



CONNECTICUT ADVISORY COUNCIL
ON HOUSING MATTERS



Reply to: 16 Main St., 2nd floor
New Britain, CT. 06051
(860) 616-4472

NOTICE OF NEXT QUARTERLY MEETING

3:00 p.m.

Wednesday, June 12, 2024

Please mark your calendars. The meeting will be held electronically on Zoom.

Minutes of the Meeting of March 13, 2024

Council members present: Denise L. Chancey, Michael H. Clinton, Richard DeParle, Venoal M. Fountain, Jr., Catharine H. Freeman, Vanessa M. Liles, Houston Putnam Lowry, Carl Lupinacci, Stephanie W. Ma, Samuel T. Neves, Cyd O. Oppenheimer, Raphael L. Podolsky, David R. Purvis, Margaret K. Suib, John C. Wirzbicki

Council members absent: Kathleen M. Flaherty, Nilda Rodriguez Havrilla, Jane C. Kelleher

Public officials: John Kerwin (Chief Housing Prosecutor), Rebecca Schmitt (Judicial), Randi Pincus (DOH)

Members of the public: Moses Beckett, Jeff Epstein, Jeff Mastrianni, V. Edward Quinto, Charlotte Ricketts

Call to order: The meeting, on Zoom, was called to order by the Chairperson, Raphael Podolsky, at 3:02 pm.

1. Preliminary matters

- a. Review of Zoom rules for the meeting: The Zoom rules were reviewed briefly.
- b. Approval of the agenda: The agenda was approved without objection.
- c. Approval of the minutes: The minutes of the December 13, 2023 meeting were corrected to reflect that Richard DeParle was present. As corrected, the minutes were approved unanimously (motion by Margaret Suib, second by John Wirzbicki).

2. Public Comment: V. Edward Quinto urged that the court system should have an identified emergency contact for issues that arise during the physical execution on a summary process judgment. Mr. Quinto said that it necessary both to correct errors (e.g., the use of a commercial execution against a residential tenant) and as a safety matter to prevent potential violence in an already tense situation. During the subsequent discussion, it was noted that problems occur in only a small percentage of executions, that marshals contact local police departments if safety issues arise, and that a civil action for damages is available if the proper process is not followed. The matter was then tabled.
3. Forms Committee report: Forms Committee Chairperson David Purvis reported that the Committee considered three items during its last meeting:
 - a. Notice of rights under C.G.S. § 47a-23c: C.G.S. 47a-23c, as amended by P.A. 23-207, requires that notice of rights under that statute be given to tenants in buildings with five or more units at the time of move-in and at the time of lease renewal or extension. Read literally, this would require tenants under a month-to-month lease to be notified every month. The Committee recommended that C.G.S. 47a-23c be amended by the General Assembly to provide that the notice not be required more often than once a year. Upon motion, the Committee's recommendation was approved unanimously with one abstention (motion by Michael Clinton, second by John Wirzbicki, Catharine Freeman abstaining).
 - b. Prosecutor Guidance to Police Departments regarding implementation of summary process executions: The Forms Committee is still working on recommended modifications to the wording of the Guidance. A recommendation is expected for the June Council meeting.
 - c. Pro se landlord form for landlord access: The Committee has made substantial progress on related pro se forms for actions under C.G. S. § 47a-18 and 47a-18a concerning tenant's unreasonable refusal to consent to landlord entry and landlord's entry into a unit without consent. The Committee hopes to have a recommendation for the June Council meeting.
4. Housing Court Updates
 - a. Housing prosecution: John Kerwin stated that an important part of the housing prosecutor's role is working with local code enforcement agencies to identify the responsible party for code enforcement actions and to effect proper service on the responsible party. He noted that enforcement actions against out-of-state landlords are especially problematic. The Division of Criminal Justice's proposed code enforcement bill pending at the legislature (S.B. 209) seeks to require that more personal contact information be required for non-resident owners or the agent in charge of the building and seeks higher fines for repeat offenders of Fire Safety and State Building Code violations.
 - b. Clerks' offices and housing mediators: Rebecca Schmitt reported that the Judicial Branch is still reviewing the Council's proposed pro se form for bringing an action under C.G.S. 47a-23c to contest a rent increase as unfair or inequitable.

5. Fair Rent Commissions: Michael Clinton presented three suggestions involving fair rent commissions:
 - a. Fair rent commission rules and procedures, including the time to take an appeal, should be made uniform. Each town's commission now has its own rules and procedures.
 - b. Regional commissions would be more desirable for smaller towns. Some towns are having difficulty getting enough members to constitute a commission or to have a quorum.
 - c. The commissions need guidance as to how to operate. Even town attorneys are looking for guidance.

Richard DeParle agreed with the need for standard guidelines based on his experience as a fair rent commissioner. Margaret Suib said that the Norwalk Fair Rent Commission has a robust set of rules and suggested they might be a resource. Cyd Oppenheimer commented that consistency of process benefits both the tenants and the landlords. The Chairperson reviewed the background of the current expanded fair rent commission statute and reported on ongoing training efforts and materials. He has also been involved in a series of workshops on fair rent commissions for commission staffs, commissioners, and town attorneys. A fair rent commission "toolkit" that has been prepared under the auspices of the Partnership for Strong Communities can be found at <https://pschousing.org/wp-content/uploads/2024/01/FRC-Toolkit-updated-2023.11.04.pdf>. The existing statute permits multi-town fair rent commissions, but none have ever been established. In 2023 there was some discussion of allowing regional councils of government to create regional fair rent commissions, but no bill to do so was introduced in either 2023 or 2024.

6. 2024 Pending Landlord-Tenant Legislation: The Chairperson reviewed several of the landlord-tenant related bills that are under consideration at the legislature. A list of such bills is attached as Appendix A. As of March 13, 2024, no final action had as yet been taken on any of them.
7. Other business: None.
8. Adjournment: A motion to adjourn was adopted unanimously (moved by Houston Putnam Lowry, second by Sam Neves). The meeting was adjourned at 4:28 pm.

Respectfully submitted,

David Purvis
Deputy Secretary

Next Meeting: June 12, 2024 at 3:00 PM. Remote unless a physical location with hybrid access is found.

APPENDIX A
LANDLORD-TENANT BILLS IN THE 2024 GENERAL ASSEMBLY LEGISLATIVE SESSION

as of March 13, 2024

No.	Comm	Status	Short name	Summary
SB 6	HSG	JFS	Omnibus housing	Requires adjustment of RAP FMRs to reflect inflation, requires study of advance rental payments
SB 143	HSG	JF	Just cause eviction	Expands CGS 47a-23c to cover all tenants in buildings with 5+ units
SB 146	HSG	JFS	RAP and Section 8	Requires procedural improvements in RAP and state-administered portion of Section 8, including inspection and approval timelines, setting of FMRs by zip code, and use of electronic signatures
SB 209	HSG	Pending in JUD	Code enforcement	Requires larger towns to have contact information for non-resident (including out-of-state) owners or agent in charge of the building, raises fines for Fire Safety and State Building Code violations
SB 284	BK	JF	Security deposit assistance	Creates program under which DOH guarantees 25% of month bank loans to tenants for a one-month security deposit
HB 5154	HSG	Pending in APP	Security deposit guarantees	Appropriates \$10 million to DOH for the Security Deposit Guarantee Program
HB 5156	HSG	JF	Notice of rent increases	Requires 60-day advance notice of rent increases
HB 5242	HSG	JF	Applicants with criminal history	Limits use of criminal history for evaluating tenant applicants
HB 5334	HSG	JF	Mobility study	Requires study of the effectiveness of mobility counseling programs
HB 5336	HSG	JFS	RAP and Section 8	Requires equalization of payments under RAP and Section 8
HB 5419	JUD	Pending in JUD	Housing discrimination	Allows the Attorney General to initiate housing discrimination enforcement

JF = Joint favorable report = approval of the original bill by the appropriate committee

JFS = Joint favorable substitute = approval of a revised version of the bill by the appropriate committee

APP = Appropriations Committee

BK = Banking Committee

HSG = Housing Committee

JUD = Judiciary Committee

SB = Senate bill

HB = House bill

Prepared by Raphael L. Podolsky 3-13-2024