

TAXPAYER PROTECTION PROJECT

COME AND BUILD IT: HOUSING POLICY REFORM IN TEXAS

WRITTEN BY

Ben Crockett, John Bonura, and Judge Shepard

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TABLE OF CONTENTS

- Executive Summary** | Page 3
- Introduction** | Page 3
- Background** | Page 4
- Reclaiming the Freedom to Build: The 89th Legislature's Evidence-Backed Reforms** | Page 9
- The Local Rebellion: How Cities Are Undermining State Reform** | Page 13
- Completing the Work of Reform** | Page 14
- Research for the Future** | Page 18
- Conclusion** | Page 19
- References** | Page 20

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KEY POINTS

- **The 89th Texas Legislature** passed five key housing market reforms to increase supply, reduce government interference, and improve affordability.
- **Broadly speaking**, these reforms remove outdated zoning barriers and allow the free market to deliver more homes to Texans in need.
- **In the years ahead**, the Legislature should consider additional improvements, like accelerating construction through permitting reform, allowing for ADUs by-right, and streamlining building codes.

EXECUTIVE SUMMARY

Housing affordability in Texas continues to deteriorate. Starter homes and entry-level housing are increasingly scarce for Texans of all backgrounds, driven in part by local rules that artificially inflate costs and delay approvals. In response, the 89th Legislature enacted a suite of free market reform bills. SB 15 curbs large lot mandates to allow starter homes on small lots; HB 24 reduces minority protest power over zoning matters; SB 840 and SB 2477 authorize mixed-use and office-to-residential conversions by-right in covered cities; and SB 1567 preempts relationship-based occupancy caps to unlock spare bedrooms. Yet, local government implementation of these laws has been lackluster or even obstructionist. Looking towards the 90th Legislature, lawmakers should consider expanding newly established reforms and additional measures such as specific and objective by-right approvals, streamlining permitting with third-party plan review and inspections, legalizing ADUs by-right, right-sizing development fees, and eliminating parking minimums. From a research perspective, future scholarship should investigate the earnest implementation of state law by cities and counties; quantify the financial impact of building code regulations, including on the 3D printed housing market; study the impact of institutional buyers on Texas' housing market, if any; and assess student housing zones near public universities.

INTRODUCTION

The origin of Texas' housing crisis is rooted in progressive era policies, private property rights violations, and growing government intervention in the free market, all of which have slowly eroded

liberty and, ultimately, prosperity. These intrusions most often take the form of central planning and rigid regulations, but may also come as excessive taxation, bureaucratic delays, and confusing standards. To restore the promise of homeownership and economic opportunity, Texas must remove artificial constraints on supply, reclaim the freedom for individuals to improve their property, and restore market-based principles. In so doing, policymakers can once again enable everyday Texans to achieve the American Dream.

Private property rights are foundational to all other rights of a free people (Peacock et al., 2010). John Locke (1690) believed their preservation was the chief end of government. Sir William Blackstone (1765) once wrote that property rights consist of “free use, enjoyment, and disposal of all his acquisitions, without any control or diminution.” The American Framers echoed these sentiments too. For instance, John Adams (1787) warned, “The moment the idea is admitted into society that property is not sacred as the laws of God; and there is not a force of law and public justice to protect it, anarchy and tyranny commence” while Justice Paterson noted that “the right of acquiring and possessing property, and having it protected, is one of the natural, inherent and inalienable rights of man” (1795).

That same conviction animated the founding generation of Texas. The Texas Declaration of Independence (1836) affirmed that government exists to secure the people’s rights to “life, liberty, and property of the citizen” and condemned as tyrants, rulers who “failed and refused” to do so. Four decades later, the Texas Constitution of 1876, Article I, Section 19 reaffirmed this promise, declaring that “no citizen of this State shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land” (1876).

Reflecting this commitment to private property rights, Texans were largely free to build on and use

their land without intrusive regulations in the 19th and early 20th centuries. Consequently, communities grew with minimal land-use regulation. Housing types from boarding houses to mixed-use main streets proliferated organically, guided by individual choice and market demand, rather than government dictates. In fact, when the City of Dallas attempted to impose an early form of building regulation, the Texas Supreme Court struck it down in the landmark case of *Spann v. City of Dallas* (1921). In that decision, the court held that a landowner has “the unqualified right to erect upon his land” any harmless building “in keeping with his own taste and... means,” regardless of neighbors’ preferences or community aesthetics. It would be “tyranny,” the justices wrote, to tell a “poor man” who owned a lot among “palatial structures” that he could not build “an humble home... suited to his means” simply because it did not match his wealthy neighbors’ houses. As long as his use was not hazardous to others, the Constitution would shield him. The court warned that if a citizen is allowed to improve his land only as officials or his fellow citizens decree, then he holds his property at public sufferance rather than as a true right.

This laissez-faire legal environment, protecting a person’s “castle” to such an extent, would not last forever, however. Over the next one hundred years, the regulatory environment surrounding housing would become increasingly burdensome and costs soared. To understand how Texas arrived at this point, it is necessary to trace the historical evolution of zoning and land-use regulation from the early twentieth century onward.

BACKGROUND

The Progressive Era Roots of Texas’ Housing Crisis

Beginning in the 1920s, Texas moved toward greater government control over land-use. Under Secretary of Commerce Herbert Hoover, the federal government urged states to adopt building and land-use regulations. The Standard State Zoning Enabling Act, issued in 1922, and adopted by Texas¹ in 1927,

1 In 1926, the U.S Supreme court upheld the constitutionality of zoning in *Euclid v. Ambler Realty*.

launched a grand experiment in central planning (Hengels, 2009; Welch & Brown, 2025, p. 134–143). As a result of that legislation², municipal governments gained the authority to decide on a block-by-block basis, who may build what, where, and when. Over the next 50 years, governments—not individuals and markets—set lot sizes, erected permitting barriers, dictated the type and number of dwellings, imposed consanguinity requirements, and regulated prices for a time.

While the adoption of onerous zoning requirements is now nearly universal across the state, cities took several decades to create their zoning codes. Dallas³ led with a citywide zoning ordinance in 1929, followed by similar policies enacted by Austin in 1931, San Antonio in 1938 and Fort Worth in 1940 (City of Dallas, 1949, p. 43; Fort Worth, 2025; City of College Station, 1940; City of Austin, 1931; San Antonio, 1938). By 1931, 67% of the urban population lived under zoning (Advisory Committee on City Planning and Zoning, 1931). Some mid-sized Texas cities were a bit slower to move toward adoption. In fact, holdouts continued until the late 1980s and 90s. Of course, the largest holdout was the city of Houston, which never formally adopted zoning after voters rejected it in 1948, 1962, and 1993 (Sumner, 2021; West Houston, 2025). Outside of Houston, however, zoning has become widespread across Texas cities⁴ (Bronnin & Harris, 2025, p. 7).

As cities adopted zoning, the federal government reinforced exclusionary ordinances through

its housing policies. After its creation in 1934, the Federal Housing Administration (FHA) used the lure of mortgage insurance to pressure⁵ cities into adopting restrictive land-use controls (Pinto, 2020, p. 12–14; FHA, 1939, p. 40). The FHA's early underwriting manuals insisted that neighborhoods be homogeneous in character and that incompatible uses (like an apartment or shop near single-family homes) be strictly separated (FHA, 1936; FHA, 1938). The mere “absence of appropriately drawn and adequately enforced zoning” in the FHA's eyes was sufficient for the agency to reject insurance for loans in that area (FHA, 1936, p. 193). In other words, if a city's zoning was too permissive or absent, the FHA would often refuse to underwrite mortgages there (FHA, 1936, p. 34). As urban planning historian Andrew Whittemore has documented, the FHA even established a special Technical Division to promulgate zoning standards nationwide (Whittemore, 2012, p. 624). It commonly denied mortgage insurance in locales that retained more flexible “cumulative” zoning, thereby coercing many cities into making their land-use codes more exclusionary in order to qualify for federal support (Whittemore, 2012).

Federal involvement intensified in the post-war period. Beginning with the 1949 Housing Act (H.R. 2203) and strengthened by the Housing Act of 1954 (H.R. 7839), Washington conditioned access to slum clearance/urban renewal funding on federally certified “Workable Program” requirements. A Workable Program entailed the adoption and enforcement of, among other things, up-to-date zoning, subdivision,

2 The Texas Supreme Court upheld some forms of zoning in the 1934 *Lombardo v. City of Dallas* decision.

3 Dallas and other Texas cities had attempted early forms of land-use regulation prior to the enabling act, for the purpose of this section, the date of adoption of a city's first comprehensive zoning ordinance is when that municipality is considered to have “adopted zoning.”

4 The exact number of cities in Texas with zoning is unknown, however the largest analysis included 579 municipalities and found that 404 of them had zoning (Bronnin & Harris, 2025, p. 7).

5 “Local zoning and rezoning. In its mortgage-insurance underwriting work, this Administration has found that in many communities high percentage loans are excessively hazardous due to the neglect of the municipality to provide a satisfactory method of land-use control and protection against adverse influences. The danger of insuring high percentage, long-term loans on homes which in a few years may be surrounded by gas stations, factories, stores, or junk yards is obvious. With the object of making the full benefits of mortgage insurance available in all communities, the Land Planning Division encourages communities which lack adequate zoning ordinances to set up such regulations and thereby provide the necessary protection.... At the same time added impetus has been given to rezoning activities during recent years by the unwillingness of lending institutions to advance mortgage money for the purchase or construction of homes located in areas zoned for commercial use. This attitude has been fostered by the Federal Housing Administration's underwriting practice, which attaches great weight to hazards to residential investment resulting from this condition” (FHA, 1939).

housing, building, and fire codes as evidence of a community's commitment to sound planning and orderly growth. As Charles Rhyne observed in 1960: "It has been in the last six years, since enactment of the Housing Act of 1954, and introduction of the 'Workable Program' concept, that the adoption, modernization, and enforcement of municipal codes and ordinances have been accelerated to levels which give promise of eventually ridding urban areas of slums and blight" (Rhyne, 1960).

Reinforcing this dynamic in smaller towns, Section 701 comprehensive planning grants led to wider adoption of zoning. Both programs significantly influenced land-use regulations in Texas. San Antonio, for example, satisfied the 'Workable Program' standards and accepted HUD Urban Renewal grants, coinciding with its 1965 code overhaul (1964; 1965). In accordance with federal requirements, San Antonio adopted new land-use regulations for the affected area, as well as building, fire, and housing codes (Hood, 2021). The same pattern could be said of towns such as Edinburg and McAllen, which received section 701 grants. As a report prepared for the Department of Housing and Urban Development explains: "Many codes and ordinances, particularly zoning and subdivision, trace their existence directly to the 701 program" (1967).

Through these policies, the federal government institutionalized progressive era policies throughout Texas. This would come to mean the adoption of lot size mandates, strict land use segregation, occupancy limits, and the rise of discretionary permitting: all of which ate away at private property rights and increased housing costs. Local governments were more than willing collaborators.

One of the earliest examples is minimum lot size mandates. As cities decided where Texans could build, they began dictating how much land each home must occupy. Minimum lot size regulations

often arrived alongside zoning. For example, Austin's 3,000 square foot lot size in the original 1931 zoning code was increased to 5,750 square feet in 1946 (City of Austin, 1931; City of Austin, 1946). Requiring more land per dwelling had far-reaching effects, too. For instance, it inherently raised the price of entry-level housing by mandating more expansive lots and inhibited densification, thereby contributing to urban sprawl. Such rules were relatively uncommon before World War II. Between 1925 to 1940, only 20% of municipalities had adopted minimum lot size regulations (Gardner, 2023; Cui, 2024). But during the post-war boom, they spread rapidly, with an additional 59% of cities adopting them by 1970 (Gardner, 2023; Cui 2024). Texas' local governments followed this national trend, embracing large lot requirements as a way to promote a more sprawling, less affordable pattern of development.

Following minimum lot size mandates, local governments increasingly banned various housing types through restrictive single-family zoning. Early zoning ordinances in Texas were generally "cumulative" and often allowed a wide range of uses in which higher-density residential uses (e.g., duplexes, accessory units) could still be built in lower-density zones⁶. Over time, however, cities moved toward districts exclusively zoned for single-family units, i.e., classic Euclidean zoning. For example, San Antonio's first zoning law, Ordinance 191, from 1938 allowed accessory dwelling units (ADUs), which will be discussed in greater detail later in this report (1938). But during the post-war boom, San Antonio and other Texas cities amended their codes to outlaw new ADUs in single-family zones. Thus, a common form of inexpensive housing (e.g., the rented garage loft or backyard cottage) was disallowed and virtually vanished for decades.

Similarly, zoning's push for uniformity also diminished mixed-use buildings in commercial districts. It used to be normal, especially in early Texas towns, for a

⁶ Cumulative zoning is a system of land-use regulation that allows any use permitted in a less restrictive zone to also be allowed in a more restrictive zone. For instance, a zoning category that permits duplexes would also permit single family homes under cumulative zoning.

property owner to erect a shop or office with apartments or rooms for rent upstairs. In 1984, the cumulative zoning policy that enabled Austin's mixed-use developments was essentially abolished (Harris, 2018; *City of Austin*, 1984). Dallas likewise transitioned to strictly separate-use zones during the 1980s, ending the bygone practice of permitting homes or apartments on industrially zoned land (Dallas, 2019, p. 2). By the late 20th century, mixed-use development had become uncommon outside of downtowns or special planned districts; property owners who once could build a shop with residences above by-right were now required to seek special zoning or variances.

This broader shift from by-right construction and land-use to discretionary approval compounded over time. For most of U.S and Texas History, local governments did not require building permits. Even after they manifested in the "first half of the 20th century issuing building permits was still a ministerial act—meaning without the exercise of individual discretion" (Pinto & Peter, 2023). The issuance of building permits in Texas came about in the early 20th century, with some notable examples including Houston in 1914 (City of Houston, 2013), Dallas in 1905 (City of Dallas, n.d.), and Austin, upon passing zoning ordinances in the 1920s, began indexing building permits in 1939 (Austin Public Library, 2022). Frequently, these discretionary processes would require a public hearing (Pinto & Peter, 2023). One consequence of this transition was to give outside groups greater control over private property rights. As Peter and Pinto (2023) observe, "This process ended up empowering neighborhood groups that often sought to limit development of any type, including smaller and less expensive single-family and multifamily units."

Even decisions about who may live in one's home came to be regulated. Occupancy limits enacted across the state during the second half of the 20th century led to the criminalization of what is now called, "home-sharing" (Blair and Bartley, 1966). Their origin may trace back to progressive era public

health campaigns against overcrowding. Scholars find that during the early 20th century, nearly half of urban Americans lived as boarders (Groth, 1994). Census data shows the number of people living as roomers or boarders peaked in 1930 at about 4.6 million, then plummeted to only 1.1 million by 2005 (Kreider, 2015). Texas Court records document the widespread practice of renting out part or all of a home to non-relatives or roommates (Paxton et al., 2018). Cities across the state gradually imposed occupancy limits. After *Village of Belle Terre v. Boraas* (1974), the City of Lubbock, for instance, adopted an ordinance that forbade more than two unrelated people from sharing a home. Such occupancy limits strike at a fundamental aspect of property rights: the freedom to decide who may live in one's home.

Separately, as part of the federal government's progressive era reforms, President Roosevelt imposed rent controls across large parts of Texas, including Austin (Office of War, 1942). All told, during the 1940s, more than 80% of U.S. rental stock was placed under rent control (Fetter, 2013). These "defense rental areas" led Economists Milton Friedman and George Stigler to note that "rentals are becoming almost impossible to find, at least at the legal rents" (1946). Would-be tenants struggled with shortages, while some landlords resorted to under-the-table payments or let units deteriorate since capped rents often failed to cover maintenance.

In 1949, the state intervened for the first time and rolled back some progressive regulations. The Texas Legislature stopped cities from continuing wartime rent controls unless a local housing emergency was declared with the governor's signature (HB 808, 1949). This free-market protection was strengthened during the 69th Regular Legislative Session, when the practice was made effectively illegal through HB 2288 (Tex. Loc. Gov't Code § 214.902).

On the whole, this period of Texas history is characterized by a shift from broadly respecting private property rights in the 1920s, deferring to the individuals and

markets, to centralizing control in the hands of planners. Yet, throughout recent decades, the Legislature⁷ has restored some property rights and free-market protections that were lost. For instance, in 1999, the 76th Legislature enacted HB 1704, creating a “vested rights” statute ([HB 1704; Local Government Code § 245.002](#)). That law guarantees that once a builder files a development application or plat, the approval must be based on the rules in effect at that time. Similarly, in 2005, Texas prohibited any local government from mandating sales-price caps on new homes ([HB 2266; Local Government Code § 214.905](#)).

Despite these measures, the existing regulatory environment remains challenging. Progressive era planners believed that centralized municipal planning (zoning and building codes) would deliver “more and better housing,” as the preface to the Standard State Zoning Enabling Act promised ([Hoover, 1952, p. 92](#)). However, in practice, these policies often constrained supply and contributed to higher costs. These lessons have been learned the hard way over the course of nearly a century and should inform policymakers’ efforts moving forward. Indeed, Texas has an opportunity to chart a new path forward, informed by the failures of the past. In so doing, we can honor the goal of achieving affordability through other market-oriented means, like legalizing the homes Texans need, trusting people with their own property, and unshackling free market forces.

The Cost of Control: The Dire State of Housing Affordability

Texas is now reaping the bitter fruits of a century of housing regulation. Ninety percent of Texans believe that housing affordability is an issue in their area, and recent data shows the state is more than 300,000 housing units short ([Adams et al., 2024; Texas Comptroller, 2024](#)). A major driver of this shortfall is

overburdensome regulations, which can account for over 20% of the initial cost of housing ([Emrath, 2021](#)).

Texas’ population is increasingly packed into smaller areas; at over 31 million, nearly 95% of recent growth has occurred in just 26 metros ([Texas Demographic Center, 2024, n.d.](#)). Regulatory barriers that prevent densification artificially constrain supply, and when coupled with population growth-driven demand, are likely to result in higher prices. Unsurprisingly, the median sales price of a home has grown 30%.

One indicator of the regulation-induced market distortion is found by comparing the lot size before widespread mandates and the present. During the 1940s, nearly 70% of single-family homes were 1,400 square feet or less ([Khater & Yanamandra, 2021](#)). As of 2020, they make up less than 8% of the total housing stock ([Khater, Kiefer, & Yanamandra, 2021](#)). These starter homes, alongside a wide variety of nontraditional homes, were the norm for much of this state’s history. Homes of this kind formed the core of Texas’s market. As late as 2010, homes under \$200,000 constituted half of all homes for sale. As of 2023, they made up less than 1.7% of the state’s market ([Wiley, 2023](#)).

As the inventory of homes under \$200,000 virtually disappeared, fewer average Texans are able to afford to live in a home. Since 2020, the Texas Housing Affordability Index (THAI) has fallen from 1.75 to 1.09. The THAI measures affordability by comparing the median family income for a particular city, county, larger metro area, or state to the amount required to purchase a median-priced home ([Texas Real Estate Research Center, n.d.-a](#)). This means that the median family income in Texas, which was \$91.6k, was now only 9% more than the amount required to purchase a median-priced home. This method reflects a fall

⁷ In 2015, the state prohibited housing linkage fees with HB 1449, which added Local Government Code § 250.008 ([Tex. Loc. Gov’t Code § 250.008](#)). In the 86th Regular Legislative Session, the Legislature advanced several deregulatory measures. HB 2439 limited municipal regulation of building materials and design standards in Government Code Chapter 3000 ([Tex. Gov’t Code ch. 3000](#)). HB 3167 created a shot clock for plat and plan approvals. HB 852 banned value-based building-permit fees through Local Government Code § 214.907 ([Tex. Loc. Gov’t Code § 214.907, 2025](#)). Most recently, in the 88th Regular Session, HB 14 authorized limited third-party review and inspection to address permitting delays, and SB 929 protected existing uses by amending Local Government Code § 211.006 and adding § 211.019 ([House Bill 14 Bill Analysis, 2023, p. 1](#); [Tex. Loc. Gov’t Code §§ 211.006–211.019, 2025](#)).

in affordability for median-income earning families from 2020 to 2024, even as income increased ([Texas Real Estate Research Center, n.d.-b](#)).

Another measure of a state's affordability is the Carpenter Index. This index compares the average carpenter's household income to the percentage of homes in that area that are within three times the amount ([Pinto et al, n.d.](#)). For example, if a carpenter's household income is \$77,000, then an affordable home would be any residence costing up to \$231,000. The income and number of housing units affordable to them are then compared to the median housing price of the area in which they reside. The result is a ratio describing what percentage of homes are in their price range. Since by definition, 50% of all homes in an area cost less than the median housing price if the carpenter index for a city is 50% then the carpenter would be able to afford half of all homes on the market up to the median-price, but if the range of homes the carpenter can afford is less than 50% of that keeps median-priced and above housing out of reach.

The results of this index, as analyzed by the American Enterprise Institute (AEI), were applied to reflect six major Texas metropolitan areas. According to AEI, McAllen is the most affordable city with carpenter households able to afford the bottom 36.1% priced homes. Houston is the next most affordable location, with carpenter households able to afford 25.5%. In third place is San Antonio, with carpenters able to afford 19.2%. Fourth is El Paso with an index of 16.2%. In fifth place is Dallas with an index of 9% and lastly, Austin had an index of 7.2% ([Pinto et al, n.d.](#)). Simply put, there is not a single major metropolitan area in the state of Texas where a carpenter's household can afford to buy a median-priced home.

With this context in mind, the 89th Legislature enacted targeted reforms designed to make it easier to build the kinds of homes Texans need. The following sections summarize measures from the 89th legislation and their implementation, including changes to zoning procedures, lot size and density, mixed-use

and multifamily development, and occupancy limits. They also provide a menu of options for continued reform and highlight areas of future research.

RECLAIMING THE FREEDOM TO BUILD: THE 89TH LEGISLATURE'S EVIDENCE- BACKED REFORMS

The 89th Legislative Session brought dramatic changes in housing policy in order "to address a shortage of affordable housing stock" ([SB 15 Bill Analysis, 2025, p. 1](#)). Legislation was aimed at removing regulatory barriers regarding zoning, density, and configuration, thereby allowing developers and builders to react more organically to the demands of consumers.

The Legislature passed five critical measures to increase housing attainability in the state, including:

- House Bill (HB) 24 ([2025](#)), relating to procedures for changes to a zoning regulation or district boundary.
- Senate Bill (SB) 15 ([2025](#)), relating to size and density requirements for residential lots in certain municipalities; authorizing a fee.
- SB 840 ([2025](#)), relating to certain municipal regulation of certain mixed-use and multifamily residential development projects and conversion of certain commercial buildings to mixed-use and multifamily residential occupancy.
- SB 1567 ([2025](#)), relating to the authority of home-rule municipalities to regulate the occupancy of dwelling units.
- SB 2477 ([2025](#)), relating to certain municipal regulation of the conversion of certain office buildings to mixed-use and multifamily residential occupancy.

While the details differ, each bill aims to increase the availability of attainable housing by removing local regulatory barriers so the market can deliver more

Figure 1*Housing Market Characteristics in Texas's Five Most Populous Metropolitan Areas*

MSA/MD	Median Housing Price	Minimum Lot Size	THAI Ratio
Austin-Round Rock- San Marcos	440,000	1,800	<u>1.15</u>
Dallas-Plano-Irving	420,000	5,000	<u>1.06</u>
Fort Worth-Arlington-Grapevine	357,000	3,500	<u>1.15</u>
Houston-Pasadena-The Woodlands	335,000	1,400	<u>1.15</u>
San Antonio-New Braunfels	306,000	1,250	<u>1.16</u>

Note. Data from *Housing Affordability*, by Texas Real Estate Research Center, 2025 (<https://trerc.tamu.edu/data/housing-affordability/?data-State=Texas>)

homes. To understand the need for each reform requires first evaluating the nature and impact of the regulatory barriers and second examining how the reforms seek to address them.

Land, Lots, and Affordability

As discussed in the *Progressive Era Roots of Texas' Housing Crisis*, lot size mandates arose from 20th-century central planning. They continue to distort housing costs. To elaborate, one of the principal drivers of housing cost is land. In fact, “almost one-quarter of the sales price of a single-family home” relates to the price of land ([SB 15 Bill Analysis, 2025, p. 1](#)). Thus, regulations that require more land per unit of housing tend to put upward pressure on costs.

To put a finer point on the matter, consider the five selected regions in **Figure 1**, which shows a loose relationship between minimum lot size and the Texas Housing Affordability Index. While it is not exactly one-to-one, the cities in **Figure 1** with the lowest minimum lot size, such as Houston and San Antonio, tend to have the highest affordability ratio. Previously, Austin had the largest minimum lot size among the selected cities and only recently reduced their minimum lot size, which may explain why their median housing price remains higher than the rest ([Bonura, 2024a](#)). However, as Bonura notes, the relationship is even stronger when we look at median

housing prices; for example, San Antonio has the lowest median house price and the lowest minimum lot size. According to AEI’s housing playbook, allowing Texans to build on small lots⁸ could add “61,700 additional single-family homes per year” ([Pinto et al., 2025](#)). These data demonstrate the need for lawmakers to act to reduce lot size requirements in major metros through reform like SB 15.

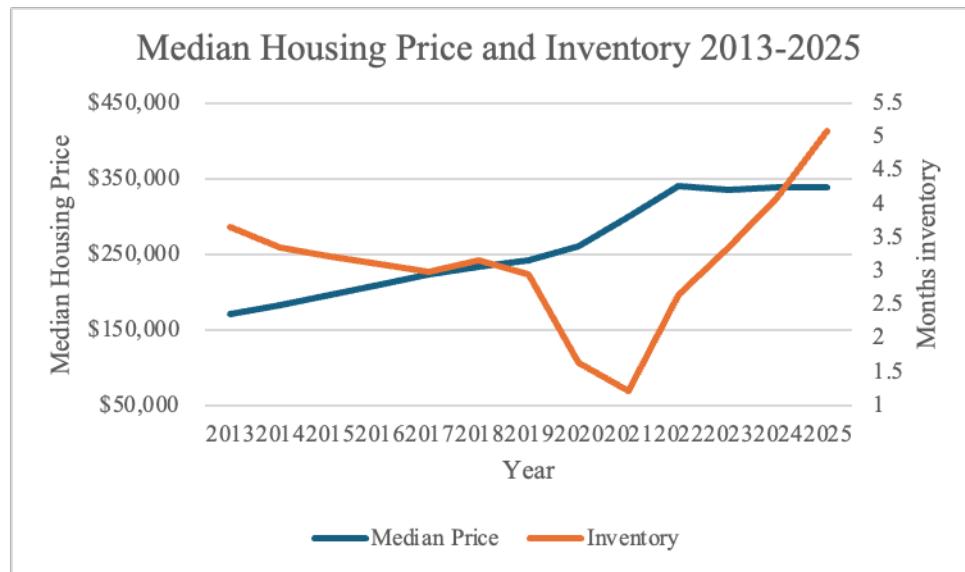
Senate Bill 15

SB 15 opens the door to starter homes on smaller lots by prohibiting large-lot mandates that effectively bar smaller, more affordable homes. In affected areas, a “small lot” is defined as a lot that is less than 4,000 sq. ft. Therein, cities are prohibited “from requiring building regulations like setbacks, height, and bulk, which inhibit housing construction on lots smaller than 4,000 sqft [sic]” ([SB 15 Bill Analysis, 2025, p. 1](#)). For certain new plats, cities cannot force lot sizes larger than 3,000 sq. ft., widths over 30 feet, and depths over 75 feet, or densities below 31 units/acre ([SB 15 Bill Analysis, 2025, p. 2](#)). “[T]he availability of land, and zoning regulations” are some of the primary factors influencing the cost of housing, according to Robert Dietz ([2023](#)), the chief economist of the National Association of Home Builders (NAHB). Eliminating these forms of municipal government interference will help increase the supply of housing and permit market forces to better cater to prospective homebuyers.

⁸ AEI defines small lot as 1,400 sq ft or less.

Figure 2

Median Housing Price and Housing Inventory in Texas, 2013-2025



Note. Data from *Housing Activity*, by Texas Real Estate Research Center, 2025 (<https://trrc.tamu.edu/data/housing-activity/?data-State=Texas>)

While reducing lot-size mandates expands supply from the bottom up, other reforms were needed that address procedural barriers which can stall construction and restrict zoning flexibility.

Supply, Prices, and the “Tyrant’s Veto”

Increasing the supply of housing is likely to reduce costs, *ceteris paribus*. Barriers to new supply accomplish the opposite. Data examining the trend of median housing price compared to the inventory of houses in Texas over the last 10 years helps demonstrate this relationship between supply and cost (TREC, n.d.). As may be observed in **Figure 2**, when supply falls, price increases at a nearly proportional rate. A regulatory barrier that has been exacerbating the housing supply shortage is the valid petition—or as it is more commonly known, the “Tyrant’s Veto” (Bonura, 2024b). As Bonura explains, “this rule means that after the often-arduous task of getting zoning reform passed, a small minority of property owners could hold reforms for an entire city hostage.” This process of rejecting reforms leads to artificial scarcity that makes housing more costly. The Legislature addressed this issue by passing HB 24.

House Bill 24

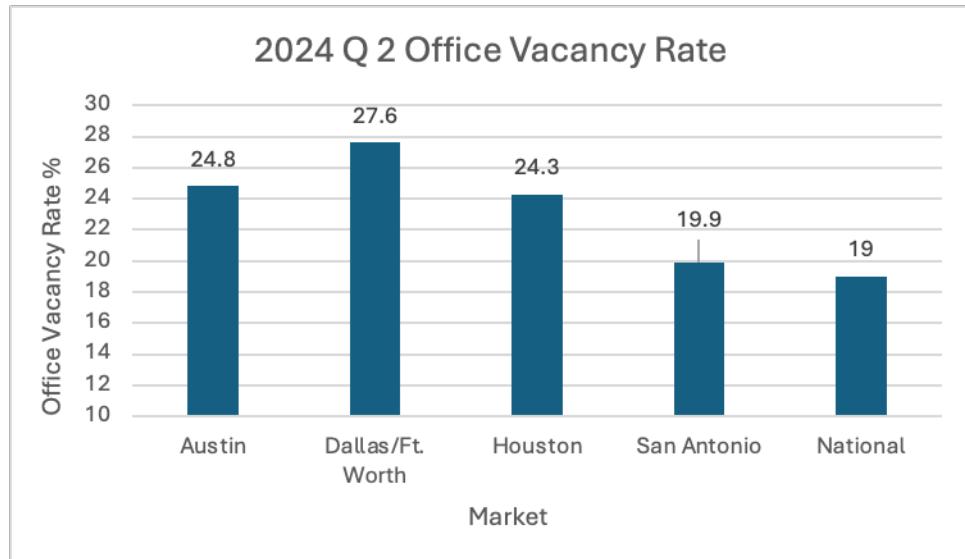
This bill made it easier to implement changes to zoning regulations while preserving the valid petition process against a zoning change. Texas’ protest petition rules historically allowed a small minority of nearby owners to force a supermajority vote to approve many zoning changes. Under the Texas Local Government Code, Section 211.006 (d), owners of 20% of the affected or adjacent area could trigger this veto (Shepard, 2025). HB 24 (2025) updates this process so a minority cannot control the use of their neighbors’ property nor infringe upon their respective private property rights (Shepard, 2025). Now, owners of 60% of the property in the area of the proposed change are required to sign the petition, and the petition can be overruled by a simple majority of the city council (Shepard, 2025).

Beyond suburban and process-level barriers like lot size and protest petitions, legislators also turned their attention to the urban core.

Unlocking the Urban Core

The COVID-19 pandemic saw companies transitioning

Figure 3
2024 Q2 Office Vacancy Rate



Note. Data from Q2 2025 U.S. Office Figures by CBRE Research, 2025 (https://mktgdocs.cbre.com/2299/c9042864-07fb-4f20-ba09-5e495380aaa4-225153186/Q2-2025_US_Office_Figures.pdf)

to a hybrid schedule, where employees work half-time or quarter-time in the office and the remainder of the week remotely from home (Bonura, 2024c). Due to this change in workplace norms, many businesses have downsized or abandoned the concept of high-rise offices entirely. As a result, major metropolitan areas have a surplus of vacant office spaces that could be converted into habitable dwellings (Bonura, 2024c). The Legislature helped cities keep up with growing housing demand by allowing for the development of mixed-use residential and commercial, as well as converting unused office spaces into housing units through SB 840 and SB 2477.

Senate Bill 840

SB 840 allows for mixed commercial and multi-family residential use and allows for the conversion of empty office space into residential units by right. This makes urban infill much easier to accomplish, which helps revitalize downtowns or central business districts with increased housing closer to jobs, essential for the operation of the city. As Bonura (2025) explains, "converting offices into housing has a lower construction impact than new development

because the structure and much of the infrastructure (e.g., electricity, plumbing, HVAC) are already in place." This, combined with other measures, adds to the housing supply, which ultimately aids in creating more affordable costs for consumers.

Senate Bill 2477

SB 2477 focuses on converting office buildings into mixed-use or multifamily housing. In covered cities, municipalities may not require rezoning for qualifying conversions and must grant administrative approval once the objective criteria are met. The law enables quicker delivery of homes, especially in the urban core, where land for new construction is scarce.

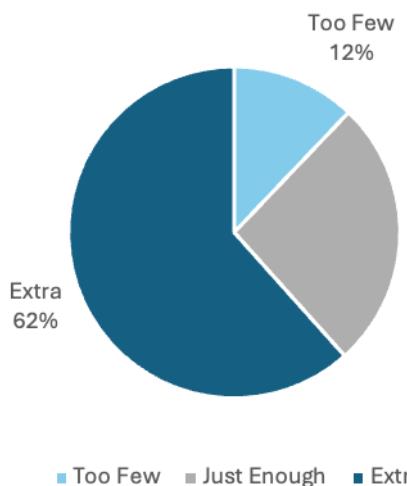
As lawmakers acted to unlock the urban core, they also enabled another novel den of housing supply: spare bedrooms.

Home Sharing and Spare Bedrooms

Data analyzed by Apartment List shows that over 60% of all households have spare bedrooms (Salviati, 2023). In total, that's more than 137 million

empty beds ([Salviati, 2023](#)). Turning towards Texas, over four million bedrooms could be rented out to provide homeowners with income and tenants with a place to live ([Shepard, 2025](#)). Yet, local government regulations across the state prevent property owners from renting to non-relatives. Specifically, mid-sized municipalities with institutions of higher education towards harsher enforcement of these rules, hurting both property owners who lost income and young adults who needed attainable housing. SB 1567 seeks to ameliorate these issues.

Figure 4
2021 Share of U.S Housing Units by Spare Bedrooms



Source: [Salviati, 2023](#).

Senate Bill 1567

SB 1567 bars certain cities from imposing occupancy caps based on immutable characteristics such as relationship status or age. Occupancy caps, particularly those lower than the bedroom count, limit the economic utility of a dwelling. By preempting these caps, the bill unlocks more capacity in existing homes, while maintaining reasonable, safety-based standards to prevent overcrowding. Although this is not a policy that directly affects how homes are built, it does help ease the costs on those who need roommates to afford rent and help those who may be in a non-traditional family situation.

However, passing these reforms was only half of the battle. The next challenge is to ensure they are faithfully implemented. Initial reactions from local governments suggest that not all covered cities are eager to embrace the legislature's pro-housing agenda. In fact, as the next section will show, cities are actively undermining them.

THE LOCAL REBELLION: HOW CITIES ARE UNDERMINING STATE REFORM

Texas's new housing reforms, effective on September 1, 2025, restore a measure of freedom by preempting regulatory constraints imposed by local governments. These reforms promise a return to the state's tradition of economic liberty and historical affordability. Yet, within weeks of taking effect, several cities, in a reaction reminiscent of the progressive era's penchant for control, began to narrow their reach through a cascade of reactionary ordinances that inflate costs and strangle affordability. A cartel of resistance has formed, especially in north Texas. Arlington, Irving, Plano, and Frisco, among others, have sought to limit the implementation of SB 15 and SB 840, using design mandates, rezonings, amenity requirements, and more ([Fechter, 2025](#); [Britschgi, 2025a](#)). Simply put, what the Legislature gave as a path to attainable housing, local governments have attempted to claw back.

SB 840 (mixed-use and office-to-residential)

Rather than open the door to attainable infill, several cities sought to limit their implementation. Irving set height floors, at least eight occupied stories (approximately 85 feet, higher in some districts), plus unit-mix and amenity packages (e.g., pool, dog park, fitness, co-working with options like yoga/pet wash/bike repair) ([City of Irving, Texas, 2025](#)). Arlington increased required amenities and imposed EV-charging in 15% of parking spaces ([City of Arlington, 2025](#)). Plano paired compliance with minimum heights (generally 45 feet, 75 feet in office-park zones) ([City of Plano, 2025](#)). Frisco exploited a carve-out: because SB 840 doesn't apply where heavy industrial is allowed, it enabled Heavy Industrial by Specific Use Permit across commercial

districts, functionally reclassifying areas that would have qualified for by-right housing ([City of Frisco, 2025](#)). McKinney's implementation points in the same direction: added site enhancements, amenities in non-residential districts, adjacency buffers, and other soft-cost add-ons ([McKinney, 2025](#)). Grand Prairie has proposed amendments to its unified development code that would require SB 840 projects to come with a long list of cost-increasing amenities and architectural features. ([Britschgi, 2025b](#)). Similarly, the "proposed amendments would mandate new SB 840 apartments with an outdoor Olympic-sized swimming pool, pedestrian trails, and masonry walls of between eight and 10 feet tall" ([Britschgi, 2025b](#)). Also, in the vein of increasing the arts, requiring "[n]ew S.B. 840 buildings would also need to feature a public art installation that costs at least \$4 per square foot of all the new housing units" ([Britschgi, 2025b](#)).

[SB 15 \(small-lot housing\)](#)

Killeen requires alley loading for sub-50-foot lots and adds architectural elements, impervious-surface limits, prescriptive access/parking rules, and design mandates ([City of Killeen, 2025](#)). According to Star Local Media, the City of Mesquite "staff plans to prepare text amendments to ensure compliance with Senate Bill 15 while proposing additional development standards for base zoning requirements, including amenities, anti-monotony provisions, driveway spacing and landscaping buffers" ([2025](#)). McKinney requires lots under 50 feet to have rear access via alleys, increasing infrastructure costs and reducing yield ([City of McKinney, 2025](#)). Prior to SB 15 being signed into law, the City of Frisco already had ordinances that are incongruent with SB 15, specifically, "all lots less than 65 feet in width shall be alley-served" ([City of Frisco, 2024](#)). Frisco also requires for patio homes and townhomes that "usable open space shall be fifteen (15) percent of the platted area of the development" ([City of Frisco, 2021](#)). In August of 2025, the City of Arlington passed an ordinance requiring "developments with more than 40 single-family lots shall be required to provide an amenity center and a pool" ([City of Arlington, 2025](#)).

This ordinance also requires, "that such developments shall be required to preserve 35 percent of the site's gross area for common open space" ([City of Arlington, 2025](#)). The city also now requires, "[v]ehicular access is required to be from the rear of the lots via alleys/private access easements" ([City of Arlington, 2025](#)).

Taken together, these implementation challenges blunt the Legislature's intent to deliver attainable housing. When cities impose new obstacles in response to state-level deregulation, the effect is to negate the reforms and perpetuate the status quo ante. Legislative, legal, and grassroots attention to these local government actions may be necessary to ensure these new laws are effective. Even as they defend these gains, state leaders must not lose momentum on further pro-liberty housing reforms. The following section highlights ways to finish the job of reforming Texas's progressive era housing policies, strengthen property rights, and make housing attainable for everyday Texans.

COMPLETING THE WORK OF REFORM

The 89th Legislative Session yielded significant policy victories for those concerned about housing affordability. Pew Research affirms this observation by noting, "There is strong evidence that [Texas's] policies will be effective at improving housing affordability" ([Horowitz & Hatchett, 2025](#)). One aspect that is expected to benefit significantly from the passage of these new laws is the supply of housing for middle-income buyers. By increasing the quantity and attainability of this "missing middle" type, policymakers expect to ease cost concerns and provide a wider breadth of options to consumers.

However, while there were significant legislative victories in 2025, there is still room for continued success going into the 90th Legislative Session. This is particularly true with respect to improving the permitting process, allowing the construction of accessory dwelling units (ADUs) by right, and expanding the scope and application of the latest reforms.

Third Party Review and Inspection

Streamlining permitting is one example. According to the NAHB (2025a), in 2023, Texas was “the state with the highest number of single-family permits issued,” as well as the “state with the highest number of multifamily permits issued.” Similar data suggests that the number of single-family permits issued by Texas was 149,860 and 82,513 for multifamily permits for 2023 (NAHB, 2025a). Regulations, including permitting and inspections, “account for nearly 25% of the cost of a single-family home” as well as “more than 40% of the cost of a typical apartment development” (NAHB, 2025b). “Every hitch and delay in the development process, from reviews to supply chain to available labor to financing to inspections, adds to the final cost of housing” (House Bill 14 Bill Analysis, 2023, p. 1). HB 14 from the 88th Legislative Session allowed for private inspection. The idea of third-party review and inspection can be expanded. Texas could allow builders to opt into third-party review from the start, injecting market competition into the process. Reducing wait times for permit approval for single-family and multifamily construction lowers the costs surrounding the construction of single-family and multifamily homes. Lower costs generally lead to lower prices.

During the 89th Regular Legislative Session, HB 23 (2025) failed to pass. It would have streamlined the residential permitting process by allowing permitting and inspection to be performed by an engineer “licensed under Chapter 1001 of the Occupations Code and is competent in a branch of engineering applicable to the development document and designated by the engineer as an area of competency to the Texas Board of Professional Engineers” (HB 23, 2025). This bill would also have eliminated the need for a builder to wait for 15 days to have an inspection performed by one of those qualified engineers who are not necessarily employed by the city where the residences are being built. This would help increase the number of homes built by alleviating the burden placed on cities for permitting and inspections, which cuts down on a time-consuming process. It would be prudent to revisit this issue again in the future.

Specific and Objective Permitting

Another avenue for reform is returning to by-right approval through “specific and objective” criteria and standards for housing development. Under such a framework, residential and mixed-use projects could once again be approved by right. When specific and objective standards are in place, projects that meet them would be automatically approved by municipalities, minimizing uncertainty and delay.

As Furth et al. (2025) explain,

A typical zoning ordinance provides that uses are allowed “by right,” “with conditions,” or “by special permit” in each zone. Conditional uses and special permits are often subject to discretionary votes by a council or board or to discretionary decisions by administrative staff with little or no advance guidance to assist the applicant. This discretionary system of approvals creates uncertainty and is susceptible to corruption. To reduce opportunities for self-dealing, states can require that development approvals be linked to clear, published criteria. If an application satisfies these criteria, approval must be granted.

Recent legislative actions illustrate this reform trend. In Rhode Island, municipalities must now establish “specific and objective” criteria for issuing special-use permits for each use category (Dieter & McBurney, 2024). Likewise, Tennessee passed a law that replaces their discretionary approval system by requiring specific and objective standards (Tennessee General Assembly, 2025). Also, Washington state and Montana “have enacted similar restrictions on the enforcement of design review rules, which can be especially vague and open to abuse” (Furth et al., 2025).

Permitting by right is a method that would greatly help with Texas’s housing shortage. Permit by right is when the approval of a permit “is granted when a development proposal strictly conforms to zoning and building codes and, thus, qualifies

for construction without requiring discretionary approval" ([Planetizen, n.d.](#)). As noted previously, this type of permitting was historically the prevailing standard prior to the passing of zoning laws. The difference between a by-right permitting process, if restored today, and the historical permit by-right is that an effective permit by-right regime today would depend on specific and objective rules laid out by localities or the state.

Several states have already adopted or proposed such systems. In 2023, California enacted SB 4, designating "100% affordable housing projects located on religious or higher-education institution land" as a use by right, making them eligible for density bonuses and other incentives ([Burke et al., 2024](#)). North Carolina recently introduced SB 499, which would "allow housing development 'by right' in any area currently zoned only for commercial, office or retail use" ([Chidress, 2025](#)). Washington state recently passed HB 1110, which would "allow duplexes or fourplexes in most neighborhoods in most cities throughout the state, regardless of local zoning rules that have long limited huge swaths of cities to only single-family homes" ([Gutman, 2023](#)).

Zoning Reforms

Zoning reforms have the potential to greatly increase housing attainability across the state. During the 89th session, through reforms, lot sizes, office conversions, occupancy limits, and other measures were ultimately passed, all of which decreased the regulatory barriers to housing choice. Zoning broadly refers to regulations that strictly separate land uses ([Pollard, 1949, p. 15](#)). These rules limit housing density and variety, constraining supply and reducing consumer choice. Cutting back on such restrictions through a combination of expanding the applicability of previous reforms and slashing regulations on accessory dwelling units and middle housing can allow land to be used more efficiently across the state.

Many Texas cities either prohibit or heavily restrict ADUs. SB 673 ([2025](#)) would have allowed property owners to build ADUs by right. ADUs are sometimes referred to as "granny flats" or "mother in-law suites." One advantage of this property type is that they are useful for keeping extended family close, which is a common living situation in Texas, while also allowing independent living for relatives who likely downsize their own living situation as they get older ([AARP, 2021, p. 5](#)). SB 673 would have also allowed for the owner of the ADU to lease it out, solving a housing problem for one person and supplementing income for the owner.

Zoning often forbids traditional uses of residential land such as duplexes, triplexes, townhomes, and cottage courts—in what are presently zoned as single-family. These housing types are often called the "missing middle" ([National League of Cities, 2024](#)). They bridge the gap between apartments and standalone homes, allowing the market to better accommodate the choices of Texans across the state. Austin already rolled back their Euclidean⁹ zoning by launching their Home Initiative, phase 1 of which allows up to three units per lot ([City of Austin, 2023](#)). State legislators could amplify this by ensuring property owners everywhere have the right to build middle housing on their lot if they choose. This would increase density organically, allowing the market to respond to consumer demand over time. Notably, Houston's no zoning approach has allowed for this housing flexibility, greatly contributing to the region's overall affordability compared to other major metropolitan areas ([Glock, 2024](#)). The American Enterprise Institute estimates that this light touch density could add "27,700 net new homes" per year ([Pinto et al., 2025](#)).

Additionally, the applicability of the five new laws should also be broadened. Small starter homes, mixed-use residential, and office-to-residential conversions are legalized by SB 15, SB 840, and SB 2477, respectively, in just 19 cities across the state

⁹ Referring to *Village of Euclid v Ambler Realty Co.*, not geometry.

([Cabral et al., 2025](#)). While the impact of some of these reforms has been mitigated by implementation barriers, they provide meaningful relief to select markets. However, the limited applicability of these laws creates a patchwork that limits statewide benefits and encourages regulatory arbitrage. Expanding coverage would increase supply elasticity across more markets, reduce spillovers and price pressure that migrate from restrictive jurisdictions into reformed ones, lower compliance and soft costs tied to navigating disparate local codes.

Expand Property Rights Protections

Texas should expand its existing property rights framework to protect against municipal downzoning and regulatory takings. Under the state's 1995 Private Real Property Protection Act, municipal actions are largely exempt and compensation is only triggered when a regulation causes at least a 25% reduction in property value, leaving many owners without a meaningful remedy ([Brannan et al., 2010](#); [Hunker, 2014](#)). By contrast, Arizona's 2006 Private Property Rights Protection Act (Proposition 207) employs a "pay-or-waive" standard: when a post-acquisition land-use restriction diminishes a property's fair-market value, the government must either compensate the owner or waive the restriction's enforcement ([Sandefur, 2016](#)). This rule has deterred local governments from adopting zoning measures such as multifamily-housing bans and expansive historic district designations, that could lead to lower property values ([Furth et al., 2025](#)).

Limit or Eliminate Impact Fees

In addition, Texas should adopt stronger safeguards to limit excessive impact fees. These locally imposed charges, often levied by counties and municipalities to fund infrastructure, can add thousands of dollars to the price of a new home, effectively setting a floor on residential construction costs and discouraging entry-level housing production ([Furth et al., 2025](#); [Hunker, 2016](#)). Florida provides a model through its Impact Fee Act, which mandates a demonstrated "rational nexus" and proportionality between a development's impact and the fee imposed, requires

that funds be earmarked for specific projects, and restricts fee collection to the time of building-permit issuance ([Fla. Stat. § 163.31801, 2024](#)). Similar legislative guardrails in Texas would help prevent excessive cost-shifting to new homeowners and ensure that local infrastructure financing aligns with fairness and economic growth ([Texas Public Policy Foundation, 2020](#)).

End Parking Mandates

Texas should curb mandatory on-site parking that inflates housing costs and wastes land. Research shows each structured space can add around \$50,000 per unit, and that minimums push projects to consume far more land than housing requires ([Brookings, 2020](#)). In 2025, Washington state capped local mandates at one space per single-family home and at 0.5 per multifamily unit while exempting small units and many change-of-use projects ([Wash. Rev. Code § 35.21.994](#)). Montana limited cities to one space per dwelling and barred minimums for adaptive reuse, small units, and child-care facilities ([Mont. HB 492, 2025](#)). Cities from Bridgeport, CT, to Corvallis, OR, have eliminated residential parking minimums citywide, illustrating workable alternatives to blanket mandates ([Parking Reform Network, 2025](#); [Parking Reform Network, 2022](#)). Adopting similar statewide limits or preempting residential parking minimums altogether could help to lower Texas's per-unit costs ([Furth et al., 2025](#)).

Taken together, these steps point to clear opportunities for the 90th Legislature: expand the reach of SB 15, HB 24, SB 840, SB 1567, and SB 2477 so more Texans benefit from attainable housing; authorize third-party plan review and inspections to expedite new construction; and legalize ADUs by right, to unlock small-scale, homeowner-led additions to the housing stock. These policy changes roll back progressive-era red tape and empower markets to meet Texans' housing needs.

As Texas continues to improve its housing landscape, ongoing research and analysis will be critical. The following section outlines potential areas of focus.

RESEARCH FOR THE FUTURE

Implementation

During the interim, lawmakers should study and monitor the implementation of these five bills. Some jurisdictions have attempted to circumvent the reforms; documenting such practices will inform corrective action. By so doing, legislators in the next regular session will be prepared to help everyday Texans realize their dream of homeownership.

Institutional Home Buyers

Another area of research that is fruitful for further exploration regarding housing in Texas is the impact of institutional buyers on the supply and cost of housing. Institutional buyers are firms that purchase over 100 homes per year to either rent or sell ([Mohtashami, 2023](#)). The premise is that large developers have access to much higher levels of capital than people just looking to buy a home for their family to reside. The claim is that developers use access to this capital to buy large tracts of land where they are the sole supplier of housing, allowing them to control housing prices. There are also claims that many of these developers are building homes not to sell but only to rent, actively suppressing homeownership as a consequence ([Butler, 2024](#)). In the past, there has been legislation¹⁰ proposed to direct the Texas A&M Real Estate Research Center to study how much influence these institutional buyers have on housing so that the data they collect could be used to shape and formulate sound policy.

Building Codes

Future research should also examine the impact of building codes on construction costs. During the 89th Legislative Session, SB 2835 was passed, which allowed municipalities to deviate from the International Building Code and authorize the construction of single stair apartment buildings ([SB 2835, 2025](#)). As housing affordability becomes an increasingly important issue, quantifying and ameliorating building codes' fiscal impact will become crucial. The state could fund research to that end, identifying

costly building code provisions and developing an alternative called the Texas Innovation Code. Another approach would be to allow builders to use any applicable version of a post-2000 ICC code, provided that if different from the municipally adopted code, the builder would bear the cost of third-party inspection/review. Additionally, certain novel building code amendments—such as scissor stairs, small elevators, and extending residential standards like Dallas has done to a greater number of housing types—shows promise ([Dallas, 2025](#)).

Building codes have only recently begun to incorporate a regulatory framework for 3D printed homes ([Copley & Schwartz, 2022](#)). On one hand, uneven adoption could slow the development of these new housing products, subject potential development to lengthy review processes, and create a complicated patchwork of regulations. On the other hand, the codes themselves may lag behind industry innovation and impose unnecessary compliance costs. As this burgeoning field expands, policymakers and researchers ought to prioritize regulatory flexibility at a statewide level and greater uniformity across municipalities.

Student Housing Up Zones

An underexamined area of policy exploration is student housing, which presents an opportunity to reduce cost burdens on younger Texans. One idea meriting further consideration is creating a zoning-free buffer around public institutions of higher education, similar to AB 648, recently signed by Governor Newsom in California ([Cal. AB 648, 2025](#)). This idea would entail exempting certain areas near universities from municipal zoning restrictions. These so-called "up zones" would enjoy much the same benefits that public-private partnerships already do ([Tex. Gov't Code ch. 2165, 2025](#)). Specifically, these zones would enjoy certain regulatory benefits, namely, that public land in Texas is exempt from local government land-use and building code regulations. Allowing adjacent property to enjoy the

10 SB 1979 ([2023](#)) from the 88th session, vetoed by the Governor; HB 287 ([2025](#)) from the 89th session, failed to advance.

same regulatory relief could increase the supply of attainable housing in an especially cost-burdened demographic.

CONCLUSION

Ultimately, housing affordability in Texas comes down to reaffirming this state's core principles: private property rights, and market competition, are the bedrock of liberty and prosperity. At the onset of the 89th Legislative Session, Texas was more than 300,000 housing units short of meeting the demand driven by decades of population and job growth that enriched the state. These shortages will not resolve overnight, but history offers guidance. Jurisdictions that removed similar Progressive Era barriers decades ago, along with those that have done so more recently, have consistently seen housing supply rise and prices stabilize. It remains likely that deregulation will continue piecemeal. As shown by the

89th session, housing reform in Texas requires a wide coalition of support. Policymakers would be wise to follow an all-of-the-above approach: considering incremental legislation as well as all-encompassing measures.

At the center of those efforts needs to remain a focus on protecting individual freedom over local government fiefdoms. The harmful regulations that increase housing prices accumulated over the course of a century. Restoring the state to the status quo ante may require successive sessions of gradual change.

The 89th session set the foundation on which the 90th can come and build. In so doing, Texas would strengthen private property rights and take much-needed steps toward a more attainable housing market, one that puts homeownership in reach. ■

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