



Restoring Options in Occupancy Models (ROOM) Act

MODEL SINGLE-ROOM OCCUPANCY (SRO) LEGALIZATION BILL

August 26, 2026

The ROOM Act makes it easier to create and live in shared housing by legalizing co-living and SROs. These housing options range from renting a spare bedroom in a home to sharing modern co-living spaces in luxury apartment buildings or converted offices. For much of American history, shared housing common and widely accepted. It provided affordable, flexible housing for workers, students, seniors, and people moving to new cities. But by the mid-20th century, many local governments had either banned or heavily restricted these housing types through zoning laws, occupancy limits, and building code regulations. As a result, millions of people lost access to this practical and affordable way to live—contributing to today’s housing shortages and homelessness crisis.

The ROOM Act creates consistent regulations statewide for shared housing and preempts local rules that unfairly prohibit co-living. It clarifies building code standards, prevents discriminatory enforcement against property owners and residents, and allows a wider variety of co-living arrangements statewide. By restoring these housing options, the bill helps low- and middle-income residents find more affordable and flexible places to live, allowing for both the return of proven housing models from the past and the development of new forms of housing for the future.

To discuss implementing the ROOM Act in your state, contact:

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Section 1. Title. This bill shall be titled the ROOM Act.

Section 2. Legislative Findings. The Legislature makes the following findings:

- (1) [State] is currently experiencing a housing availability and affordability crisis.
- (2) Co-living housing, also known as single-room occupancy, is a residential property with sleeping units that are independently rented, in which residents share kitchen and/or bathroom facilities with residents of other units.
- (3) Because of their smaller size, co-living housing has historically offered the lowest per-unit rental housing costs available for tenants and the lowest per-unit construction costs for developers.
- (4) Local governments have restrictive zoning, land use, and building regulations that either prohibit co-living housing or impose requirements that make developing, building, and operating these units economically or physically impractical, causing the construction of such units to dramatically decrease.
- (5) Research shows that in cities where co-living remains legal, monthly rents for co-living could be on average 40 percent lower than rents for studio apartments.ⁱ
- (6) Adding smaller, affordable units increases overall housing supply and reduces competition for larger family-sized homes, easing pressure on rents across the market.
- (7) Co-living enables the adaptive reuse of office buildings, hotels, and other underutilized commercial properties which are not economically feasible to convert to standard apartments.
- (8) Co-living provides income-earning opportunities for property owners, furthering housing affordability and economic mobility. Property owners have the right to use their property to meet the needs of willing tenants.
- (9) Enabling the creation of co-living near downtowns, transit hubs, businesses, commercial areas, and public amenities can increase walkability, shorten commutes, limit traffic, curtail sprawl, and reduce the pressure to develop farmland and the natural environment.

Section 3. Definitions. For the purposes of this Act:

- (1) “Co-living property” means a residential property that includes one or more sleeping units that are independently rented and lockable, with residents sharing separate kitchen and/or bathroom facilities with other sleeping units in the building. Local governments may use other terms to refer to co-living, including, but not limited to, boarding houses, congregate living facilities, group homes, lodging houses, micro units, or single room occupancy. The term does not include a unit in a hotel, motel, bed and breakfast, or other forms of temporary lodging of a generally commercial nature, as such terms are defined by state or local law.
- (2) “Local government” means any local governing body with zoning authority.
- (3) “Mixed use” means a type of development that combines residential uses with commercial, entertainment, institutional, office, or other uses within a single building, parcel, or development area.
- (4) “Sleeping unit” means a dedicated room in a co-living property for sleeping purposes by one or two occupants living as a household, regardless of whether the room is currently occupied or leased. A sleeping unit may include limited food preparation or sanitation facilities but does not contain a full kitchen.

Section 4. Co-living Allowed By Right.

- (1) Notwithstanding any provision to the contrary, a local government shall allow co-living properties as a permitted use by right on any parcel of property where residential, mixed use, or commercial use is permitted, and with sleeping unit densities in accordance with the minimum square footage required by the International Property Maintenance Code.

(2) Approval of co-living properties shall not be subject to discretionary review, special use permits, conditional use permits, planned unit developments, public hearing processes, or variance requirements.

(3) A local government shall not:

(a) limit the people who may occupy a co-living property or sleeping unit based on:

- (i) age;
- (ii) relationship, familial status or whether the occupants are related to each other by a certain degree of affinity or consanguinity;
- (iii) occupation;
- (iv) income or source of income; or
- (v) disability status.

(b) treat a sleeping unit in co-living property as more than one-half of a dwelling unit for purposes of calculating dwelling unit density in single-family zones or as more than one-fourth of a dwelling unit for purposes of calculating dwelling unit density in multi-family or commercial zones.

(c) treat a sleeping unit as more than one-half of a dwelling unit for purposes of calculating fees for sewer connections, unless the local government makes a finding, based on facts related to the property, that it is necessary for the connection fees to exceed the one-half threshold.

(d) require co-living properties to:

- (i) comply with any design or code standards or bulk, lot, and height requirements that only apply to co-living properties;
- (ii) comply with any aesthetic, functional, operational, or recreational requirements that only apply to co-living properties;
- (iii) adhere to room dimensional standards larger than those established by 24 C.F.R. § 982.605, including dwelling unit size, sleeping unit size, and habitable space;
- (iv) install a commercial-grade kitchen, as defined by [Section] of [applicable municipal building code];
- (v) provide off-street parking if the property is located within one half mile of a public transit station, or provide off-street parking that is more than .25 of a space per sleeping unit if the property is located more than one half mile of a public transit station;
- (vi) incorporate operable windows in sleeping units in co-living properties of more than eight people, provided the co-living property complies with all other applicable fire code requirements; or
- (vii) include other uses.

(e) impose any management, operational, or tenancy requirement on a co-living property that is based on the presumed social, economic, or behavioral characteristics of its residents, or that has the purpose or effect of discouraging the construction or operation of co-living properties.

(4) [Landlord/tenant law of state] shall govern co-living occupancy agreements to rent a sleeping unit except that a landlord of a co-living property may terminate an occupancy agreement (i) with three days' notice if the tenant engages in conduct that materially interferes with the health or safety of one or more other occupants, including harassment, intimidation, or repeated disruptive behavior, or (ii) immediately if the tenant engages in violence or makes a credible threat of violence on the property.

(5) Any local ordinance or regulation of co-living shall be narrowly tailored to protect against a

demonstrable health or safety issue.

- (6) This section supersedes and preempts any local regulation or action that conflicts with or frustrates the purposes of this Act or that imposes requirements uniquely upon co-living properties, and any such local regulation or action shall be deemed impermissible and void.

Section 5. Applicability.

- (1) A local government shall adopt or amend by ordinance and incorporate into their development and zoning regulations the requirements of this Act to take effect no later than _____; if it fails to do so, the requirements of this Act prevail.
- (2) Nothing in this Act shall be construed to:
- (a) prohibit a local government from enforcing generally applicable health, safety, or building standards that are applied equally to all residential uses.
 - (b) prohibit the enforcement of private covenants, deed restrictions, homeowners' association rules, or other private agreements applicable to a property.
 - (c) apply to state or local regulations governing the construction or operation of halfway housing, substance abuse rehabilitation centers, sober living, re-entry housing, on- or off-campus university dormitories, homeless shelters, or dedicated housing for the elderly or disabled.
 - (d) prohibit a local government from imposing a limit on the number of people who may occupy a dwelling or sleeping unit based on health and safety standards contained in:
 - i. the state building code;
 - ii. a fire code, to the extent that the code does not conflict with the provisions of this Act;
 - or
 - iii. local, state, or federal affordable housing program guidelines.
- (3) A co-living property lawfully existing on the effective date of this Act is a conforming use and may continue, be maintained, repaired, or reconstructed, notwithstanding any contrary local ordinance or regulation.

Section 6. Enforcement.

- (a) A co-living applicant, property owner, resident, or a housing organization aggrieved by a local government action inconsistent with this Act may seek declaratory or injunctive relief and shall be entitled to reasonable attorney's fees and costs as a prevailing party.
- (b) For purposes of this section, a party prevails if it obtains any form of judicial or administrative relief, including a judgment on the merits, declaratory relief, injunctive relief, a preliminary injunction, a consent decree, or if the litigation is a material contributing factor in achieving the requested relief through voluntary action by the local government.

Section 7. Severability. If any provision of this Act or its application is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application.

^[1] Grace Rauh & Tasfia Nayem, 5Boro, *Flexible Co-Living* (Oct. 2023), https://fiveboro.nyc/wp-content/uploads/2023/10/Flexible-Co-Living-Housing_Oct2023.pdf.
