

Affordable Housing Preservation in Rockville, Maryland



City of
Rockville
Get Into It

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Final Capstone Project

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Executive Summary

This report looks into the state of housing preservation in Rockville, Maryland as well as the surrounding Montgomery County. This includes interviews with stakeholders as well as data collection on properties in the city and their need for preservation. The most relevant findings include preservation strengths in the county, such as government support, nonprofit network, and resource capacity. Preservation weaknesses are also highlighted, such as resources specifically for preservation, high costs associated with a high-income Montgomery County, and lack of adequate data collection. The final recommendations build upon these, with varying degrees of feasibility. These three recommendations include more robust housing data collection by the city government, advocacy for more funding for rehabilitation, and the creation of a network of stakeholders committed to preservation of affordable housing.

Background/Relevant Language

The language around affordable housing preservation is complex and overlapping, with different meanings for similar or sometimes identical words or phrases. The list below outlines the topics discussed in this report and the context in which they are discussed.

Affordable Housing

This refers to any housing that is affordable to low-income individuals and families. Often, this includes rents that are up to 110% of Area Median Income (AMI), but most often includes rents up to 80% of AMI.

Preservation

Housing preservation has many meanings: affordable preservation, rehabilitation, or historic preservation. This report discusses preservation in terms of *affordable* preservation. This means ensuring the continued affordability of a rental unit, either through a government subsidy or rental covenant that restricts the rents to affordable. It is important to note that affordable

preservation includes rehabilitation in most cases. So, while these two overlap, the overall goal of this report is to look into affordable preservation needs, which may include rehabilitation, but does not have to.

Rehabilitation

Rehabilitation (rehab) refers to any improvements to an existing building, either interior or exterior, that mitigate or alleviate any deterioration due to age of building. This is often discussed in comparison to New Construction of a new building, because rehab is another way of ensuring future units, because they otherwise would have been lost due to building deterioration.

New Construction

New Construction refers to the development of a new building, either on an empty plot or after the destruction of a previous building.

Subsidized/unsubsidized Affordable Housing (NOAH)

Subsidized affordable housing is discussed as rental housing that is restricted as affordable because of a government subsidy or rental covenant. These buildings are required to charge affordable rents in exchange for capital infusion for the development of the building. Unsubsidized affordable housing, often called Naturally Occurring Affordable Housing (NOAH) is rental housing that charges affordable rents as a market price, without a need for a government subsidy or restriction. These are often homes in need of rehabilitation, or are in lower-resourced areas, which results in lower market rents.

Inclusionary Zoning

Inclusionary zoning is a policy that incentivizes or requires a certain amount of affordable units when a multifamily building is being constructed. This often involves a ‘set-aside’ requirement for how many units in the new building must be affordable, and sometimes includes

a bonus that allows more density in the building than previously allowed. This allows the property owner to have more cash flow to support the affordable units. The relevant inclusionary zoning law discussed in this paper is Montgomery County's Moderately Priced Dwelling Unit Program (MPDU).

Upzoning

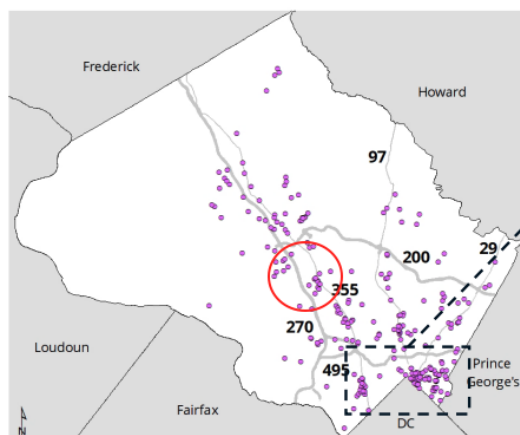
Upzoning refers to increasing density in residential areas to allow for more units on one plot of land. For example, single family zoning only allows one unit (a house) on a plot of land, while multifamily zoning allows multiple and can range from two units to hundreds.

Scoping the Problem - Rockville Case Study

Rockville is a suburb of Washington, D.C., and part of Montgomery County, Maryland. While this area is historically one that has supported affordable housing, it is not immune to the housing crisis, especially with respect to preservation. Preservation of affordable housing refers to ensuring the extended affordability of naturally occurring or subsidized affordable housing. Many owners of subsidized affordable housing decide to opt-out of continued affordability after rental covenant expiration, with one study attributing this to for-profit ownership, increasing property values, and expiring affordability restrictions (Reina & Begley, 2014). This literature review aims to analyze the current literature on best practices for housing preservation and their generalizability to Rockville. The structure will first include a case study of Rockville—and specifically Montgomery County—and its current state of affordable housing and preservation. This will be followed by the literature on best practices around the country. Best practices will be broken into two categories: overall best practices from around the US, and 'closest' practices, meaning best practices in similar, nearby areas to Rockville to increase generalizability.

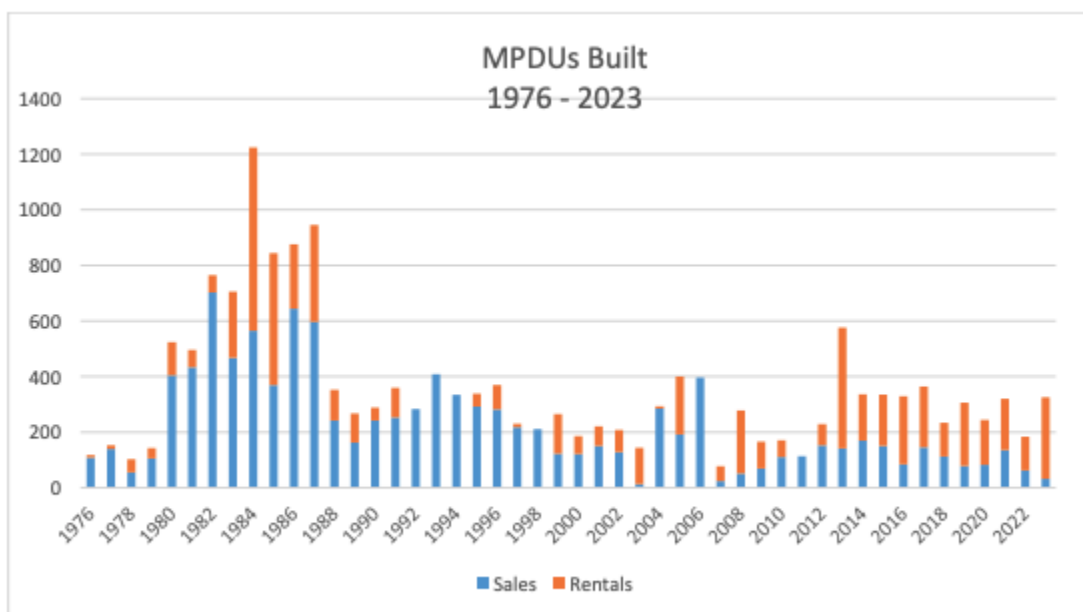
Similarities and common practices among these case studies will provide insight into the most effective strategies that Rockville can employ to foster further preservation of affordable housing.

Housing policy, data, and assessments surrounding Rockville's market are fairly difficult to find, as much of the available data is county-wide, despite Rockville having their own housing authority and trust fund. For this reason, the case study of Rockville's housing stock and preservation needs will largely focus on Montgomery County as a whole. However, it is important to note that Montgomery County includes 3 cities—one of which is Rockville—12 towns, 4 villages, and 33 census-designated places, and 5 unincorporated communities (*County Information*, n.d.). With this, it is also important to note that much of the subsidized, or deed-restricted, affordable housing is more concentrated closer to Washington, D.C. (*Montgomery County Preservation Study*, 2020). Shown below is a map of subsidized housing in Montgomery County, with a red circle indicating a rough estimate of Rockville's location. This indicates the large concentration of units near Washington, D.C., which needs to be taken into account when considering Montgomery County's housing numbers in relation to Rockville:



(*Montgomery County Preservation Study*, 2020)

With that being said, Montgomery County has been incredibly successful in building new affordable housing units when compared to similar counterparts. This is due to a number of factors, including political will, increased investment, and a high median income (*Montgomery County, Maryland - Census Bureau Profile*, n.d.). While these factors have equipped the county with more resources to build affordable housing, one of the main reasons for Montgomery County's success is the result of the Moderately Priced Dwelling Units (MPDU) program. The MPDU program was created in 1974, and is an inclusionary zoning ordinance that requires developers building over 20 units to reserve a portion of their development as affordable. In turn, the county awards the developer a density bonus, which allows them to build more units on site than previously zoned for (Lerman, 2006). Below is a graph outlining the amount of for sale and rental units created as a result of the MPDU program:



(Department of Housing and Community Affairs, 2024)

The MPDU program has seen significant housing production since its creation, and has produced mostly rental units in recent years. Despite the MPDU program's success in new

construction, Brian Lerman points out its drawbacks, explaining that the program's relatively short affordability period of 10 to 20 years "creates a constant need for new affordable units (Lerman, 2006). This was recently changed to a 99 year affordability period, but many other affordable units, both MPDUs and otherwise, still require rehabilitation and preservation in order to maintain affordability. This important point emphasizes the need for preservation to ensure long-term affordability of subsidized units.

Luckily, Montgomery County has also recognized the importance of preservation, and as a result, released their *Montgomery County Preservation Study* in July of 2020, which analyzes the housing inventory, policy needs, and a preservation framework for the county. To start, the study developed risk criteria to identify high-risk subsidized housing. This risk criteria included age, ownership, subsidy expiration, market trends, and other factors. According to this criteria, the study found 1,400 properties at risk of losing affordability in the next 20 years, many of which are affordable to extremely low income families at 30% of area median income (AMI) or below (*Montgomery County Preservation Study*, 2020). The study also used slightly different criteria to forecast a loss of naturally occurring affordable housing (NOAH) units, which are units that are affordable to low or moderate incomes without a government subsidy or restriction. This loss is much more stark, with a forecast of a loss of 7,000 to 11,000 NOAH units by 2030 (*Montgomery County Preservation Study*, 2020). This large loss of NOAH units is a massive preservation challenge for the county, and could potentially worsen in the coming years.

While Montgomery County has seen success in constructing and preserving affordable housing, like much of the nation, they still face shortfalls. The adoption of new policies like the amendment to the county's Right of First Refusal (ROFR) law indicate the county's commitment to continued preservation efforts, which prove positive for the future of affordable housing in

Montgomery County. However, it is important to reiterate that this case study and information comes from county-wide data, and is not specific to Rockville. The lack of literature around Rockville preservation specifically emphasizes the importance of a housing needs assessment for the city. Despite this, the preservation-friendly policies and outcomes from Montgomery County indicate Rockville's favorable position in a county that supports housing needs, which is vital in continued preservation efforts.

Research Question

The research question for this paper is structured as a general, overarching question followed by deeper, specific sub-questions. The sub-questions aim to get at the main idea provided by the main question. They are as follows:

What is the current state of subsidized and naturally occurring affordable housing preservation in Rockville, Maryland?

Sub Questions

- *What are the biggest policies that are supporting or impeding preservation and how?*
- *What data is available on subsidized and unsubsidized affordable housing stock in and around Rockville, and what does it tell us about the need for preservation?*
- *What are the best practices that are applicable to Rockville that support affordable housing preservation, according to stakeholders and experts in the field?*

Literature Review - Preservation Best Practices

One of the clearest recurring lessons from the literature on preservation is the importance of collaboration. This can refer to collaboration between developers and local governments, or collaboration between developers, housing policy advocates, tenants, and other stakeholders in the housing process. Howell and Wilson write about this in their qualitative case-study analysis of cities involved in ‘radical collaboration,’ which is when multiple stakeholders work together for a collective goal or purpose. In this case, this looks like housing advocates, developers, housing finance agencies, and other actors involved in the preservation process working towards successful housing preservation. This report outlines three case studies where radical collaboration has been successful in preserving affordable housing: Chicago, IL, Washington, D.C., and Denver, CO (Howell & Wilson, 2019). These three cases are examples of large cities that have created networks of support to further increase capacity, increase public resources, and further push preservation-friendly policy.

Chicago Preservation Compact

The Chicago Preservation Compact has existed since 2007, coordinated by the Community Investment Corporation (CIC), and is a common example of the success of housing collaboration. Funded by the MacArthur Foundation, the Preservation Compact engages in developer support, lending, and policy advocacy on the local, state, and federal level. This is done through some of the many stakeholders in the compact, including legal advocates, tenants advocates, and DePaul University, who collects relevant housing data on housing quality and at-risk properties (*About Us | The Preservation Compact*, 2020). This diverse network of support and resources has enabled the compact to identify and support buildings facing deterioration through green energy retrofits, subsidies from the city government, and financing to maintain

affordable buildings and prevent them from being sold or destroyed (Howell & Wilson, 2019). The network of support allows for more efficient identification of at-risk properties, and more successful preservation of those properties. The Preservation Compact identified landlords of smaller, multifamily buildings as some of the most at risk of losing their properties to deterioration or rising costs. This inevitably results in displacement of longtime residents, and loss of an affordable building in exchange for an often larger, higher-cost development. However, the compact's ability to engage stakeholders in every sector of the housing process creates a more streamlined approach to preservation.

A very important arm of the compact that was previously mentioned is DePaul University's data analysis contribution. DePaul University's Institute for Housing Studies (IHS), which conducts extensive research on the city's housing stock, market trends, and any preservation challenges (*Models for Affordable Housing Preservation* | HUD USER, n.d.). One impactful report that IHS conducted was a study of the increased loss of two to four unit buildings, putting "increasing pressure on the city's available affordable housing stock" (*IHS Technical Assistance*, 2021). Studies like this enable the Preservation Compact to more effectively target areas, building sizes, or building types that are most at risk of being lost. Extensive data collection and analysis is often a very important aspect of successful preservation cases, and Chicago is just one example of where this is successful.

Denver Mile High Connects Program

Denver's Mile High Connects (MHC) is a community-led collaborative of several nonprofit entities and foundations, similar to that of Chicago's Preservation Compact. However, Denver's program differs from Chicago's because it was created in response to the transit expansion in 2004, creating more buses and commuter rails, and with it, increased housing costs.

Denver's program similarly focuses on policy advocacy and developer capacity, but Denver's lack of legal and financial resources like Chicago's means that these efforts are operating in a completely different environment (Howell & Wilson, 2019). The MHC program successfully advocated for changes to better enable preservation, with the Denver City Council adopting their recommendations. Partnerships like these have resulted in more resources for the city's housing trust fund, as well as the creation of a preservation program manager position at the city government (Howell & Wilson, 2019). Denver's program's strength is its ability to serve as a bridge between private and public sector actors to better understand and adapt local policies to the city's needs.

Denver's MHC Program also goes beyond policy advocacy to ensure preservation of affordable housing, largely as a result of data collection and analysis. Similar to Chicago's partnership with DePaul University, Denver's program is partnered with the Urban Land Conservancy, who created an early warning system for housing preservation. This tool is essentially a database of housing developments with all of their relevant information such as age and financial situation, and identifies buildings at risk of being lost, enabling members of the MHC program to quickly respond to these cases and successfully preserve these buildings and their affordability. In addition to the collaboration involved in the program, Denver further emphasizes the importance of accurate and timely data analysis to successfully advance preservation.

Preservation Closest Practices

Purple Line Neighborhoods

In the Maryland suburbs of Washington, D.C., there is currently construction underway for the "Purple Line," a transit system that connects metro lines, and with it, many communities

and business districts. This large investment is supposed to open in 2026, and many housing advocates have been looking into its effect on neighboring communities, possibly displacing many residents. This is certainly relevant to Rockville, as the proposed line lies just under 10 miles away. For these reasons, the strategies currently being proposed and implemented to curb displacement and promote housing preservation are certainly a close practice, both in proximity and situation. The Purple Line Corridor Coalition (PLCC) released a report on “Equitable Transit Oriented Development Strategy” for potentially affected areas. This report mentions several strategies, including expanding local housing trust funds and prioritizing at-risk housing (Knaap et al., 2022). One of the report’s most relevant strategies involves increasing Montgomery County’s MPDU requirements in conjunction with ‘transit-driven market rent increases’ (Knaap et al., 2022). This would increase preservation alongside increasing rental costs from the Purple Line. While these strategies may be applicable to Rockville, they are still only proposals and have not been implemented. However, the Urban Institute released an evaluation of the Purple Line Collaborative’s use of a 3-Year grant in actively preserving communities along the Purple Line. This grant went to the preservation of affordable housing and small businesses in the area. The evaluation shared their ‘Lessons Learned’ from the 3 years. The most relevant lessons include the emphasis on collaboration, as we have seen several times in this literature review. They emphasize the importance of a formal convening of stakeholders to coordinate preservation efforts, similar to those seen in Chicago, Ohio, D.C., and other locations that best practices were drawn from. One new piece of information that the report provided is the importance of understanding that development projects take large amounts of time. While this may seem quite obvious, it also comes with the idea that long, time-consuming projects require strong connections with residents, community members, community organizations, and other local

stakeholders (Nunna et al., 2023). This is certainly a best practice that is relevant for not only Rockville, but for all jurisdictions. Housing is incredibly long-term, both in terms of construction and the life of a project, so engagement, communication, and understanding with local communities is not only beneficial but vital to implementing a successful housing strategy.

Conclusion

Housing advocates not only emphasize the importance of longtime residents' right to housing when a community is facing increased investment, but they also cite preservation as a sustainable, effective way to do so (Bratt et al., 2006). This point emphasizes the importance of this literature review and its findings' implications for Rockville. An analysis of Montgomery County showed that it has a history of supporting affordable housing, which has resulted in more affordable outcomes when compared to similar counties. Despite this, it still faces large preservation issues, which need to be addressed to combat further loss of that affordable housing. The literature on best practices around the US outlined the massive importance of collaboration among stakeholders in the public and private sectors, adequate government financing for preservation, and data analysis to target at-risk properties. From here, a look at the closest practices for preservation showed the success of Washington, D.C.'s TOPA law in preserving housing for decades. Additionally, the current Purple Line construction relatively close to Rockville has yielded significant literature on how to prevent housing displacement with this increased investment and inevitable increased housing costs in the area. While this is more preliminary, as the Purple Line is not finished yet, the literature emphasized the importance of prioritizing preservation, and also provided unique solutions to displacement, such as adjusting the MPDU program to require more affordable housing in areas where rents are increasing as a result of the construction. Overall, many strategies learned from these best practices were

repeated in several different settings, which can signify the effectiveness and generalizability for Rockville. Many lessons can be learned from those that are most effectively prioritizing preservation, and if they are used to inform Rockville's strategy, while adjusting for the area's unique economic and political situation, it has the potential to yield even further success in affordable housing production and preservation.

Methods

The methods for this analysis include stakeholder interviews as well as a housing market data analysis. The methods for each section are outlined below.

Stakeholder Interviews

10 stakeholder interviews were conducted to get first-hand expertise of the preservation barriers in Rockville and how to better support preservation. The three main groups of people that were interviewed were: local affordable housing developers, local city/county officials involved in housing production, and experts on housing data collection. Local affordable housing developers consisted of developers who have worked in Rockville and the surrounding Montgomery County area. Nonprofit developers were the only developers included because of time and capacity, and because of nonprofits' substantial expertise in affordable housing development. This allows for a first-hand account of challenges, funding sources used, and policy levers that nonprofit developers have worked with to preserve affordable housing. City and county officials were interviewed to provide the perspective of the public sector, and were asked for their opinion on their jurisdiction's support, or lack thereof, for affordable preservation, and any future legislation that they recommend to better encourage preservation. Lastly, housing

data experts were interviewed to give insight into the importance of data collection, their experience and challenges, and any advice or recommendations they have to work towards better housing data collection. These data experts include local officials involved in data collection as well as individuals from outside organizations that are considered ‘best practices’ in collecting affordable housing data.

The interview questions were as standardized as possible across all interviews to provide for easy analysis, but also include flexibility to follow the flow of conversation since a wide variety of individuals were interviewed. General guidelines for interview structure and topics is shown below, separated by the groups of people interviewed:

Public Officials and Developers	Data Experts
1. Introductions/background on project	1. Introductions/background on project
2. Montgomery County Preservation Strengths	2. Preservation Strengths/Positives for the future
3. Preservation Challenges	3. Data Challenges for Preservation
a. Physical deterioration (NOAH and subsidized)	b. Which variables are most predictive of preservation risk (Affordability expiration, market rents, deterioration risk, etc.)
c. Financial viability, ownership type	c. Which parts of housing data are hardest and easiest to locate? (how to include NOAH?)
d. Market loss (high rents)	d. Market loss (high rents) and how that data is collected/used.
e. Zoning	4. Thoughts/recommendations for jurisdictions that are lacking robust data collection? What is the first step?

Housing Stock and Market Trends Data Analysis

The data analysis section of this report will look at all of the subsidized properties in Rockville that data can be found on. However, the MPDU properties specifically will be the sample that are assigned risk levels, since the other properties had incomplete data. This sample of buildings will each be assigned a risk-level in terms of their relative likelihood of losing affordability, also referred to as their “preservation risk.” To determine risk levels, risk criteria from the Montgomery County Preservation Study will be looked at. That criteria is as follows: upcoming subsidy expirations, ownership type, age of building, proximity to transit, rent trends in neighborhood, number of affordable units, and income trends in community. Due to the capacity of this project, every criterion will not be included, instead only the following: subsidy expiration, ownership type, number of affordable units, and proximity to transit. Each property will then be put into a table and assigned a ‘level of risk’ based on each of the aforementioned criteria. This will provide an overall look at the current subsidized housing stock and the relative likelihood of its continuation. A sample of the table is shown below:

	<i>Upcoming Subsidy Expiration</i>	<i>Ownership Type</i>	<i>Proximity to Transit</i>	<i># of Affordable Units</i>
<i>Property A</i>	<i>Risk Level (i.e. 1-5)</i>			

Affordable housing data analysis is very complex, and needs to include many different factors in order to get a robust and accurate picture of the preservation need in a given jurisdiction. The table approach depicted is not sufficient to provide a holistic view of housing preservation in Rockville, but instead only provides a ‘snapshot’ of housing preservation needs

for a select number of properties. The other potential use of this data analysis is to provide an ‘inventory’ of the available data on properties to the city, as well as provide a ‘skeleton’ of what a future database can look like for the city.

Limitations

The limitations of this report relate mostly to capacity. As a one person project with no funding, the capacity of this work is much less than an average professional consulting report. For stakeholder interviews, the main limitation is time. A longer time period with many more stakeholder interviews would be more well-informed. Additionally, after the first round of stakeholder interviews, it would be helpful to evaluate the findings and conduct a second round of interviews to build upon those findings and dig deeper. For this project, there was only one round of 10 interviews. For the data analysis portion, the main limitation is resource capacity. Finding all relevant property-level data on affordable units in Rockville is complex and requires access to the right people and information. While resources were certainly made available, and greatly benefited the project, there were still limitations, including missing properties and incomplete data on subsidized and unsubsidized housing units.

Findings

The findings section will be categorized into findings from stakeholder interviews as well as findings from the data analysis. The stakeholder findings are organized by “Preservation Strengths” and “Preservation Weaknesses.” The data analysis section will include an analysis of Rockville’s current housing stock followed by an analysis of rent market trends.

Stakeholder Findings

Preservation Strengths

Financing

After conducting interviews with stakeholders in the affordable housing field, including developers, planning board members, county officials, and more, several preservation strengths and weaknesses became clear. One of the biggest strengths of Rockville and the surrounding Montgomery County is the funding network. First and foremost, the county has several funding sources to support affordable housing, mostly through the Housing Opportunities Commission (HOC), which is the county's public housing authority. It is important to note that Rockville has a separate housing authority, Rockville Housing Enterprises (RHE), but the large funding sources come from the County, and can be used in Rockville. One source of financing that several stakeholders mentioned is the Housing Production Fund, though this fund is primarily for new construction rather than preservation. Another funding source mentioned is the Housing Initiative Fund (HIF), which is a loan program for new construction, acquisition, or rehabilitation of affordable housing. This flexible loan program is very effective because it combines several funding sources to collectively address affordable housing needs in the county. The HIF was created in the 1980s, showing the longtime commitment that Montgomery County has had to affordable housing. Lastly, the Nonprofit Preservation Fund is a newer loan fund specifically for the acquisition and preservation of unsubsidized affordable housing. As mentioned in the scoping the problem section, Montgomery County has a large stock of naturally occurring affordable housing (NOAH) that is at risk of losing affordability, either through deterioration or rent increases. This fund directly addresses that with financing to attach subsidies to these units,

ensuring their long term affordability. Financing is one of the most important parts of affordable housing production and preservation, so a robust network of local resources to supplement state and federal funding is one of the areas that Montgomery County has excelled at.

Policies

Funding sources are created through policy, so it makes sense that, alongside a robust funding network, Montgomery County also has several affordable housing-friendly policies. One of the most important of these is the MPDU program, which is the county's inclusionary zoning ordinance—the first of its kind—created in the 1970s. Outlined in the scoping the problem section, the MPDU program requires that new multifamily developments set aside a portion of their units as affordable. This has been incredibly successful at producing affordable units, with hundreds and sometimes thousands of affordable units being created each year. The MPDU program somewhat supports preservation because when NOAH units are demolished for larger, multifamily developments, that development will include affordable units alongside the more expensive, market rate units. The MPDU requirement ensures that, in a high-income, high-cost county, some units must be designated as affordable. This indirectly supports preservation while also encouraging new construction of affordable housing.

Montgomery County also has a policy in place that directly supports preservation of affordable housing, ensuring that affordable units are not lost to market conversion. Montgomery County has a Right of First Refusal (ROFR) law in place, which requires anyone selling a multifamily rental property to give the county the ability to purchase the building. This would allow for the preservation or conversion of this building to become or remain affordable, rather than being sold to become market-rate. Montgomery County's right of first refusal has been in place since 1980, which shows the county's longtime commitment to preserving affordability

(ROFR, n.d.). This right of first refusal is certainly being put to use in Montgomery County, with stakeholders citing its importance in supporting their preservation efforts. Montgomery County's Department of Housing and Community Affairs has received ROFR notices for 22 buildings, or 3,619 units in 2023 alone. Additionally, in 2023, they preserved 2 properties, or 189 units through agreements not to convert affordable units as an alternative to the ROFR (Department of Housing and Community Affairs, 2024). These 2023 numbers show the large impact that the Right of First Refusal has had in a single year, proving to play a large role in housing preservation. More recently, the County Council has expanded upon this law, previously only allowing the county a right of first refusal that can then be passed on to a qualified entity, now amending the law to allow the county to defer these rights directly to a qualified entity. (Winston & Noonan, 2023). This creates a much more streamlined process, as one stakeholder explained, since the county previously needed capital to 'purchase' the property before immediately selling it to a qualified entity. Now, that entity can buy the property directly, better equipping developers to exercise this right. Additionally, the City of Rockville as well as Rockville Housing Enterprises were named as qualified entities, further streamlining the process for Rockville to exercise this right of first refusal instead of having to go through the county government.

The last policy that was mentioned by stakeholders as supportive of housing production and preservation is the county's Payment in Lieu of Taxes (PILOT) policy, which reduces or eliminates a development's property taxes in exchange for affordable units. This greatly reduces owners' costs, better equipping them to maintain affordability. Since affordable housing results in less cash flow for the owner, reducing costs in ways such as this are very simple yet efficient ways to better support affordable owners and developers, as well as increase the likelihood for long-term preservation. One stakeholder mentioned a big challenge to affordable housing

production being production costs that add up, such as property taxes, impact taxes, code requirements, etc. This policy combats that, and helps to lighten the burden on developers that are creating and preserving much needed affordable housing.

Nonprofit Network

Another one of Montgomery County's biggest strengths that was mentioned by several stakeholders is its nonprofit network. Montgomery County is equipped with an unusually large nonprofit network. As a suburb of Washington, D.C. many Montgomery County residents work in the public or nonprofit sector, making it a very big industry. In Montgomery County, from 2007-2017, employment in the nonprofit sector grew 20.2%, while employment in the for-profit sector *decreased* by 3.1%, with the nonprofit industry having a higher employment than any for-profit industry in the county ("Interactive Data Dashboard," n.d.). This large support network of nonprofits has a huge impact in housing production. More organizations committed to affordable housing results in policies like the ones mentioned above working so much more effectively, as there is a much higher likelihood that someone is able to take advantage of them. Montgomery County's affordable housing-friendly policies, funding sources, and nonprofit network put the county in a great position to create and preserve affordable housing.

Preservation Weaknesses

Funding

As previously discussed, Montgomery County has robust support for affordable housing, with several funding sources, including separate funding specifically for preservation. While this is certainly a strength for the county, stakeholders still mentioned a lack of sufficient funding for preservation. It is worth noting that this is not an issue specific to Rockville or Montgomery

County, but a nationwide issue. Many claim that our country is currently in a housing crisis, with not enough homes or funding to build more homes (“Americans Recognize Housing Affordability Crisis...,” 2024). A common sentiment shared by stakeholders is that ‘there’s never enough’ when it comes to funding for affordable housing, but especially with respect to housing preservation. One of the issues that was mentioned was the fact that the 9% Low-Income Housing Tax Credit does not incentivize or support housing preservation. Maryland’s Qualified Allocation Plan (QAP) does not have any incentives or set-asides for preservation specifically. The Low-Income Housing Tax Credit is the largest funding source for affordable housing, so this lack of support for preservation has a large impact on developers. Additionally, the 4% Tax Credit, which is a smaller subsidy, is a noncompetitive source of funding more commonly used for preservation. However, stakeholders shared that this is often not a sufficient amount of funding for preservation deals. The tax credit program is a federal program, and Maryland’s QAP is written by the state government, so these issues are not a weakness of Rockville or Montgomery County. However, Maryland’s lack of tax-credit funding for preservation can certainly inform local officials when creating new, local funding sources. As previously mentioned, Montgomery County has financial resources specifically for preservation, but it is important to emphasize that developers and planning officials still recognize a need for more robust financing.

Policies

In addition to Montgomery County’s funding sources, there are also several policies in place that support housing production and preservation. However, stakeholders also mentioned some drawbacks in terms of policies in place as well as policies that are lacking. One policy mentioned by multiple stakeholders was the rent stabilization law passed in the past few years,

which limits the increase of rents. This is obviously effective in slowing the increase in rents, which has certainly been an issue in Montgomery County's extremely high-income, high-cost market. However, the county's planning board has seen a noticeable decline in development applications, which in turn impacts the ability for developers to obtain financing. Additionally, less developments results in less new supply, which also decreases the amount of MPDUs that are being added to the housing stock. The rent stabilization policy is a conflicting one, as it slows drastic rent increases, but also has been seen to limit supply in the county according to early evidence. While this does not directly affect preservation, it is still very relevant to affordable housing production.

One of the most recurring issues mentioned by stakeholders was in regards to maintenance and rehabilitation issues. Both subsidized and NOAH stock are often facing issues of deferred maintenance and deteriorating buildings. One stakeholder cited the small landlord rehab program that used to be available in the county as a loss of a useful policy. Lack of funding for rehab was cited by several interviewees, with multiple explaining a 'sweet spot' for redeveloping NOAH units that are deteriorating. This 'sweet spot' is a time when an unsubsidized unit has enough deferred maintenance that it is time to be redeveloped as an MPDU property—but not so much deferred maintenance that it is too costly to rehabilitate. Developers sometimes find that, because most financing sources support new construction instead of preservation, that it sometimes makes more financial sense to knock down a building to construct a new one instead of rehabilitating the existing structure for a lower cost. This is because there is more funding for new construction, making this option more feasible despite being more expensive. This exemplifies a clear gap in policy that is affecting preservation in the area.

Another important point that was directly asked to all stakeholders interviewed, with very similar responses from all, was in regards to single-family zoning. While Montgomery County has significant funding and support for affordable housing production, the topic of single-family zoning is a contentious one. After an attempt by the county to upzone areas that were originally zoned as single-family, many residents and homeowners organized against it, pushing back in fear of their home values declining (Wiener, 2024). Despite this, however, the stakeholders interviewed all expressed clear views *against* single-family zoning, citing its exclusionary effects, racist history, and impediments to preservation. One developer shared that the cost of acquiring, rehabilitating, and preserving a single-family home as affordable is simply not worth it because of the high cost for just one unit. The problem with this is that single-family zoning prevents additional units to make preservation deals more feasible, which obviously limits the amount of units, then further driving up the cost of homes. This cycle continues, reinforcing the exclusionary nature of single-family zoning by reducing housing preservation and creating high cost homes that combine to limit the amount of less-wealthy individuals living in the community.

Montgomery County Data Collection Efforts

One of the lessons learned from best practices around the country was the use of data collection and analysis, as seen in places like Chicago and Denver. A researcher and housing expert that was interviewed helped to qualify the importance of data in any jurisdiction. They explained that rehabilitating and preserving individual units and properties as they come on the market is somewhat helpful in protecting the housing stock, however, adequate data is required in order to take a more *systematic* approach to preservation. Without getting a holistic view of the local housing market, housing stock, and needs to preserve, one would be unable to successfully address the issues and needs of their local housing market. Interviews with county

officials involved in housing data collection noted the shortcomings of the county's data collection efforts. There is certainly housing data being collected in both Rockville's city government as well as Montgomery County, but it is relatively scattered. While data is being collected, it does not appear that there is a centralized or holistic view of the subsidized and unsubsidized stock in the area to best tailor future policies off of.

It should be emphasized that, while Montgomery County's data collection/analysis could be improved, it is also not entirely a weakness, as the county has still engaged in robust housing preservation data analysis. The Montgomery County Preservation study, published in 2020, is the most recent and relevant example. The preservation study included unit counts, of both subsidized and unsubsidized housing, for each AMI level and geographic area. The study took into account risk factors such as proximity to transit, ownership type, and building age. Alongside the unit counts, the study also projected the loss of unsubsidized (NOAH) units in the coming years (*Montgomery County Preservation Study*, 2020). This study is extensive and a very impressive data tool that helps to support housing preservation. It is important to note that a robust data collection system, especially one comparable to Chicago and Denver, is one that takes an incredible amount of resources, which is not necessarily feasible to Rockville or Montgomery County. The most important gaps in data collection for the City of Rockville are the lack of a centralized database. While more specific analyses of property-level data, market trends, and high-risk geographic areas will be incredibly beneficial, the biggest missing piece is simply tracking which subsidized properties are in the city and when their subsidies are expiring. Despite this, it is still important to emphasize the substantial work already being done, while also noting the drawbacks and limitations of the city and county's current data on housing.

Housing Stock and Rental Analysis Findings

Preservation Priority Table

For the data analysis of the current housing stock in Rockville, 4 factors are looked at: Years until rental covenant expiration ('expiration years'), Owner Type, Total Affordable Units, and Proximity to Transit. Based on each factor, a certain number of 'Priority Points' is assigned to each property, meant to represent the general need or importance of preserving that property in the near future. For example, properties that are closer to transit, thus in higher-cost areas, get more priority points, since they are at a higher risk of loss. Similarly, properties that have over 50 affordable units get more priority points because of the larger loss of affordable homes if that property is not preserved. The way that points are assigned is shown below. It is important to note that these scoring systems are simplified, and are not meant to provide a clear ranking of priority among the properties, but instead give a general idea of each property's preservation need. This points system should not be used to compare properties to others (i.e. ranking) because it is not a precise system, but should be looked at individually to get a sense of the preservation risk.

Expiration Years	Priority Points		Owner Type	Priority Points
0-1	4		Nonprofit	0
2-5	3		For-profit	1
6-10	2			
11-15	1			
16+	0			
Total Affordable Units	Priority Points		Prox. to Transit	Priority Points
1-10	0		Immediate	3
11-25	1		<1 miles	2

26-50	2		1-2 miles	1
51+	3		2+ miles	0

The preservation risk table (Appendix, Table 1) has three sections. The first section consists of the properties in Rockville that have affordable MPDUs. These units are required by the county when building housing developments, regardless of the developer. All of the MPDU properties have for-profit developers, which is 1 priority point across the list. The rest of the factors differ across buildings, and the total priority points are shown in the “Priority Level” column. Possible priority points range from 0-11, and each property on the list ranges from 4 to 8. Looking at each individual risk factor for a property will provide a more nuanced view of the preservation risk, as well as what is needed. The point system may give a rough idea of the risk level, but another use for this table is to provide a generalizable system to be formalized and replicated at the city level. A more extensively researched and tested preservation point system could be developed and applied to a database of properties, equipping the city government and developers with the information to adequately target properties.

The second section in the table consists of the Low-Income Housing Tax Credit properties. These properties are fully affordable, and owned by a variety of owners, including nonprofit organizations, for-profit organizations, and local housing authorities. The third section includes the city’s market-rate affordable buildings, or naturally occurring affordable housing (NOAH). These buildings are affordable, but do not have a subsidy or rental covenant. For these last two sections, the full data seen in the first section was not available for these properties. So, a priority level is not assigned to them, but the owner type is listed, as well as the proximity to transit. For the proximity to transit, the darker shades of purple are associated with a closer proximity, and thus a higher preservation risk.

It is important to note that this table has limitations beyond the simple scoring system. The compiling of this list involved information from city officials as well as publicly available data. It is intended to be a complete list of affordable housing properties in the city, though there may be properties that were not included. However, this table is merely a starting point for what a preservation database in Rockville can look like.

Market-Rate Rental Analysis

A simple market-rate rental analysis was conducted using the Rental Facility Survey, which is a survey conducted by the Montgomery County Government that collects rent levels for multifamily buildings. The data was filtered to only include Rockville, and the average rent level was compared to the 80% AMI rent level from 2016 to 2022 (2016 data was not available for the AMI rent). The graph representing this relationship (Appendix, Figure 1) shows a very close relationship between the market rent and AMI rent. The zoomed in graph (Appendix, Figure 2) shows that recent years have seen an increase in market rent above AMI rent, but not by a large factor. For the most part, the market rent and 80% AMI rent have stayed close together for the years shown.

Despite the fact that the market rent and AMI rent are close together, that does not necessarily mean that the rents in Rockville are affordable. This is because of the AMI in Rockville and the surrounding Montgomery County. Montgomery County has an unusually high median income, which obviously makes the 80% AMI rent also unusually high, even though it may not be affordable for low-income residents. In 2023, the median income for Montgomery County was \$100,044 (*Maryland Economy - Income*, n.d.). In Rockville, that number was even higher, at \$122,384 (*Montgomery County, Maryland - Census Bureau Profile*, n.d.). For comparison, the median household income for the neighboring Prince George's County in 2023

was \$57,096 (*Maryland Economy - Income*, n.d.). While these counties have very different demographic and economic makeups, this stark difference shows that lower-income families are prevalent in the area, but the higher costs associated with a higher-income county like Montgomery County discourage them from living there. This is the important point to note about this graph. While the ‘affordable’ and market-rent appear to be very close together, this does not necessarily make the market affordable to low-income renters because of the skew of such a high-income county like Montgomery County.

Recommendations

After conducting interviews with relevant stakeholders as well as a data analysis of the current housing stock in Rockville, below are my three recommendations. The recommendations are presented in order of feasibility, with the first being the most feasible, and the third being the least feasible.

Recommendation #1: Subsidized Housing Preservation Database and NOAH Assessment

My first recommendation is for the Rockville Department of Housing and Community Development to make a Subsidized Housing Preservation Database. This database would look similar to the data analysis table above, with each property as well as the preservation priority factors for each building (expiration date, # of units, proximity to transit, owner type). This is especially important for MPDUs, since they are a county requirement and thus more widespread. However, a robust, comprehensive database would include all of the subsidized properties in Rockville. This is very important in order to ensure targeted and effective preservation in the city. When interviewing an academic expert about the importance of data collection and tracking for preservation, they emphasized the need for data to achieve *systematic* preservation. They pointed out that preservation deals can be done as properties come on the market, but that is a slower, less effective approach. If the intention is systematic preservation—meaning preserving affordable housing across the jurisdiction, then an accurate, reliable data collection system is needed.

The feasibility of a data collection system can vary depending on the jurisdiction's needs. The least feasible part of this is the fact that one or more staff members will need to be hired, and

resources will need to be dedicated to creating and maintaining this database. However, the database can be a simple model like the one seen in Table 1, or could be an extensive analysis conducted by experts. For example, Chicago's Preservation Compact includes a data arm, which is DePaul University's data analysis contribution. DePaul University's Institute for Housing Studies (IHS), which conducts extensive research on the city's housing stock, market trends, and any preservation challenges (Models for Affordable Housing Preservation | HUD USER, n.d.). One impactful report that IHS conducted was a study of the increased loss of two to four unit buildings, putting "increasing pressure on the city's available affordable housing stock" (IHS Technical Assistance, 2021). Studies like this enable the Preservation Compact to more effectively target areas, building sizes, or building types that are most at risk of being lost. Extensive data collection and analysis is often a very important aspect of successful preservation cases, and Chicago is just one example of where this success is seen.

For Rockville, this may include a subsidized housing database, as well a market analysis to get an understanding of the market-rate rents and any naturally occurring affordable housing (NOAH). It is important to also conduct a NOAH analysis, because these are also homes that are at risk of increasing costs, and thus in need of preservation. The database should cover both subsidized and unsubsidized housing, but the amount of resources and robustness assigned to the database is entirely up to the city government, and can include a wide range of complexity.

Recommendation #2: Revive Rehabilitation Loan Program with Montgomery County

My second recommendation based on my findings comes from the importance of rehabilitation in preservation. Many stakeholders—including developers—expressed one of the barriers to effective preservation being the need for rehabilitation. They explained that, while

Montgomery County is a high-resourced county, and rehabilitation is not as much of an issue as in other, lower-resourced jurisdictions, it is certainly still an impediment. Some form of rehabilitation is needed in almost all preservation deals, but capital is often not available to accommodate that. More than one stakeholder said that sometimes it makes more financial sense to knock down a building and construct a new one rather than rehabilitate it. This is not always because the building is too much in disrepair, though that is sometimes the case. Instead, stakeholders explained that even though rehabilitation would cost less, there is a lack of funding programs for that purpose, so it is more financially feasible to opt for the more expensive and less timely new construction because there is more funding available for those kinds of projects. This is especially concerning, especially for the preservation of naturally occurring affordable housing, as those are often in need of extensive rehabilitation. Not only is new construction more expensive and time consuming, but it also results in more carbon emissions and waste, which has detrimental environmental effects. There is a clear and stark gap in financing for rehabilitation, despite the fact that it is a required step in so many preservation projects.

The most obvious solution to this gap in funding is to create funding sources that address rehabilitation, either at the city or the county level. At the city level, the City of Rockville can pass legislation to create a program that provides funding for rehabilitation of subsidized and unsubsidized housing in exchange for continued affordability. Currently, not all, but most of the local affordable housing funding is through Montgomery County rather than Rockville. So, establishing a fund that would have a dedicated funding source to ensure continued capital is relatively infeasible. Instead, a collaborative advocacy effort with the Montgomery County government for a similar funding source could be more realistic. To increase feasibility even further, Rockville can look to funding that has already existed in the county. One stakeholder

cited the county's previous "Small Rehab Loan Program," which provided capital for rehabilitation of small, affordable buildings. This program is no longer active, and unfortunately there is not much public information available about the program. However, one of the most feasible ways that Rockville can increase funding for rehabilitation would be to collaborate with the county and other stakeholders to advocate for the reviving of this program. There is clearly a stark gap in funding for rehabilitation, and to promote more cost-efficient preservation of affordable housing, this gap needs to be filled with much-needed capital for developers.

Recommendation #3: Build Upon an Affordable Housing Preservation Network

One very effective way of preserving affordable housing, as seen in the literature on best practices, is through a network of stakeholders. Cases such as the Chicago Preservation Compact and Denver's Mile High Connects Program show the value of collaboration between stakeholders in preserving at-risk affordable housing. This could be similarly replicated in Rockville, and while Chicago and Denver have considerably more resources, the main idea of collaboration still translates. Collaboration in Rockville could be supported through the creation of a 'Rockville Preservation Network,' which would be made up of nonprofit developers, city officials, planning board members, contractors, and other stakeholders relevant to Rockville affordable housing. Also, this recommendation of a preservation network builds upon the previous two recommendations. The basis for a preservation network, as seen in these best practices, is effective data collection and adequate funding sources. This basis gives the preservation network the leverage to identify buildings in need of preservation, identify organizations that want to preserve those buildings, and coordinate funding to achieve that. The effectiveness of the network comes from the increased communication between stakeholders in

the housing process. Local government officials, housing developers, housing contractors, and other stakeholders all specialize in a different part of the process, so easy and efficient communication between these entities allows for information sharing and more streamlined development. Moreover, when a property is identified as high-risk and in need of preservation, having all relevant stakeholders as part of one network allows for easy communication of that need, and a quick and efficient response. Affordable housing development is quite a long process, but affordable housing preservation is often an urgent need. This conflict is mediated by an efficient preservation network, which is why it is seen as such an effective solution.

The biggest drawback of a preservation network is certainly feasibility. The creation of a preservation network from the ground up would require a lot of resources, including staffing, logistics, outreach, convening of stakeholders, and other operational requirements. A more feasible option could involve building upon existing networks in the area, such as the Montgomery Housing Alliance (MHA). MHA is similar to a preservation network, as it is a group of affordable housing stakeholders in the county committed to common policy goals, one of which being housing preservation. MHA does support stakeholders through capacity building, but also involves advocacy work, and does not include a preservation database. Additionally, Montgomery County's Housing Opportunities Commission is a member, but Rockville Housing Enterprises is not. While MHA differs from what a network like Chicago's Preservation Compact may look like, the mission and goals are similar. So, a more feasible solution than creating a preservation network could be to take the previous two recommendations of increasing funding capacity and data collection, and apply that to the existing MHA network with the City of Rockville as a member. While this may increase feasibility because of the existing organization, it may still be infeasible because Rockville is not associated with MHA. This

would require a partnership between Rockville and MHA, as well as an interest in creating a partnership with the City of Rockville, which is not known. Both the creation of a preservation network or the partnership with an existing network are less feasible than the previous recommendations because of the needed capacity and resources, but are a very effective way to ensure systematic preservation of affordable housing.

Conclusions

Affordable housing preservation in Rockville, Maryland, when compared to other jurisdictions around the country, has seen above average success, especially in recent years. The combination of the longstanding MPDU program ensuring continued supply of units, supportive county and local governments providing adequate funding for housing, and an abnormally robust network of nonprofit support in the county contribute to this success. This has equipped developers in the county to produce a large number of affordable units, with some developers focusing specifically on preservation. Despite this, there are certainly impediments to preservation in the county. Stakeholders shared several issues, including lack of funding for preservation or rehabilitation, lack of adequate data on affordable properties, and the unusually high median income in the county resulting in higher costs of housing production.

Despite these issues, there are several policy solutions that can address these issues. Data collection is very important, and can be implemented at the local level to track properties in need of preservation. Additionally, funding dedicated to preservation or rehabilitation will ensure programs specifically target preservation. Lastly, the importance of a network of stakeholders can not be emphasized enough, as clear communication, adequate information and resource sharing, and support are some of the most effective ways to preserve affordable housing.

Preservation is much less effective when done on a property-by-property basis, and instead should be done through a *systematic* approach, which engages all relevant stakeholders, tracks property data across the city, and works to ensure that properties in need of preservation go through the correct path to achieve that.

Appendix

Figure 1: Rent Level Graph

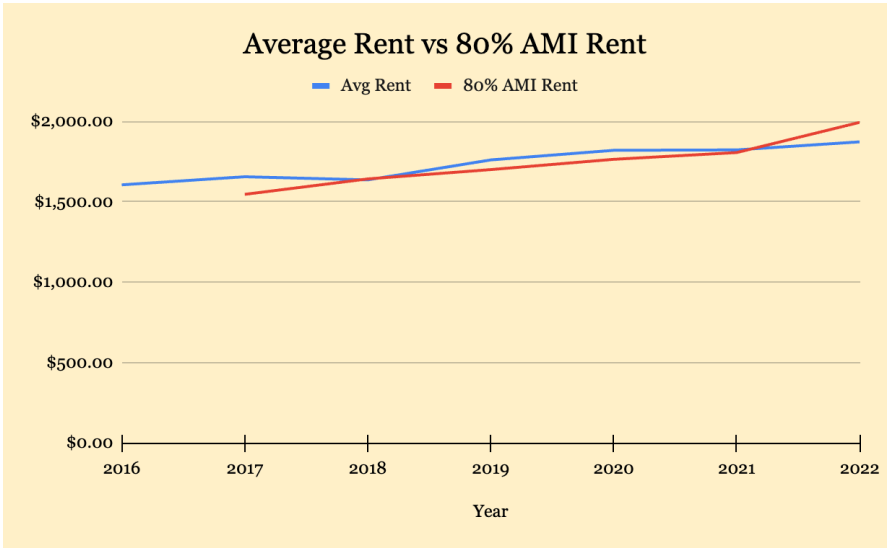


Figure 2: Rent Level Graph Zoomed

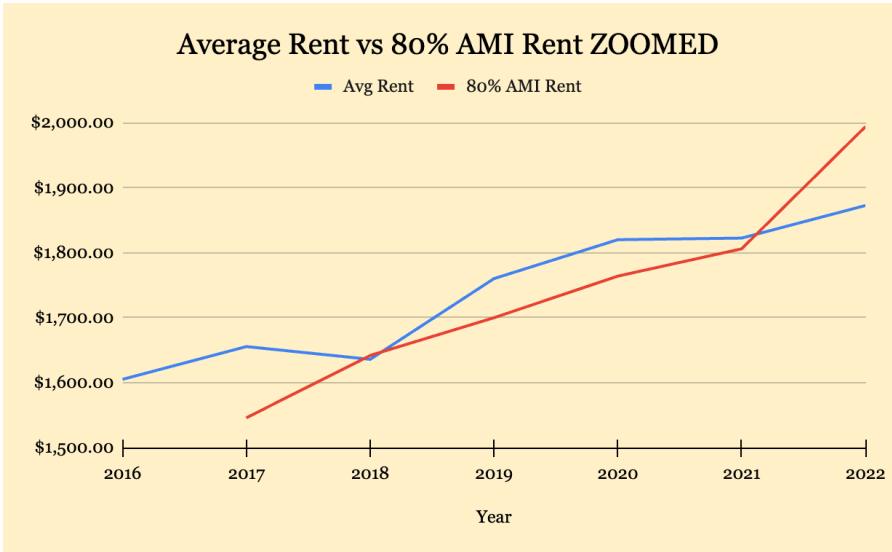


Table 1: Preservation Priority Table

MPDU Property	Address	Risk Priority Level	Expiration Years	Owner Type	Total MPDUs	Proximity to Transit
The Galvan	1801 Chapman Avenue	7	21	For-Profit	54	Immediate
Bainbridge Shady Grove Metro	15955 N. Frederick Road, Rockville, MD	7	21	For-Profit	63	Immediate
Post at Falls Grove	102 Fallsgrove Blvd, Rockville, MD	5	7	For-Profit	44	3 miles
Camden at Falls Grove	719 Fallsgrove Drive, Rockville, MD	5	9	For-Profit	35	3 miles
The Stories at Congressional Plaza	1620 E. Jefferson Street, Rockville, MD	5	9	For-Profit	22	1 mile
Fenestra at Town Square	20 Maryland Avenue, Rockville, MD (241+142+109) Total 492	8	10	For-Profit	73	0.5 miles
Residences at Congressional Village	198 Halpine Road, Rockville, MD	8	9	For-Profit	52	0.4 Miles
Rollins Ridge	130 Rollins Avenue, Rockville, MD	5	13	For-Profit	15	0.4 Miles
Westchester at Rockville Station	100 1st Street, Rockville, MD	5	14	For-Profit	29	1 mile
The Alaire	1101 Higgins Place, Rockville, MD	6	15	For-Profit	42	0.3 Miles
Mira Upper Rock I	70 Upper Rock Circle, Rockville, MD	4	17	For-Profit	35	1.5 Miles
The Terano	5720 Fisher Lane, Rockville, MD	5	20	For-Profit	32	0.3 Miles
The Upton I/Blvd Forty Four	44 Maryland Avenue, Rockville, MD	5	21	For-Profit	40	0.4 Miles
The Flats at Shady Grove	1380 Piccard Drive, Rockville, MD	4	22	For-Profit	26	1.7 Miles
The Metropolitan	255 North Washington St., Rockville, MD	5	23	For-Profit	42	0.4 Miles
The Escher	1900 Chapman Avenue, Rockville, MD	6	23	For-Profit	48	Immediate
Kanso Twinbrook	12503 Ardennes Avenue	5	26	For-Profit	30	0.4 Miles
The Main Street Apartments (Tax Credit)	50 Monroe Place, Rockville	7	25	For-Profit	53	Immediate

Brightview at Town Center	285 N. Washington Street	4	23	For-Profit	15	0.6 Miles
The Milton	850 Festival St.					
LIHTC Properties	Address	Owner Type	Proximity to Transit			
Bealls Grant Apartments	254 N Washington St	Nonprofit	0.5 mile			
Bethany House	199 Rollins Ave	Nonprofit	0.5 mile			
David Scull Courts	1301 First st	Housing Authority	1.2 miles			
Heritage House	95 Dawson ave	Nonprofit	0.6 miles			
Parkside Landing	735 Monroe st	Housing Authority	0.8 miles			
Residences on the lane	2 Helen Heneghan Way	Housing Authority	Immediate			
Scarbourough Square	438 College Parkway	Housing Authority	1.6 miles			
The Fields of Rockville	600 Mt Vernon Place	For-Profit	0.6 miles			
ROCKVILLE COMMONS	401 BLANDFORD ST	n/a	0.4 Miles			
Market-Rate Affordable Housing (NOAH)	Address	Owner Type	Proximity to Transit			
Huntington at King Farm	81 Elmcroft Blvd	For-Profit	0.7 miles			
Wood Edge	14001 Cove Lane, Rockville, MD	For-Profit	1.7 miles			
The Residences at King Farm	105 King Farm Blvd	For-Profit	0.5 miles			
The Congressional Tower	261 Congressional Lane	For-Profit	0.9 miles			
Woodmont Park	1001 Rockville Pike	For-Profit	1.2 miles			
Center Gate at King Farm	801 Elmcroft blvd	For-Profit	0.7 miles			
The Villas at Rockville	1699 Yale Place	For-Profit	1.7 miles			

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