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November 7, 2025

Providence Ordinance Committee
Providence City Council
City Hall
Providence, RI 02903

VIA EMAIL

RE: AN ORDINANCE AMENDING CHAPTER 13, "HOUSING" OF THE
PROVIDENCE CODE OF ORDINANCES TO ADD ARTICLE X "STUDENT
IMPACT FEE"

Dear Ordinance Committee Members:

The ACLU of Rhode Island wishes to express its deep concerns about the proposed ordinance cited above that is scheduled for a public hearing next week. It would impose a \$300 surcharge on landlords for every student renting in a dwelling inhabited exclusively by students. The stated rationale for this fee is to "offset the cost of municipal services." Instead, we view it as the latest inappropriate attempt to limit the ability of college and university students to live together in Providence, and we urge its rejection.

Providence thrives because of its college community, and that community should be lauded, not harassed. The city's severe housing crisis is also deep-rooted and well known. Making it more difficult and expensive for students to rent only exacerbates this crisis and unnecessarily heightens the cleavage between the City and its large, vibrant and productive student population.

The proposed ordinance makes no attempt to explain why students, of all the city's tenants, warrant the imposition of this substantial fee. The preamble references the "essential municipal services - including police, fire protection, emergency response, street maintenance, sanitation and public works - which directly benefit students residing in off-campus housing," but, of course, those benefits apply to *every* renter and homeowner in Providence. Yet that "explanation" is the extent of the justification offered by the proposed ordinance for implementing this targeted fee.

While aimed at landlords, adoption of this ordinance will undoubtedly impose additional costs on student renters. Property owners required to pay this fee are almost certain to pass on most, if not all, of it to their tenants. This can only harm low-income young people trying to afford to live in a city that recognizes that rental prices are already hard to meet. Indeed, if the City is legitimately concerned about investment firms "turning long-standing residential areas into short-term high-rent student housing,"¹ this proposal is likely to only make the already-high rent higher, not address the presence of that housing.

¹ "Housing Crisis Task Force, 2025 Report," Providence City Council, p. 26. https://council.providenceri.gov/wp-content/uploads/2025/09/HCTF-Report-2025-4_smaller.pdf

One generalization that we assume may be underlying the proposal – that a special fee should be imposed on student housing because a small minority of students require police intervention over “quality of life” neighborhood complaints – would be summarily rejected as discriminatory if applied to virtually any other class of tenants. We would be hard-pressed, for example, to imagine the City Council considering the imposition of a special impact fee on senior housing on the grounds that the elderly demand more emergency medical services than other types of tenants. In short, singling out students in this way is unwarranted and offensive and appears more attuned to their relatively small political power than anything else.

In addition, the ordinance further requires all colleges and universities in the city to provide to City officials a variety of data about their students, including an allegedly “anonymized” breakdown of the students enrolled in the school who do not live on campus. I say “allegedly” because by requiring that the data include a breakdown of each student’s “address and unit number,” “zip code, student status, expected graduation date and the type of off-campus housing” they reside in, this requirement comes close to being the antithesis of anonymization. The requirement to turn over this sensitive and private data raises significant privacy concerns.

There is another potentially dangerous aspect to this data collection that should be considered. We have a fear about misuse of this collected data by immigration authorities, a fear that is far from hypothetical based on what is happening nationally. This is precisely the type of information that Immigration and Customs Enforcement agents could use to find, and then detain, immigrant students, including those living here lawfully. Here in Providence, we have seen the vulnerability of students to the federal government’s machinations. Earlier this year, a handful of students from Brown University and RISD had their F-1 student immigration status unlawfully and abruptly terminated by the U.S. Department of Homeland Security.² The collection of a list of student renters like this could make easier more of those questionable immigration tactics against residents, tactics that this Council has strongly condemned.³

We recognize that some City Council members have expressed concerns about the impact that student-occupied rental houses can have on non-student renters. That issue is cited in the Council’s recently released Housing Crisis Task Force report. But it is noteworthy that the section of the report highlighting that concern does not recommend a student impact fee but instead points to a series of broader, more holistic revisions to the city’s zoning laws.⁴ Otherwise, a proposal like this, in seeking to resolve one purported housing problem, only intensifies another one.⁵

² See, e.g., “ACLU files class action suit against student visa revocations at Brown, RISD, other schools,” by Sanai Rashid and Sophia Wotman, *Brown Daily Herald*, April 21, 2025, <https://www.browndailyherald.com/article/2025/04/aclu-files-class-action-suit-against-student-visa-revocations-at-brown-risd-other-schools>

³ Since the data is purportedly anonymized, the list could be deemed a public record subject to disclosure under the state’s Access to Public Records Act.

⁴ “Housing Crisis Task Force, 2025 Report,” Providence City Council, p. 28. https://council.providenceri.gov/wp-content/uploads/2025/09/HCTF-Report-2025-4_smaller.pdf

⁵ If the concerns about student housing prompting this proposal are more generic, we reiterate what we have noted in the past when Providence has addressed other proposals to limit student housing: the City already has numerous laws in place to address noise, parties, traffic, and other possible nuisances at rental locations. Ordinances that merely impose new burdens on students for being students, even if done indirectly through their landlords, are doomed to have little meaningful impact on problems like those.

In sum, we believe that the proposal's focus on the collegiate status of renters is unfair and unlikely to resolve any of the city's undeniably legitimate housing concerns. Any special rules for student housing should be considered only in a more holistic manner with the rest of the city's zoning ordinances.

We therefore respectfully urge the committee to defeat this proposal. Thank you in advance for considering our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Brown", with a stylized, flowing script.

Steven Brown
Executive Director

cc: Providence City Council
The Hon. Brett Smiley
June Rose