 multi-family housing by taking into account, among other things: a city rental registry, clean hands  
15 eviction, clear avenues to report a landlord, allowing tenants to place rent into escrow for  
16 longstanding violations, public nuisance charges for outstanding violations, no building permits for  
17 outstanding violations, relocation assistance paid by landlord, good landlord incentive programs,  
18 minor child tenancies, student/non student tenancies, vacancy control, tenant petition or a landlord-  
19 tenant complaint.

1           **(b) The city of Providence may provide for reasonable exemptions from such rent control**  
2 **ordinances. This section shall not apply to the following types of residential properties or residential**  
3 **circumstances:**

4           **(1) Properties with six (6) or fewer dwelling units in which one of the dwelling units is the**  
5 **owner's principal residence.**

6           **(2) Units in hotels, motels, or other facilities occupied by transient guests.**

7           **(3) Housing accommodations in a nonprofit hospital, religious facility, extended care**  
8 **facility, or licensed residential care facility for the elderly.**

9           **(4) Dormitories owned and operated by an institution of higher education.**

10           **(5) Dwelling units in which the tenant shares bathroom or kitchen facilities with the owner**  
11 **who maintains their principal residence at the residential real property.**

12           **(6) Dwelling units for which the permanent certificate of occupancy is less than fifteen (15)**  
13 **years old and were created as a result of:**

14           **(i) Ground up new construction;**

15           **(ii) A physical addition to an existing residential building; or**

16           **(iii) Conversion from another use to residential.**

17           **(7) Dwelling units where the tenant pays a set percentage of their income to rent, either**  
18 **because they hold a voucher, the unit is public housing, the unit has a project-based voucher, or**  
19 **where applicable federal or state law or administrative regulations specifically exempt them from**  
20 **rent control regulations.**

21           **(c) The city, on an annual basis, may set an annual maximum percentage rent increase for**  
22 **rental units covered by this section, based on the rent affordability index. For purposes of this**  
23 **section "rent affordability index" means a price index for housing rental markets, based on a clear**  
24 **and concise indicator of rental affordability relative to household incomes.**

25           **(d) For rental dwelling units covered by this section, an owner shall not, over the course of**  
26 **any twelve (12) month period, increase the gross rental rate for more than the percentage allowed**  
27 **in subsection (b) of this section, times the lowest gross rental rate charged for that tenant at any**  
28 **time during the twelve (12) months prior to the effective date of the increase.**

29           **(e) For a new tenancy in which no tenant from the prior tenancy remains in lawful**  
30 **possession of the dwelling unit, the owner may establish the initial rental rate not subject to this**  
31 **section. This section is only applicable to subsequent increases after that initial rental rate has been**  
32 **established.**

33           **(f) The city may provide for fair return standards for the regulation of rent, which may**  
34 **include, but are not limited to, changes to permissible rental rates based upon certain maintenance**

1 and capital costs and rapid increases in property taxes.

2 (g) The city may set tenant notification and rental registration requirements as necessary to  
3 effectuate this section.

4 (h) The city may establish or designate an administrator or board to promulgate regulations  
5 pursuant to this section and govern local rent control.

6 **34-18.3-2. Just cause eviction protection.**

7 The provisions of this section shall be applicable to all housing accommodations in the city  
8 of Providence; provided however, that the city may provide for exemptions from the provisions of  
9 this section and any such exemption shall be included in an ordinance adopted by the city. The city  
10 may, by ordinance, provide that an owner shall not recover possession of a leased unit within a  
11 residential dwelling unit unless the housing court finds that:

12 (1) The tenant has failed to pay the rent to which the owner is entitled;

13 (2) The tenant has violated an obligation or covenant of the tenant's tenancy not  
14 inconsistent with chapter 18 of title 34, or this section, or the rules and regulations issued pursuant  
15 thereto, other than the obligation to surrender possession upon proper notice; and the tenant has  
16 failed to cure such violation after having received written notice thereof from the owner;

17 (3) The tenant is committing or permitting to exist a nuisance in or is causing substantial  
18 damage to the leased unit, or is creating a substantial interference with the comfort, safety or  
19 enjoyment of the owner or other occupants of the same or any adjacent accommodations;

20 (4) The tenant has used or permitted a leased unit to be used for any illegal purposes;

21 (5) The tenant, who had a written lease agreement which terminated or is a tenant at will,  
22 has refused, after written request or demand by the owner, to execute a written extension or renewal  
23 thereof or lease for a further term of like duration, at a rental rate that does not exceed the percentage  
24 set by the city of Providence, in accordance with this chapter and the ordinance enacted as a result  
25 of this chapter;

26 (6) The tenant has refused the owner reasonable access to the unit for the purpose of making  
27 necessary repairs or improvements required by the laws of the state or the city of Providence, or  
28 for the purpose of inspection as permitted or required by such tenant's lease agreement or by law,  
29 or for the purpose of showing the leased unit to any prospective purchaser or mortgagee;

30 (7) The person holding at the end of a lease term is a subtenant not approved by the owner;

31 (8) The owner seeks in good faith to recover possession of a leased unit for the owner's  
32 personal use and occupancy or for the use and occupancy by the owner's spouse, children,  
33 grandchildren, great-grandchildren, parents, grandparents, brother, sister, father-in-law, mother-in-  
34 law, son-in-law, or daughter-in-law, and has provided the tenant with notice and a relocation

1 payment as established by the city by ordinance; or

2 (9) The owner seeks to recover possession for any other just cause; provided that, the  
3 owner's purpose is not in conflict with the provisions and purposes of chapter 18 of title 34 or this  
4 section.

5 **34-18.3-3. Condominium and cooperative conversions.**

6 The city of Providence may, by ordinance, regulate the conversion of residential dwellings  
7 to condominiums or cooperatives. Such ordinance may include tenant notification requirements,  
8 relocation plans, tenant relocation payments, permits, permit fees, and exemptions. Notification  
9 requirements and relocation payments may vary based on income, age, and disability.

10 **34-18.3-4. Demolitions and substantial renovations.**

11 The city of Providence may, by ordinance, create requirements for tenant notification  
12 requirements, relocation plans, and tenant relocation payments where an owner is seeking to  
13 demolish or substantially renovate a property that requires a tenant to move. Notification  
14 requirements and relocation payments may vary based on income, age, and disability.

15 **34-18.3-5. Severability.**

16 The determination or declaration that any provision of this chapter is beyond the authority  
17 of the general assembly or is preempted by law, rule or regulation shall not affect the validity or  
18 enforceability of any other provisions.

19 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO PROPERTY -- RENT CONTROL IN THE CITY OF PROVIDENCE

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1           This act would authorize the city of Providence to adopt rent control ordinances subject to  
2 certain exemptions.

3           This act would take effect upon passage.

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