

**Testimony of Hilary Swab, Resident**

March 18, 2025

**Public Hearing on Bill 5-25 Demolition Tax for Affordable Housing Production**

I want to thank the County Council for holding a public hearing about Councilmember Mink and Council Vice President Jawando's legislation that would establish an excise tax on tear downs of old houses that are being replaced with larger houses.

I support this legislation and recommend that Councilmember Mink and Council Vice President Jawando amend the legislation so that half of the excise tax would go to support MCPS, as Councilmember Glass' 2019 bill would have done. Councilmember Glass introduced relatively similar legislation in 2019 and half of the fee would have gone to affordable housing development and the other would have gone to MCPS.

I am supportive of tearing down older houses and developing newer models that can be more energy efficient and better serve family's needs that want to move into the community. In fact, that is what my family did. We wanted to move closer to my parents; be able to walk to a shopping center; walk to the public library; and neighborhood parks.

You can see that the demand for new builds in the Wildwood and Ashburton community has not necessarily dropped off, as there are more and more new homes still being built. But with those new builds, comes with a very public cost. Many older homes being torn down have not had school aged children living in them for a long time and many paid no impact taxes, as they were built pre-1980. In 2019, the Maryland Building Industry President noted that impact taxes were created in the 1980s, but many of the homes being torn down were built prior to the 1980s, meaning that they have paid no impact tax what-so-ever. Additionally, as the Maryland Building Industry also correctly observed new impact taxes only apply to new homes on vacant lots, so these tear downs have essentially paid no impact tax.

But if you just walk the Ashburton and Walter Johnson service areas, you can see how the tear downs have not only continued to increase the populations of the schools in that cluster, but attribute to the outsized demand of those schools. A constant talking point I hear is that only *new development on new plots* such as Amalyn that are driving school enrollment. However, Ashburton's ES population pushed 900 prior to the development of Amalyn and now we are back in the same position. But prior to the building of Amalyn, entire blocks of streets in the Wildwood community were being torn-down and rebuilt. Thus, it is clearly not just new development of new home driving the population of the school, but the attractiveness of newer homes replacing older ones that ultimately paid no impact taxes. This is why it is critical that the County Council not only pass this legislation but amend it so that the fee is shared with MCPS.

The County Council can end their addiction to giving money away to developers and begin to make common sense changes to impact fees that will not only provide MCPS more financial stability, but stop promoting the false narrative that you have to choose between funding MCPS and spurring development through tax give aways. If any of you have doubts about the impact of tear downs in neighborhoods, I invite you all to walk the neighborhood with me so you can see just how much money the County has lost by delaying the passage of Councilmember Glass's legislation in 2019 and will continue to lose by not passing common sense impact tax reform.