



August 24, 2023 Code Advisory Committee (CAC) Meeting Agenda

Meeting Scope: To provide updates on decentralized sewage system matters and to vet proposed revisions to the Department's *Technical Standards for Subsurface Sewage Disposal Systems*.

CAC Member Introductions:

- CT Association of Directors of Health (CADH – Sonia Marino, DOH Guilford, Dave Knauf, DOH Darien)
- CT Association of Water Pollution Control Authorities (CAWPCAs – Tom Sgroi, Vice President, Jeff Lemay, Member)
- CT Environmental Health Association (CEHA – Jeff Polhemus, Chairman, Danielle Holmes, Co Chairman)
- CT Onsite Wastewater Recycling Association (COWRA – Frank Talarico, President, Bill Hall, Member, Charlie Dutch, Member)
- CT Water Well Association (CWWA – Paul Hurlbut, President, Jeremiah Weid, Vice President, Frank Lineberry, Secretary)
- Department of Energy and Environmental Protection (DEEP – Lauren Jones, Supervising Environmental Engineer, Antoanela Daha, Environmental Engineer 3, Jen Perry, Bureau Chief)
- Home Builders and Remodelers Association of CT (HBRA – Jim Perras, President, David Litchfield, Member)
- Professional Engineers (Roger Nemergut, PE, Larry Marcik, PE, Doug Divesta, PE)
- Soil Scientists- (Rick Zulick, - Society of Soil Scientists of Southern New England)
- Department of Public Health

For Discussion

- **Home Builders Proposed Revisions and Member Survey Responses:** Need responses from all CAC members. Receipt of responses has been slow. Responses are critical to ensure all concerns have been addressed prior to a formal response from DPH.
- **Bedroom Occupancy Reduction for Multi-family Dwelling Units:** Consideration for an occupancy reduction when multiple bedrooms are present within a single apartment / condominium unit.
- **Call for comments:** DPH will be seeking member feedback regarding a wider distribution of the proposed Technical Standards changes for comments. This wider call for comments will come from DPH and include a summary of all the proposed changes DPH is considering. Potential organization that will be contacted: the Rivers Alliance, Save the Sound, CT Chapter of the American Planners Association, Council of Governments, Wetland Officials, Zoning representative. Other recommendations are welcome. We did receive 5 letters from outside organizations regarding the HBRA's proposed revisions (attached). [2 additional letters added 9/6/2023]
- **Legislative Items:** SB 998 - AN ACT ESTABLISHING A TAX ABATEMENT FOR CERTAIN CONSERVATION EASEMENTS AND ADDRESSING HOUSING AFFORDABILITY FOR RESIDENTS IN THE STATE (Section 27). Increases DPH sewage disposal system jurisdiction threshold from 7500 gallons per day (gpd) to 10,000

gpd. The Bill also includes the transfer of community sewage disposal systems from DEEP jurisdiction to DPH jurisdiction. A fiscal note attached to this change that would have increased staffing for the EEP to accommodate this jurisdiction change was not approved. In addition to SSDS regulatory matters, the EEP is also responsible for water treatment wastewater disposal, public pools, family campgrounds, crematoriums, mausoleums, and private burial grounds.

- **DPH Intern Project and Draft Brief:** Properties located within the 100-year FEMA flood zone shall be at least 30 inches above maximum groundwater and leaching systems on properties located within the 500-year FEMA flood zone shall be at least 24 inches above maximum groundwater. Final draft will be submitted for comments in a few months.
- **CAC Member Comments**
- **Visitor Comments**
- **Executive Session: Trade Secrets submittal-** New leaching product design submitted by Infiltrator Water Technologies.



July 25, 2023

Amanda Clark
Environmental Analyst 3
Connecticut Department of Public Health
410 Capitol Avenue Hartford, CT 06134

Re: Septic system regulatory reforms to encourage multi-family development

Dear Amanda:

We are writing you this letter on behalf of the Affordable Housing Committee (AH) and Environment and Infrastructure (E&I) Committee of The Middlesex County Chamber of Commerce (MCCC), a dynamic business organization with over 2,019 member firms that employ over 50,000 people. This committee was established over 15 years ago to identify and address the obstacles to creating safe and affordable housing in our service area. Obsolete septic system regulation is one of these obstacles. We are aware of the recommendations by the Homebuilders & Remodelers Association of CT (HBRAC) to bring the septic system regulations up to date. While the AH committee does not have the expertise to address the technical worthiness of these recommendations, another committee of this chamber (E&I) does have that expertise and has determined them to be reasonable.

These proposed changes not only reduce the cost of the septic system, but vastly improves land utilization. It helps to spread the fixed cost of land, design and engineering, legal, off-site improvements, etc. over more units.

Connecticut is currently experiencing an acute shortage of housing, especially in the suburban and rural towns generally not served by public sewers. This creates growing disparities and increasing difficulty of hiring and retaining employees who can afford to live anywhere near jobs. Our state needs more housing of all types, and in particular more small multi-family developments to accommodate the diverse needs of our residents, for which septic systems are ideally suited in areas without adequate public sewers.

We ask that the DPH Code Advisory Committee (CAC) strongly consider reforms to the Technical Standards of Subsurface Sewage Disposal Systems that encourage more efficient use of land and takes into consideration low-flow technologies that allow for smaller and more affordable systems while ensuring public health and safety.

Recently, the Code Advisory Committee was presented with a survey that inquired about stances on various recommendations offered by the HBRAC.

We are supportive of all the suggested changes proposed by the HBRAC, particularly those identified in the first two bullets, for which we understand there is abundant unchallenged data that suggests these changes can be made while still ensuring public health and safety are maintained. We encourage a broader discussion about common sense regulatory reform of traditional septic systems and how it can help to safely enable more production of small multi-family units to meet the needs of Connecticut residents which has been recently deemed a priority by the Administration, legislative leadership, and housing advocates alike. Thank you for your consideration.

Sincerely,

Johanna Bond
President & CEO
Middlesex County Chamber of Commerce

Robert C Fusari
Chair, Affordable Housing
Middlesex County Chamber of Commerce

Tim Myjak
Chair, Environment & Infrastructure
Middlesex County Chamber of Commerce

c.c. Honorable Manisha Juthani, MD, Commissioner, Connecticut Department of Public Health
Matthew Pawlik, PE, RS, Supervising Sanitary Engineer, Connecticut Department of Public Health



Creating Great Communities For All
**Connecticut Chapter of the
American Planning Association**

July 24, 2023

Honorable Manisha Juthani, MD, Commissioner
Connecticut Department of Public Health
410 Capitol Avenue
Hartford, CT 06134

Re: Septic system regulatory reforms to encourage housing development

Dear Commissioner Juthani:

Connecticut is currently experiencing a serious shortage of housing development in our state, contributing to growing disparities and negative health outcomes. Connecticut more housing of all types, and in particular, more small multi-family developments to accommodate the diverse needs of our residents, for which septic systems are ideally suited in the many areas of the state that are not served by public sewer infrastructure.

I am writing on behalf of the Connecticut Chapter of the American Planning Association (CCAPA) representing over 400 members who are governmental and consulting planners, land use attorneys, citizen planners, and other professionals engaged in planning and managing land use, economic development, housing, transportation, and conservation for local, regional, and State governments, private businesses and other entities. We ask that the DPH Code Advisory Committee (CAC) strongly consider reforms to the *Technical Standards of Subsurface Sewage Disposal Systems* that encourage more efficient use of land and takes into consideration low flow technologies that allow for smaller and more affordable systems while ensuring public health and safety.

Recently, the Code Advisory Committee was presented with a survey that inquired about stances on various recommendations offered by the Home Builders & Remodelers Association of CT, who have worked closely with CCAPA on housing advocacy issues, including:

- Reducing the gallons per day (GPD) calculation per bedroom requirements to reflect advancements in water saving technologies commonly in use, thereby properly sizing systems based on current water usage data to allow for greater density and affordability.
- Rating leaching systems constructed with stone based on the same interface factor as those constructed with fabric. This is proven in science and commonly the practice in surrounding states. If this change were to be implemented, leaching systems could be more compactly and affordably constructed beneath driveways and parking areas, saving cost and unnecessary land disturbance.
- Consideration of reduction (or even elimination) of septic system reserve areas to allow for higher density and more efficient use of land.
- Reduction in setback requirements to allow for higher density and more efficient use of land.

CCAPA and our partners are supportive of all the suggested changes listed above, particularly those identified in the first two bullets, for which there is compelling data that suggests changes can be made while still ensuring public health and safety are maintained. We would be happy to participate in the broader discussion about common sense regulatory reform of traditional septic system and how it can help to safely enable more production of small multi-family units to meet the needs of Connecticut residents which has been recently deemed a priority by the Administration, legislative leaders, and housing advocates alike.

Thank you for your consideration.

Sincerely,



John Guskowski, AICP, CZEO
CCAPA Government Relations Officer
(860) 455-8251
ctplannersgovrel@gmail.com

cc: Matthew Pawlik, PE, RS. Supervising Sanitary Engineer
Amanda Clark, Environmental Analyst 3

Honorable Manisha Juthani, MD, Commissioner
Connecticut Department of Public Health
410 Capitol Avenue
Hartford, CT 06134



Re: Septic system regulatory reforms to encourage multi-family housing development

Dear Commissioner Juthani:

As a housing policy director for 20 years and currently a consultant working with the 15 municipalities of the South Central Region Council of Governments, I have come to see that the thousands of units the state needs to provide affordable and appropriate homes for its families, young professionals and essential workers will require action by your department.

As you know better than most anyone, the workers our state depends upon do vital jobs but are not highly paid. Currently, they can afford to live in only about 30 of the state's 169 cities and towns because the large majority do not have the infrastructure – sewer and water systems – to support denser multifamily development required for affordability. And believe me, those municipalities like to cite that shortcoming as their excuse for not developing affordable homes.

Your department can remove that excuse by allowing advances, currently permitted by surrounding states, so that builders can employ affordable systems and standards to safely handle wastewater without threatening the environment or public health. These changes will allow builders to build more units per acre, lowering their per-unit-land-costs, and thus permitting them to profitably build the units we need.

In the SCRCOG region, and throughout Connecticut, many of the towns that would be able to develop new multifamily housing have high-resource schools and abundant services. The working families of Connecticut, so essential to our lives, would have the choice to live in many of those towns. The results – better educational quality for their children, better access to jobs and training, better access to childcare and healthcare – would help solve many of the state's other problems.

I would therefore respectfully ask the DPH Code Advisory Committee (CAC) to strongly consider:

- Reducing the gallons per day per bedroom requirements to reflect advancements in water saving technologies commonly in use thereby properly sizing systems based on current water usage data to allow for greater density and affordability.
- Requiring DPH to rate leaching systems constructed with stone based on the same interface factor as those constructed with fabric. This is proven in science and commonly the practice in surrounding states. If this change were to be implemented, leaching systems could be more compactly and affordable constructed beneath driveways and parking areas, saving cost and unnecessary land disturbance.
- Reducing or eliminating septic system reserve areas to allow for higher density and more efficient use of land.
- Reducing setback requirements to allow for higher density and more efficient use of land.

In no way do I want to see changes that would threaten public health or environmental quality. But I believe these changes can be made safely and that, as a result, we will have a more just, less segregated state that can provide opportunity for all of its residents.

Thank you for your consideration.

Sincerely,

David Fink



SCRCOG Housing Policy Consultant

c.c. Matthew Pawlik, PE, RS. Supervising Sanitary Engineer
Amanda Clark, Environmental Analyst 3

David Fink
66 Linbrook Rd.
N. Hartford CT
06107

Honorable Manisha Jothani
Commissioner, Dept of Public Health
410 Capitol Avenue
Hartford, CT 06134

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July 11, 2023

Honorable Manisha Juthani, MD, Commissioner
Connecticut Department of Public Health
410 Capitol Avenue
Hartford, CT 06134

Re: Septic system regulatory reforms to encourage multi-family development

Dear Commissioner Juthani:

Connecticut has an acute shortage of housing contributing to growing disparities and negative health outcomes, especially for lower income families. Our state needs more housing of all types, including more small multi-family developments to accommodate the diverse needs of our residents. Septic systems are ideally suited to serve smaller multi-family buildings in areas without adequate public sewer systems.

We ask that the DPH Code Advisory Committee (CAC) consider reforms to the Code that encourage more efficient use of land and take into consideration low flow technologies that allow for smaller and more affordable systems while still ensuring public health and safety.

We are supportive of the recommended changes presented to the Code Advisory Committee by the Home Builders & Remodelers Association of CT so far as they can be made while still ensuring public health and safety are maintained. We encourage a broader discussion about common sense regulatory reform of traditional septic system and how reform can help to safely enable more production of small multi-family homes to meet the needs of Connecticut residents. Thank you for your consideration.

Sincerely,



Sean Ghio
Policy Director

c.c. Matthew Pawlik, PE, RS. Supervising Sanitary Engineer
Amanda Clark, Environmental Analyst 3



July 20, 2023

Honorable Manisha Juthani, MD, Commissioner
Connecticut Department of Public Health
410 Capitol Avenue
Hartford, CT 06134

Re: Septic system regulatory reforms to encourage multi-family development

Dear Commissioner Juthani:

Connecticut desperately needs more housing of all types, especially affordable housing and workforce housing.

On behalf of Connecticut REALTORS® representing over 20,000 members involved in all aspects of real estate in Connecticut, we respectfully request the DPH Code Advisory Committee (CAC) strongly consider reforms to the *Technical Standards of Subsurface Sewage Disposal Systems*.

- There are advances in septic system design that could provide for safe and effective water efficiency.
- Often septic systems are flagged as a reason for even small developments to not move forward. It's crucial for DPH to look to see if new technology can provide for lower flow and lower cost options to help address our housing crisis.

We understand the Home Builders & Remodelers Association of CT has detailed their thoughts on what could be specifically considered for regulatory reforms that can still ensure public health and safety.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "David Gallitto".

David Gallitto
2023 President, CT REALTORS®

cc: Matthew Pawlik, PE, RS. Supervising Sanitary Engineer
Amanda Clark, Environmental Analyst 3
Jim Heckman, General Counsel, CT REALTORS®



Norton Wheeler, Chairman
Principal
Mystic River Building, LLC

Susy Hurlbert, Vice-Chairman
Chief Executive Officer
Eastern Connecticut Association of Realtors

David Stanland, Secretary
Sr. Vice President, CFO
Dime Bank

Amanda Kennedy, Treasurer
Executive Director
Southeastern Connecticut Council of Governments

Mark Oefinger
Town of Groton (Retired)

Robert Fusari
President
Real Estate Service of Connecticut, Inc.

Deborah Monahan
Executive Director
Thames Valley Council for Community Action

Pam Days-Luketich
ATP Community Outreach Officer,
Liberty Bank

Fred Allyn, III
First Selectman
Town of Ledyard

Julie Savin
Vice President
Eastern Connecticut Housing Opportunities

Danielle Chesebrough
First Selectman
Town of Stonington

Sandra Allyn-Gauthier
First Selectman
Town of Preston

Tara Filip
Director of Mission Advancement and Integration
Habitat for Humanity of Eastern Connecticut

Paula Turley
President
Eastern CT Association of Realtors

Matthew A. Pawlik, PE, RS
Supervising Sanitary Engineer, Environmental Engineering Program
Department of Public Health
410 Capitol Avenue, MS#12SEW
P.O. Box 340308
Hartford, CT 06134-0308

Re: Septic system regulatory reforms to encourage multi-family development

Dear Mr. Pawlik:

Connecticut is currently experiencing an acute shortage of housing contributing to growing disparities and negative health outcomes. Our state needs more housing of all types, and in particular more small multi-family developments to accommodate the diverse needs of our residents, for which septic systems are ideally suited in areas without adequate public sewers.

On behalf of the Southeastern Connecticut Housing Alliance, I ask that the DPH Code Advisory Committee (CAC) strongly consider reforms to the *Technical Standards of Subsurface Sewage Disposal Systems* that encourage more efficient use of land and takes into consideration low flow technologies that allow for smaller and more affordable systems while ensuring public health and safety.

Recently, the Code Advisory Committee was presented with a survey that inquired about stances on various recommendations offered by the Home Builders & Remodelers Association of CT including:

- Reducing the gallons per day per bedroom requirements to reflect advancements in water saving technologies commonly in use thereby properly sizing systems based on current water usage data to allow for greater density and affordability.
- The DPH should rate leaching systems constructed with stone based on the same interface factor as those constructed with fabric. This is proven in science and commonly the practice in surrounding states. If this change were to be implemented, leaching systems could be more compactly and affordably constructed beneath driveways and parking areas, saving cost and unnecessary land disturbance.
- Reduction or elimination of septic system reserve areas to allow for higher density and more efficient use of land.
- Reduction in setback requirements to allow for higher density and more efficient use of land.

We are supportive of all the suggested changes listed above, particularly those identified in the first two bullets, for which I understand there is abundant data that suggests changes can be made while still ensuring public health and safety are maintained. I encourage a broader discussion about common sense regulatory reform of traditional septic system and how it can help to safely enable more production of small multi-family units to meet the needs of Connecticut residents which has been recently deemed a priority by the Administration, legislative leaders, and housing advocates alike. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norton Wheeler', written over a horizontal line.

Norton Wheeler, Chairman

c.c. Amanda Clark, Environmental Analyst 3
Honorable Manisha Juthani, MD, Commissioner, Connecticut Department of Public Health



Lower Connecticut River Valley Council of Governments

145 Dennison Road Essex, CT 06426 | +1 860 581 8554 | www.rivercog.org

August 24, 2023

Honorable Manisha Juthani, MD, Commissioner
Connecticut Department of Public Health
410 Capitol Avenue
Hartford, CT 06134

Re: Septic system regulatory reforms

Dear Commissioner Juthani:

The Lower Connecticut River Valley Council of Governments (RiverCOG) is pleased to learn that the Department of Public Health Code Advisory Committee is looking into updating the state's regulations regarding septic systems.

As you well know, there have been significant changes in the volume of water used in household fixtures in the last thirty years. Toilets, washing machines, and dishwashers all use significantly less water today. This reduction is good news for our environment and for home owners. It is time to investigate how this reduction in water consumption could allow for smaller lots and less expensive septic systems.

It is important to acknowledge that regulations on septic and subsurface wastewater disposal have a direct impact on land use and the built environment. RiverCOG's Regional Plan of Conservation and Development 2021 and Regional Housing Plan 2022 recommend increased density in our town and regional centers. With the approval of new regulations that are responsive to current waste water generation amounts, new septic technologies, and seldomly used reserve septic fields, more density could be accommodated in the right places.

The traditional model of one- or two-acre zoning in rural areas of the state, to accommodate the needs of septic and wells, can create a low-density sprawl, with large parcels with a house and lawn in the middle. Cluster development that leaves more land undeveloped, while accommodating the same number of housing units, would be far superior from a cost and environmental perspective. Updated septic standards would help allow more such sustainable density.

It should also be pointed out that updating septic standards will remove the traditional argument behind large lot zoning: that larger lots are needed for onsite wastewater disposal. The reality is that the septic issue has been a proxy for the lack of strong rural zoning and planning, and a lack of appreciation of the natural environment that must be respected and the natural services that must be protected. Developing town and regional centers with appropriate density can be the most sustainable and ecologically beneficial way to deal with growth, but this will only be the case if there

RiverCOG

is strong rural zoning that protects natural systems and supports agricultural viability. Therefore it is important that a holistic view of the impacts of potential changes be taken.

I would like to thank you for this opportunity to share RiverCOG's thoughts on the needed update to our state's septic regulations. Please do not hesitate to contact me if you have any questions regarding my letter.

Sincerely,



Samuel S. Gold, AICP

Executive Director

OLR Bill Analysis

sSB 998 (File 427, as amended by House "A" and "B" and Senate "A")*

AN ACT ESTABLISHING A TAX ABATEMENT FOR CERTAIN CONSERVATION EASEMENTS.

TABLE OF CONTENTS:

SUMMARY

§§ 1 & 2 — MUNICIPAL PROGRAMS TO ABATE PROPERTY TAXES FOR CERTAIN CONSERVATION RESTRICTIONS

Allows municipalities to adopt an ordinance establishing a program to abate property taxes for qualifying portions of a taxpayer's land that are subject to a conservation easement preserving its use as a recreational trail

§ 3 — INCREASED FINES FOR HOUSING VIOLATIONS

Allows (1) municipalities to set civil penalties of up to \$2,000 per day against landlords for each violation of their rules on maintaining safe and sanitary housing and (2) landlords to appeal these fines to the municipality's legislative body or board of selectmen, under certain circumstances

§§ 4 & 5 — PRE-OCCUPANCY WALK-THROUGHS

Beginning January 1, 2024, requires landlords to give tenants the opportunity to request and complete a pre-occupancy "walk-through" of a dwelling unit after or at the time of entering into a rental agreement; prohibits landlords from keeping any portion of a tenant's security deposit or seeking payment for conditions specifically identified during the walk-through

§§ 5 & 6 — LIMITS ON RENTAL APPLICATION-RELATED FEES

Limits rental application-related fees and payments that landlords may require from prospective tenants; requires landlords to give prospective tenants these reports, or related information, and a receipt or invoice; prohibits landlords from charging tenants a move-in or move-out fee

§§ 7 & 8 — LIMITS ON LATE CHARGES FOR OVERDUE RENT

Limits late charges that landlords may impose for overdue rent; prohibits rental agreements from requiring any late fees that exceed these amounts; prohibits landlords from assessing more than one late charge on an overdue rent payment

§ 9 — SECURITY DEPOSIT GUARANTEE PROGRAM

Makes various changes to DOH's Security Deposit Guarantee Program, including, among other things, expanding program eligibility and reducing the frequency with which a person may apply for assistance

§ 10 — REQUIRED NOTICE OF PROTECTED TENANT STATUS

Beginning January 1, 2024, requires landlords to give tenants a written DOH notice summarizing the rights of protected tenants (i.e., generally certain tenants at least age 62 or with a disability) whenever they rent, or enter or renew an agreement to rent, certain dwelling units; requires that the notice be available in both English and Spanish, and eventually additional languages

§§ 11, 12 & 15 — HOUSING AUTHORITY TRAINING, INFORMATION, AND AUDIT REQUIREMENTS

Requires housing authorities (1) receiving state assistance to annually give tenants specified information and (2) subject to the State Single Audit Act, to include the audit results in their annual reports; also requires all current and new housing authority commissioners to participate in a training

§§ 13 & 14 — STANDARDIZED RENTAL AGREEMENT AND HOUSING CODE VIOLATION FORMS IN ENGLISH AND ADDITIONAL LANGUAGES

Requires (1) DOH to develop standardized rental agreement forms that landlords and tenants may use, (2) municipal code enforcement agencies to create housing code violation complaint forms for tenants, (3) that both forms be made available in English and Spanish, and (4) DOH to make the rental agreement forms available in additional languages by December 1, 2028

§ 16 — MUNICIPAL LANDLORD IDENTIFICATION REQUIREMENTS

Modifies current municipal landlord identification requirements, including generally extending the requirements for landlords participating in the federal Housing Choice Voucher program to nonresident rental property owners; exempts information provided under these requirements from FOIA

§ 17 — OPM OFFICE OF RESPONSIBLE GROWTH

Statutorily establishes the Office of Responsible Growth within OPM and assigns it various responsibilities

§ 18 — FAIR SHARE HOUSING ALLOCATION METHODOLOGY

Requires OPM, by December 1, 2024, to establish a methodology meeting certain requirements for each municipality's fair share allocation by (1) assessing the affordable housing need in each of the state's planning regions and (2) fairly allocating a portion of this need to each of the region's municipalities; requires each chamber of the General Assembly to approve the methodology

§ 19 — DOH PROGRAM TO INCENTIVIZE LANDLORD PARTICIPATION IN TENANT-BASED RENTAL ASSISTANCE PROGRAMS

Requires the DOH commissioner, within available appropriations and in consultation with CHEFA and housing authority representatives, to establish a program to incentivize landlord participation in various tenant-based rental assistance programs

§§ 20 & 21 — DOH RAP STUDY AND PROGRAM EXPENDITURES

Requires the DOH commissioner to (1) study, within available appropriations, methods to improve the efficiency of processing applications under RAP and (2) affirmatively seek to spend all funds appropriated to the program annually

§ 22 — HOMELESS AND HOUSING INSECURE VETERANS

Requires the Department of Veterans Affairs, within available appropriations, to convert, rehabilitate, and renovate vacant, underused, or otherwise available properties for housing homeless or housing insecure veterans

§ 23 — REMOVAL OF CERTAIN EVICTION RECORDS FROM THE JUDICIAL DEPARTMENT WEBSITE

Requires the Judicial Department to remove from its website records or identifying information about eviction proceedings within specified time periods based on an action's disposition; prohibits the department from selling or transferring these removed records for commercial purposes, such as consumer reporting or tenant screening

§§ 24 & 25 — REAL ESTATE CONVEYANCE TAX EXEMPTIONS AND TRANSFERS

Exempts conveyances of property with deed-restricted affordable housing dwelling units from the state real estate conveyance tax; requires the comptroller to transfer state conveyance tax revenue in excess of \$300 million each fiscal year, annually adjusted for inflation, to the Housing Trust Fund

§ 26 — HOUSING DISCRIMINATION BASED ON SEXUAL ORIENTATION

Subjects the rental of certain owner-occupied dwelling units to a state law that prohibits housing discrimination specifically due to a person's sexual orientation or civil union status

§ 27 — SEWER SYSTEM REGULATORY OVERSIGHT

Transfers from DEEP to DPH regulatory authority over certain small community sewerage systems and household and small commercial subsurface sewerage disposal systems, and requires the agencies to adopt regulations on them

§§ 28-35 — WORKFORCE HOUSING DEVELOPMENTS

Establishes various state and local financial incentives for individuals and businesses investing in, and developing rental units set aside for, designated workforce populations under these programs

§ 36 — AFFORDABLE HOUSING ROUNDTABLE GROUP

Establishes the majority leaders' roundtable group on affordable housing, consisting of 24 members, to study various topics related to promoting and developing affordable housing in the state

§ 37 — HOUSING TRUST FUND PROGRAM ADVISORY COMMITTEE

Eliminates the Housing Trust Fund Program Advisory Committee

§§ 38 & 39 — RETURN OF SECURITY DEPOSITS

Generally shortens the deadline for landlords to return a tenant's security deposit and interest on deposits under certain circumstances

§§ 40 & 41 — PUBLISHING PAYMENT STANDARDS FOR TENANT-BASED RENTAL ASSISTANCE AND DOH COMMON RENTAL APPLICATION FOR HOUSING AUTHORITIES

Requires (1) any housing authority that administers a tenant-based rental assistance program to publicly post a payment standard (or similar information) within 30 days after setting or updating it and (2) the housing commissioner to develop a common rental application that may be used by housing authorities

§ 42 — SCHOOL BUILDING PROJECT REIMBURSEMENT RATE

Makes boards of education located in an “inclusive municipality” eligible for a five percentage point increase to their state grant reimbursement rate for school building projects

§ 43 — DOH TEMPORARY HOUSING PILOT PROGRAM

Requires DOH, within available appropriations, to establish a pilot program to provide temporary housing to individuals experiencing homelessness and veterans who need respite care

SUMMARY

This bill, among other things, makes various changes in laws on housing, landlords and tenants, and housing authorities. It also makes technical and conforming changes. A section-by-section analysis follows.

*Senate Amendment “A” makes changes in the provisions on tax abatements for conservation restrictions by allowing, rather than requiring, municipalities to establish these tax abatement programs and correspondingly removes the deadline for doing this (January 1, 2024).

*House Amendment “A” adds all of the bill’s other provisions, with the exception of those concerning municipal programs to abate property taxes for certain conservation restrictions.

*House Amendment “B” adds the provision requiring the Office of Policy and Management (OPM) secretary to submit the fair share allocation methodology developed under the bill to (1) the Housing and Planning and Development committees and (2) each chamber of the General Assembly for approval.

EFFECTIVE DATE: Various; see below.

§§ 1 & 2 — MUNICIPAL PROGRAMS TO ABATE PROPERTY TAXES FOR CERTAIN CONSERVATION RESTRICTIONS

Allows municipalities to adopt an ordinance establishing a program to abate property taxes for qualifying portions of a taxpayer’s land that are subject to a conservation easement preserving its use as a recreational trail

The bill allows municipalities to adopt an ordinance establishing a program to abate property taxes for qualifying portions of a taxpayer’s

Beginning January 1, 2024, requires landlords to give tenants a written DOH notice summarizing the rights of protected tenants (i.e., generally certain tenants at least age 62 or with a disability) whenever they rent, or enter or renew an agreement to rent, certain dwelling units; requires that the notice be available in both English and Spanish, and eventually additional languages

State law provides more protections against evictions and rent increases to certain “protected tenants” residing in a (1) building or complex consisting of five or more separate dwelling units, (2) mobile manufactured home park (including certain conversion tenants), or (3) dwelling unit in a common interest community where the landlord owns five or more units. To qualify for this protection, a tenant must:

1. be at least age 62,
2. have a physical or intellectual disability,
3. permanently reside with a spouse or specified relative that (a) is at least age 62 or (b) has a disability meeting certain requirements, or
4. be a conversion tenant in a mobile home park meeting certain requirements.

Beginning January 1, 2024, the bill requires landlords or their agents to give a written DOH notice summarizing these protections to any tenant that rents, or enters or renews an agreement to rent, one of the units described above.

Existing law, unchanged by the bill, prohibits protected tenants from being evicted solely for their lease expiring (i.e., lapse of time). It also requires that their rent only be increased by an amount that is fair and equitable and allows those aggrieved by a rent increase, and residing in a municipality without a fair rent commission, to bring action to contest the increase in Superior Court.

Under the bill, the DOH commissioner must create the one-page, plain-language summary of protected tenants’ rights and post it on the department’s website by December 1, 2023. The bill requires that the notice be available in both English and Spanish. Additionally, it requires

the commissioner, by December 1, 2028, to (1) translate the notice into the five most commonly spoken languages in the state, as she determines, and (2) post the translations on DOH's website.

EFFECTIVE DATE: October 1, 2023

Background — Related Bill

sHB 6781 (File 208), § 5, reported favorably by the Housing Committee, contains similar provisions.

§§ 11, 12 & 15 — HOUSING AUTHORITY TRAINING, INFORMATION, AND AUDIT REQUIREMENTS

Requires housing authorities (1) receiving state assistance to annually give tenants specified information and (2) subject to the State Single Audit Act, to include the audit results in their annual reports; also requires all current and new housing authority commissioners to participate in a training

The bill requires (1) existing housing authority commissioners, by January 1, 2024, to participate in a training provided by an industry-recognized training provider and (2) new commissioners to do so upon appointment (§ 11).

It also requires housing authorities receiving state assistance and the Connecticut Housing Finance Authority (CHFA) (if it or its subsidiaries are successor owners to housing previously owned by a local authority) to annually give tenants, beginning when they sign their initial lease: (1) contact information for the authority's management, local health department, and Commission on Human Rights and Opportunities (CHRO) and (2) a copy of the judicial branch's guidance on tenants' and landlords' rights and responsibilities (§ 12).

Under the bill, housing authorities subject to the state's Single Audit Act (i.e., those with annual revenue of more than \$1 million and that spend more than \$300,000 in a fiscal year) must include the audit results in the annual reports they must submit by law to the housing commissioner and their respective municipality's chief executive officer (§ 15). (Existing law, unchanged by the bill, also requires the housing commissioner to ensure local housing authorities are audited biennially, with the authority covering the audit's costs, if the commissioner requires it (CGS § 7-392(d)).)

EFFECTIVE DATE: October 1, 2023

Background — Related Bill

sHB 6781 (File 208), §§ 6-8, reported favorably by the Housing Committee, contains similar provisions.

§§ 13 & 14 — STANDARDIZED RENTAL AGREEMENT AND HOUSING CODE VIOLATION FORMS IN ENGLISH AND ADDITIONAL LANGUAGES

Requires (1) DOH to develop standardized rental agreement forms that landlords and tenants may use, (2) municipal code enforcement agencies to create housing code violation complaint forms for tenants, (3) that both forms be made available in English and Spanish, and (4) DOH to make the rental agreement forms available in additional languages by December 1, 2028

The bill requires the DOH commissioner, within existing appropriations, to develop standardized rental agreement forms that landlords and tenants may use. The forms must (1) contain the essential terms of a rental agreement; (2) be easily readable; and (3) include plain-language explanations of all the terms and conditions, including rent, fees, deposits, and other charges. DOH must post the forms on its website by July 1, 2024, and make them available in both English and Spanish. The bill requires the department to revise the forms at the commissioner's discretion.

Additionally, the bill requires the department, by December 1, 2028, to (1) translate these forms into the five most commonly spoken languages in the state, as determined by the housing commissioner, and (2) post the translations on its website.

The bill also requires agencies empowered to enforce municipal health and safety standards or the local housing code (i.e., the board of health or other designated authorities) to create and make available housing code violation complaint forms, in both English and Spanish, for tenants to use.

EFFECTIVE DATE: October 1, 2023

§ 16 — MUNICIPAL LANDLORD IDENTIFICATION REQUIREMENTS

Modifies current municipal landlord identification requirements, including generally extending the requirements for landlords participating in the federal Housing Choice

Voucher program to nonresident rental property owners; exempts information provided under these requirements from FOIA

Under existing law, generally unchanged by the bill, municipalities can require nonresident owners and landlords renting to Housing Choice Voucher (HCV) program participants (also known as project-based housing providers or PBHPs) to give (1) their current residential addresses or (2) the current residential address of the agent in charge of the building if the owners are a business entity that owns rental property (i.e., a corporation, partnership, trust, or other legally recognized entity).

Current law includes an additional “controlling participant” requirement for PBHPs. It requires them to provide identifying information and the current residential address of each controlling participant associated with the property, meaning an individual or entity that exercises day-to-day financial or operational control. If a controlling participant is a business entity, the PBHP must identify and provide the residential address for a natural person who exercises control over that entity.

The bill makes changes to this “controlling participant” requirement. It only requires a PBHP to disclose the identifying information and current residential addresses of its controlling participants if the PBHP is a business entity. It also limits the definition of controlling participant to individuals, rather than both individuals and entities. The bill extends this requirement to nonresident owners in addition to PBHPs.

Lastly, beginning on October 1, 2023, the bill makes the reports given to a tax assessor under these identification requirements, confidential and exempt from disclosure under the state’s Freedom of Information Act (FOIA).

EFFECTIVE DATE: October 1, 2023

Background

HCV Program and PBHPs. The HCV program is the federal government’s main program for helping very low-income families afford private market housing (42 U.S.C. § 1437f(o)). Eligible households that are issued a housing voucher must find housing that meets the

program's requirements. The U.S. Department of Housing and Urban Development (HUD) funds the program and it is administered locally by Public Housing Agencies and statewide by DOH. State law defines PBHPs as property owners who contract with HUD to provide housing to tenants under the HCV program.

Related Bills

sSB 4 (File 203), § 6, sHB 6781 (File 208), § 9, and SB 996 (File 174), § 3, contain provisions on municipal landlord identification requirements. The Housing Committee reported each favorably; sSB4 was also reported favorably by the Appropriations Committee.

§ 17 — OPM OFFICE OF RESPONSIBLE GROWTH

Statutorily establishes the Office of Responsible Growth within OPM and assigns it various responsibilities

The bill statutorily establishes the Office of Responsible Growth within the Office of Policy and Management's (OPM) Intergovernmental Policy Division, and makes it the successor agency to the office of the same name established by executive order in 2006 (see *Background*). It assigns the office the following responsibilities, for which OPM is generally responsible under existing law:

1. collecting, analyzing, and disseminating information to help the ongoing development of responsible growth goals for the governor, Continuing Committee on State Planning and Development, state and regional agencies, local governments, and the public;
2. coordinating the development of state agency policy, planning, and programming to improve outcomes and efficiently use state resources and expertise through developing and implementing the state plan of conservation and development;
3. administering OPM's responsibilities under the Connecticut Environmental Policy Act;
4. facilitating coordination (a) between agencies, related to land and water resources and infrastructure improvements, among other

- activities, and (b) between the state, planning regions, and municipalities, on development and conservation, by serving as a state liaison to regional councils of government;
5. providing staff support to boards, committees, and other groups, as the OPM secretary deems appropriate, such as the State Water Planning Council and Advisory Commission on Intergovernmental Relations;
 6. administering grant programs, as the OPM secretary deems appropriate, such as incentive grant programs for (a) responsible growth and transit-oriented development and (b) regional performance; and
 7. performing other duties, as the OPM secretary deems appropriate, to address current and emerging development and conservation issues.

The bill requires the OPM secretary to designate a member of his staff to serve as the State Responsible Growth Coordinator and oversee the office.

EFFECTIVE DATE: October 1, 2023

Background

Office of Responsible Growth. Executive Order No. 15, signed by Governor Rell in October 2006, created the Office of Responsible Growth within OPM's Intergovernmental Policy Division and assigned it various responsibilities. The order additionally required (1) the OPM secretary to designate a staff member as the State Responsible Growth Coordinator and (2) two additional planning staff members to be added to the division.

Related Bills. sHB 6781 (File 208), § 23, reported favorably by the Housing Committee, and sHB 6890 (File 594), § 2, reported favorably by the Planning and Development Committee, contain similar provisions.

§ 18 — FAIR SHARE HOUSING ALLOCATION METHODOLOGY

Requires OPM, by December 1, 2024, to establish a methodology meeting certain requirements for each municipality's fair share allocation by (1) assessing the affordable housing need in each of the state's planning regions and (2) fairly allocating a portion of this need to each of the region's municipalities; requires each chamber of the General Assembly to approve the methodology

The bill requires the OPM secretary, in consultation with the DOH commissioner and economic and community development (DECD) commissioner, to establish a methodology for each municipality's fair share allocation by:

1. determining the need for affordable housing units in each of the state's planning regions, and
2. fairly allocating this need to each region's municipalities considering the duty of the state and municipalities to affirmatively further fair housing under the state Zoning Enabling Act and the federal Fair Housing Act (FHA).

The OPM secretary must establish the methodology by December 1, 2024, and in doing so, may consult with experts, advocates, statewide organizations representing municipalities, and organizations with expertise in affordable housing, fair housing, and planning and zoning.

EFFECTIVE DATE: July 1, 2023

Fair Share Allocation Methodology

The bill requires the OPM secretary, by December 1, 2024, and in consultation with the DOH and DECD commissioners, to use the methodology to determine the minimum need for affordable housing units for each planning region and a municipal fair share allocation for each region's municipalities. The methodology must generally rely on data HUD's Comprehensive Housing Affordability Strategy data set, or a similar source chosen by the OPM secretary.

Under the bill, the secretary must ensure the methodology:

1. considers the duty of the state and municipalities to affirmatively further fair housing under the state Zoning Enabling Act and the FHA;

2. relies on appropriate metrics of the minimum need for affordable housing units in a planning region to ensure adequate housing options, including the number of households whose (a) income is no more than 30% of the area median income and (b) housing costs make up at least 50% of the household's income;
3. relies on appropriate factors for fairly allocating this need among each municipality, including a municipality's compliance with certain statutory planning and zoning requirements related to (a) promoting housing choice and economic diversity and (b) encouraging housing development that meets the identified housing needs and the development of housing opportunities;
4. does not assign (a) a fair share allocation to municipalities in which the federal poverty rate is at least 20% based on the most recent decennial census or a similar source or (b) an allocation exceeding 20% of all occupied dwelling units for any municipality; and
5. increases a municipality's fair share allocation if, relative to other municipalities in its planning region, it has a (a) higher equalized net grand list (i.e., an estimate of the market value of all taxable property in a municipality); (b) higher median income; (c) lower federal poverty rate; and (d) lower population share residing in multi-family housing (i.e., residential buildings with at least three dwelling units).

Data related to increasing a fair share allocation must come from the most recent U.S. decennial census or a similar source, except for the equalized net grand list data, which must be based on OPM's calculations of these figures for educational equalization grants.

The OPM secretary must submit the fair share allocation methodology developed under the bill to (1) the Housing and Planning and Development committees and (2) each chamber of the General Assembly for approval.

Affordable Housing and Planning Regions

Under the bill, (1) an “affordable housing unit” is a unit deed-restricted to preserve affordability for a low-income household and (2) a “planning region” generally follows the boundaries of a regional council of governments (see *Background*), except that the Metropolitan and Western planning regions are considered a single entity.

Background

Planning Regions. In practice, the boundaries of the state’s nine planning regions are the same as those of its regional councils of government, which serve as the formal governance structures of the planning regions.

Related Bill. sHB 6633 (File 182), reported favorably by the Housing Committee, contains similar provisions on establishing a fair share methodology.

§ 19 — DOH PROGRAM TO INCENTIVIZE LANDLORD PARTICIPATION IN TENANT-BASED RENTAL ASSISTANCE PROGRAMS

Requires the DOH commissioner, within available appropriations and in consultation with CHFA and housing authority representatives, to establish a program to incentivize landlord participation in various tenant-based rental assistance programs

The bill requires the DOH commissioner, within available appropriations and in consultation with CHFA and housing authority representatives that she selects, to establish a program to encourage and recruit landlords to accept from prospective tenants HCV vouchers, RAP certificates, or payments from any other state-administered programs providing rental payment subsidies. The program can include advertisements, community outreach events, and communications with landlords who participate in other state housing programs.

The bill requires the DOH commissioner, starting by October 1, 2024, to report annually to the Housing Committee on (1) the program’s status, including its effectiveness, and (2) related recommendations.

EFFECTIVE DATE: October 1, 2023

Background — Related Bill

sHB 6781 (File 208), § 29, reported favorably by the Housing

Committee, contains similar provisions.

§§ 20 & 21 — DOH RAP STUDY AND PROGRAM EXPENDITURES

Requires the DOH commissioner to (1) study, within available appropriations, methods to improve the efficiency of processing applications under RAP and (2) affirmatively seek to spend all funds appropriated to the program annually

The bill requires the DOH commissioner, within available appropriations, to conduct a study on methods to improve the efficiency of processing applications under the department’s Rental Assistance Program (RAP). The study must include the following components:

1. an analysis of current RAP application processing time, including inspection timelines;
2. an assessment of the application process, including barriers or challenges to applicants or landlords;
3. recommendations for improving the efficiency of the application process, including use of technology and alternative processing methods; and
4. an estimate of the cost associated with implementing recommended improvements.

Under the bill, the DOH commissioner must submit a report on the study’s findings and recommendations to the Housing Committee by January 1, 2024.

Additionally, the bill requires the commissioner to affirmatively seek to spend all funds appropriated to the program annually without regard to population limitation established in prior years.

EFFECTIVE DATE: Upon passage, except the appropriations provision is effective October 1, 2023.

Background — Related Bill

sHB 6781 (File 208), §§ 30 & 31, reported favorably by the Housing Committee, contain similar provisions.

§ 22 — HOMELESS AND HOUSING INSECURE VETERANS

bill makes it a discriminatory practice for an owner of an owner-occupied unit to do any of the following based on someone's sexual orientation or civil union status:

1. refuse to negotiate, sell, or rent after a legitimate offer;
2. discriminate in terms, conditions, or privileges of a sale, rental, or provision of services or facilities;
3. deny access to real estate multiple listing services;
4. place housing ads indicating a discriminatory preference; or
5. represent that the dwelling is not available for inspection, sale, or rental when it is in fact available.

CHRO Investigations

Under existing law, unchanged by the bill, individuals who believe they have been discriminated against in violation of the DHPA, or the similar protections against housing discrimination due to sexual orientation or civil union status, may file a complaint with the Commission on Human Rights and Opportunities (CHRO) within 180 days after the alleged incident. When CHRO finds reasonable cause that discrimination occurred, it negotiates a settlement agreement between the parties. If an agreement cannot be reached, it conducts an administrative hearing (CGS § 46a-82 et seq.).

Background — Related Bill

HB 6666 (File 183), § 3, reported favorably by both the Housing and Judiciary committees, contains identical provisions.

§ 27 — SEWER SYSTEM REGULATORY OVERSIGHT

Transfers from DEEP to DPH regulatory authority over certain small community sewerage systems and household and small commercial subsurface sewerage disposal systems, and requires the agencies to adopt regulations on them

The bill transfers regulatory authority from the Department of Energy and Environmental Protection (DEEP) to the Department of Public Health (DPH) over:

1. small community sewerage systems with daily capacities of up to 10,000 gallons (community sewerage systems have one subsurface sewage disposal system serving at least two residential buildings) and
2. household and small commercial subsurface sewage disposal systems with daily capacities up to 10,000 gallons (current law gives DPH authority over those with capacities up to 7,500 gallons).

The bill also requires (1) DEEP to amend its regulations, by July 1, 2025, to establish and define categories of discharges that constitute small community sewerage systems (as well as household and small commercial subsurface sewage disposal systems, which existing law already requires) and (2) DPH to establish minimum requirements for these systems, as well as procedures for local health directors or sanitarians to issue permits or other approvals.

It applies the DEEP regulations in effect on July 1, 2025 (i.e., the newly adopted regulations), to those systems whose oversight was transferred to DPH under the bill (e.g., larger household and small commercial subsurface sewage disposal systems and certain small community sewerage systems). Under existing law, unchanged by the bill, DEEP's regulations in effect on July 1, 2017, apply to household and small commercial subsurface sewer disposal systems with capacities of 7,500 gallons or less.

EFFECTIVE DATE: Upon passage

Background — Related Bill

sSB 1001 (File 699), reported favorably by the Planning and Development Committee contains similar provisions.

§§ 28-35 — WORKFORCE HOUSING DEVELOPMENTS

Establishes various state and local financial incentives for individuals and businesses investing in, and developing rental units set aside for, designated workforce populations under these programs

The bill establishes various state and local financial incentives for