



CONNECTICUT ADVISORY COUNCIL ON HOUSING MATTERS



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

NOTICE OF THE NEXT MEETING

2:00 pm

Wednesday September 13, 2017

**Burroughs Community Center
2470 Fairfield Ave., Bridgeport
(call 203-334-0393 for directions)**

Minutes of the meeting of June 14, 2017

Council members present: Mary Conklin, Venoal Fountain, Jane Kinney-Knotek, Stephanie Ma, David Pels, Raphael Podolsky, Lynn Taborsak, Richard Tenenbaum

Council members absent: Loo Dahlke, Richard DeParle, Kathy Flaherty, Freidrich Helisch, Houston Putnam Lowry, Carl Lupinacci, J.R. Pottenger, John Rowland, Margaret Suib, Juan Verdu

Others present: Judith Dicine, Chris Halfar, Roberta Palmer, William Pitt, Kevin Zezina

The meeting was called to order by the Chairperson Raphael Podolsky at 2:07 pm. at the Connecticut Bar Association, 30 Bank St., New Britain.

1. Preliminary Matters
 - a. Approval of the agenda – The Chairperson asked that the appointment of a Deputy Secretary be added to the agenda. The agenda as amended was approved unanimously.
 - b. Approval of the minutes – The minutes of the March 8, 2017 meeting were approved unanimously (Motion by Mary Conklin, second by Jane Kinney-Knotek).
2. Public comment – none
3. Legislative update –
 - a. Housing bills: The Chairperson distributed a packet of housing bills that had been passed this year by the General Assembly. The packet is attached as Appendix A. Those bills were:

1. Eviction: An Act Concerning the Possessions of Deceased Tenants (P.A. 17-22)
 2. Foreclosure: An Act Concerning Debit Card Fraud and Penalties for Collection of Rental Payments on Foreclosed Property (P.A. 17-26)
 3. Housing discrimination: An Act Concerning Discriminatory Practices Against Veterans (S.B. 917, §6)
 4. Essential services: An Act Concerning the Provision of Essential Services by Landlords (H.B. 6881)
 5. Banking law: An Act Concerning the Department of Banking, parts of which deal with seniors' security deposits, lead abatement loans and a task force to study mortgage denials to persons who have violated blight or nuisance laws (H.B. 7019, §17, 18, and 20)
 6. Housing court venue: An Act Concerning Court Operations, a part of which retains the towns of Milford, Orange and West Haven in the New Haven Housing Court (H.B. 7198, §11, 15, and 16).
- b. Judicial Branch budget: It was reported that the Judicial Branch budget took a 12% cut last year and is down 140 positions with rising retirements and uncertainty about filling positions because of budgetary constraints. This has placed the clerks' offices under great pressure, although e-filing has to some extent masked the problem. The courts would not be able to function without attorneys entering their information through e-filing. Criminal matters have the highest priority for the assignment of court staff and other resources, with civil, family and housing matters at a lower level. *A motion was made [Conklin] and seconded [Kinney-Knotek] for the Advisory Council to submit a statement to the Governor and legislative leaders to urge that the Judicial Department budget not be cut further in light of the disproportionate cuts that were made last year.* The motion passed unanimously.
- c. State property maintenance code: Judith Dicine reported that H.B. 5177, which would have created a statewide Property Maintenance Code within the State Building Code, was supported by both the Commissioner of Public Safety and the Commissioner of Public Health. It was subsequently decided that any such code should be part of the Public Health Code, rather than the State Building Code. The bill, however, did not pass. Judith urged the importance of the bill in regard to the existing housing stock, which should be upgraded to reduce energy consumption, reduce mold and eliminate lead poisoning, in light of the major effect that the condition of rental housing has on family health and safety. Eleven per cent % of children in rental housing have asthma, as well as 9% of adults.
- d. Other bills: The Chairperson reported that several other bills of interest to the Advisory Council died. H.B. 6874, which would have required delivery of CHRO's fair housing notice to purchasers of rental housing at the time of signing the purchase contract, rather than at the time of closing, was never called in the House and died on the calendar. The part of S.B. 1003 to include commercial lockouts in the criminal lockout statute was deleted from the bill by the Judiciary Committee. S.B. 7303, which would have made changes to CHRO's procedures concerning housing discrimination complaints, was never acted on by the House. The legislature did,

however, pass a bill making changes to the Affordable Housing Appeals statute [8-30g], but the Governor has not yet signed it [*Post-meeting note*: The Governor subsequently vetoed the bill but his veto was overridden by the legislature].

4. Follow-up to 2017 biennial report

- a. Small Claims Committee: Housing small claims are returning to the housing courts in October as part of the civil e-filing system. The centralized small claims staff of 20 will be moved to Judicial Districts and Housing Courts to handle small claims matters. The assignments will be based on where an additional person is most needed, so that every housing court location will not necessarily be getting an additional person. *A motion was made [Conklin] and seconded [Kinney-Knotek] that the CACHM urges the Judicial Branch as part of its decentralization of small claims matters to have adequate staff assigned to Housing Sessions to handle the additional cases which will be filed.* There is special concern about the adequacy of staffing in Hartford and New Haven. The motion passed.
- b. Public Access: The disclaimer language that was approved by the CACHM in March was submitted to the Chief Court Administrator in early June for review and consultation. There has been no response to date. Subcommittee members will try to meet with judicial staff, including P.J. Deak, prior to the September meeting.
- c. Electronics, Computerization and Website: No report.
- d. Prosecution and Anti-Blight Committee: Committee will continue to support adoption of a State Property Maintenance Code as important for public health and safety. There is great interest from municipalities in blight enforcement and partnerships.
- e. Recent changes within the Judicial Branch:
 - a. Chief Housing Court Clerk: William Pitt has been appointed as the Chief Housing Court Clerk.
 - b. Movement of summary process cases: When a case cannot be scheduled for a same day trial, every effort is being made to schedule within a two-week time frame. Hartford Housing Court is the most problematic.
 - c. Filing and hearing of cases in Geographical Area courthouses: Members urged that an effort be made to minimize confusion about where tenants and landlords are to file paperwork and where hearings will be held, especially if the hearing takes place in a different location than the filing. Although the notice of the hearing specifies the location, litigants sometimes incorrectly assume it is at the filing location. Roberta Palmer will review the issue.
 - d. Housing Court staffing: Jeff Hammer retired as clerk of the Hartford Housing Court (his title is Deputy Chief Clerk for Housing Matters) and his position will be filled "in house" so that a position will be lost. New Britain and Waterbury Housing Courts no longer have a position titled Deputy Chief Clerk, while Hartford, New Haven and Bridgeport do have Deputy Chief Clerks. Three foreclosure mediators are being trained to be able to also cover housing mediation.

5. Housing Court Assignments: Housing Court judge assignments for September 1, 2017 have not been finalized. Currently Judge Avallone in New Haven-Waterbury is serving a second term but will reach the mandatory age for retirement in December. Judge Miller

in Hartford-New Britain is completing his first term in housing and Judge Rodriguez in Bridgeport-Norwalk is completing a fourth term. An Advisory Council subcommittee will make recommendations to the Chief Court Administrator.

6. Other business: *Motion was made [Conklin] and seconded [Fountain] to create the position of Deputy Secretary for the Advisory Council and appoint Lynn Taborsak to that position.* The motion passed.
7. Adjournment: A motion to adjourn [Kinney-Knotek] was seconded [Ma] and passed unanimously. The meeting was adjourned at 4:15 pm.

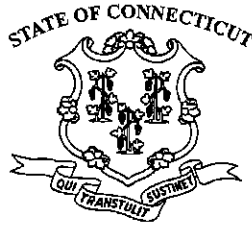
Respectfully submitted,

Lynn Taborsak, Deputy Secretary

APPENDIX A

2017 Housing Legislation

| | |
|--------------------------------------|--------------------------------------------------------------|
| P.A. 17-22 (S.B. 923) | Deceased tenants |
| P.A. 17-26 (H.B. 7015, §7) | Bank fraud by landlords |
| P.A. 17-99 (H.B. 7198, §11, 15, 16) | Housing court venue |
| P.A. 17-127 (S.B. 917, §6) | Discrimination against veterans |
| P.A. 17-171 (H.B. 6881) | Essential services |
| P.A. 17-236 (H.B. 7019, §17, 18, 20) | Senior security deposits, lead abatement loans, blight study |



Senate Bill No. 923

Public Act No. 17-22

AN ACT CONCERNING THE POSSESSIONS OF DECEASED TENANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 47a-11d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) If the sole occupant of a dwelling unit subject to a monthly lease or a lease for a term has died and the landlord has complied with any provisions of any such lease permitting termination upon the death of the occupant, the landlord may elect to act in accordance with the provisions of this section. If the landlord elects to act in accordance with the provisions of this section, such landlord shall send notice to the emergency contact designated by the occupant, if any, and to the next of kin of such occupant, if known, [of such occupant] at the last-known address both by regular mail, postage prepaid, and by certified mail, return receipt requested, stating that (1) the occupant has died, (2) the landlord intends to remove any possessions and personal effects remaining in the premises and to rerent the premises, [and (3) if the next of kin does not reclaim] (3) the emergency contact or next of kin should immediately contact the landlord or Probate Court for the district in which the dwelling unit is located for information as to how to reclaim such possessions and personal effects, and (4) if such

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possessions and personal effects are not reclaimed within sixty days after the date of such notice, such possessions and personal effects will be disposed of as permitted by this section. The notice shall be in clear and simple language and shall include a telephone number and a mailing address at which the landlord can be contacted and the telephone number of such Probate Court.

(b) (1) If notice is sent by the landlord [to the next of kin, if known,] as provided in subsection (a) of this section, or (2) if the occupant did not designate an emergency contact or the landlord does not know any next of kin of the occupant, the landlord shall file an affidavit with the [probate court] Probate Court having jurisdiction concerning the possessions and personal effects of the deceased occupant. Such affidavit shall include the name and address of the deceased occupant, the date of death, the terms of the lease, and the names and addresses of the emergency contact, if any, and the next of kin, if known.

(c) If the landlord acts in accordance with the provisions of this section, the landlord shall not be required to serve a notice to quit as provided in section 47a-23 and bring a summary process action as provided in section 47a-23a to obtain possession or occupancy of the dwelling unit. Nothing in this section shall relieve a landlord from complying with the provisions of sections 47a-1 to 47a-20a, inclusive, and sections 47a-23 to 47a-42, inclusive, if the landlord knows, or reasonably should know, that the dwelling unit has not been abandoned.

(d) On or after thirty days after the date of the filing of the affidavit pursuant to subsection (b) of this section, the landlord shall inventory any possessions and personal effects of the deceased occupant in the premises and shall file a copy of such inventory with the [court of probate] Probate Court under subsection (b) of this section. The landlord may not remove [them] such possessions and personal effects until fifteen days after such inventory is [taken] filed. Thereafter, the

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landlord may remove and securely store such possessions and personal effects for an additional fifteen days. [The next of kin may reclaim such possessions and personal effects from the landlord within such sixty-day period. If the next of kin does not reclaim] If such possessions and personal effects are not reclaimed by the end of such sixty-day period and the landlord has complied with the provisions of this section, the landlord may [dispose of them in accordance with section 47a-42.] obtain from the Probate Court having jurisdiction a certificate indicating that the landlord has filed an inventory in the court pursuant to this subsection and that sixty days have elapsed since the landlord filed the affidavit pursuant to subsection (b) of this section. The landlord may file such certificate and an application, in such form as the Chief Court Administrator prescribes, in the superior court having jurisdiction over the premises of the deceased occupant. There shall be no fee for such filing, and the clerk of such court shall open a summary process file setting forth that the right to occupy has terminated due to the death of the named occupant. Such certificate shall be deemed a judgment of the Superior Court pursuant to chapter 832 and have the same effect and be subject to the same procedures, defenses and proceedings for reopening, vacating or staying a judgment of the Superior Court. After the clerk opens the summary process file and sends a notice of judgment, and after the appropriate stay of execution expires, the landlord may obtain an execution and a state marshal may remove the possessions and personal effects of such deceased occupant pursuant to such execution and deliver such possessions to a place of storage designated for such purposes by the chief executive officer of the municipality in which the dwelling unit is located.

(e) Before the possessions and personal effects of a deceased occupant are removed pursuant to an execution issued under subsection (d) of this section, the state marshal charged with carrying out such removal shall give the chief executive officer of the

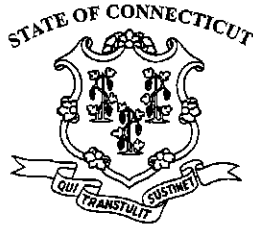
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municipality in which the dwelling unit is located (1) twenty-four-hours' written notice of the removal, stating the date, time and location of such removal as well as a general description, if known, of the types and amount of possessions and personal effects to be removed from the premises and delivered to the designated place of storage, and (2) a copy of the inventory prepared by the landlord pursuant to subsection (d) of this section, annotated to indicate any items that have been reclaimed. Before giving such notice to the chief executive officer of the municipality, the state marshal shall use reasonable efforts to locate and notify the occupant's emergency contact, if any, and the next of kin, if known, of the date, time and location of such removal and of the possibility of a sale pursuant to this subsection. At any time prior to the actual sale of such possessions and personal effects, an executor or administrator appointed by the Probate Court or an individual designated by such court in accordance with section 45a-273 may reclaim such possessions and personal effects upon payment to the chief executive officer of the expense of storage. If such possessions and personal effects are not reclaimed within fifteen days after such removal and storage, the chief executive officer shall sell the same at public auction after using reasonable efforts to locate and notify the occupant's emergency contact or the next of kin, if known, of such sale and after posting notice of such sale for one week (A) on the public signpost nearest to the premises from which the possessions and personal effects were removed, or (B) at some exterior place near the office of the town clerk. The proceeds of the sale shall be applied to a reasonable charge by the municipality for the storage of such possessions and personal effects. Any remaining proceeds shall be turned over to the estate of the deceased occupant or, if no estate proceedings are commenced within thirty days after such sale, the chief executive officer shall turn over the net proceeds of the sale to the State Treasurer, who shall treat such proceeds as escheated property pursuant to part III of chapter 32.

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~~[(e)]~~ (f) If an application for probate of a will or letters of administration is filed with the ~~[court of probate]~~ Probate Court having jurisdiction concerning the possessions and personal effects of the deceased occupant within fifty-five days of the filing of the affidavit of the landlord as provided in subsection (b) of this section, the ~~[probate court]~~ Probate Court shall immediately notify the landlord of such filing and any action of the landlord pursuant to the provisions of this section shall cease.

~~[(f)]~~ (g) No action shall be brought under section 47a-43 against a landlord who takes action in accordance with the provisions of this section.



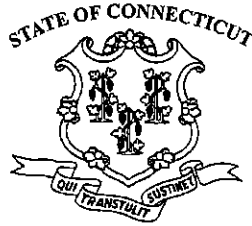
Substitute House Bill No. 7015

Public Act No. 17-26

**AN ACT CONCERNING DEBIT CARD FRAUD AND PENALTIES
FOR COLLECTION OF RENTAL PAYMENTS ON FORECLOSED
PROPERTY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Sec. 7. (NEW) (*Effective October 1, 2017*) Any previous mortgagor of real property against whom a final judgment of foreclosure has been entered, who continues to collect rental payments on such property after passage of such mortgagor's law day, and who has no legal right to do so, shall be subject to the penalties for larceny under sections 53a-122 to 53a-125b, inclusive, of the general statutes depending on the amount involved.



Substitute House Bill No. 7198

Public Act No. 17-99

**AN ACT CONCERNING COURT OPERATIONS, VICTIM SERVICES,
FRAUDULENT FILINGS AND TRANSFERS OF AN INTEREST IN
REAL PROPERTY TO A TRUST.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Sec. 11. Section 51-345 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(h) (1) In all actions involving housing matters, as defined in section 47a-68, civil process shall be made returnable to the judicial district where the premises are located, except that actions described in subdivision (6) of section 47a-68 shall be heard in the geographical area where the premises are located unless otherwise provided in subsection (d) of section 51-348, as amended by this act.

(2) Notwithstanding the provisions of subdivision (1) of this subsection concerning the judicial district to which civil process shall be made returnable:

(A) If the premises are located in Avon, Canton, Farmington, Newington, Rocky Hill, Simsbury or Wethersfield, the action may be made returnable at the option of the plaintiff to either the judicial district of Hartford or the judicial district of New Britain.

(B) If the premises are located in Ansonia, Beacon Falls, Derby, Oxford, Seymour or Shelton, the action shall be made returnable to the judicial district of Ansonia-Milford. After the filing of the action, the plaintiff or defendant may request a change in venue to the judicial district of New Haven or the judicial district of Waterbury.

Sec. 15. Section 51-348 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The geographical areas of the Court of Common Pleas established pursuant to section 51-156a, revised to 1975, shall be the

(b) Such geographical areas shall serve for purposes of establishing venue for the following matters: (1) The presentment of defendants in motor vehicle matters, except as provided in subsection [(d)] (e) of this section; (2) the arraignment of defendants in criminal matters; ~~[(3) housing matters as defined in section 47a-68, except that (A) in the judicial districts of Hartford, New Britain, New Haven, Fairfield, Waterbury, Middlesex, Tolland and Stamford-Norwalk and in any other judicial district for which the Chief Court Administrator determines that the prompt and proper administration of judicial business requires that venue for housing matters be in the judicial district, venue shall be in the judicial district, and (B) in the judicial district of Ansonia-Milford, venue shall be in the geographical area unless (i) the plaintiff requests a change in venue to either the judicial district of New Haven or the judicial district of Waterbury, or (ii) the premises are located in the town of Milford, Orange or West Haven, in which case venue shall be in the judicial district of New Haven; (4)]~~ and (3) such other matters as the judges of the Superior Court may determine by rule.

(c) For the prompt and proper administration of judicial business, any matter and any trial can be heard in any courthouse within a judicial district, at the discretion of the Chief Court Administrator, if the use of such courthouse for such matter or trial is convenient to litigants and their counsel and is a practical use of judicial personnel and facilities, except juvenile matters may be heard as provided in section 46b-122. Whenever practicable family relations matters shall be

Substitute House Bill No. 7198

heard in facilities most convenient to the litigants. ~~[Housing matters, as defined in section 47a-68, shall be heard on a docket separate from other matters within the judicial districts of Hartford, New Britain, New Haven, Fairfield, Waterbury and Stamford-Norwalk, provided in the judicial district of New Britain such matters shall be heard by the judge assigned to hear housing matters in the judicial district of Hartford, in the judicial district of Waterbury such matters shall be heard by the judge assigned to hear housing matters in the judicial district of New Haven, and in the judicial district of Stamford-Norwalk such matters shall be heard by the judge assigned to hear housing matters in the judicial district of Fairfield. The records, files and other documents pertaining to housing matters shall be maintained separate from the records, files and other documents of the court. Matters do not have to be heard in the facilities to which the process is returned and the pleadings filed.]~~

(d) In any judicial district in which housing matters are heard on a separate docket under section 16 of this act, venue for an action pertaining to one or more violations of any state or municipal health, housing, building, electrical, plumbing, fire or sanitation code, including violations occurring in commercial properties, or of any other statute, ordinance or regulation concerned with the health, safety or welfare of any occupant of any housing shall be in the housing session for the judicial district, except that venue for such an action concerning premises located in Milford, Orange or West Haven shall be in the judicial district of New Haven. In all other judicial districts, venue for such actions, if placed on the criminal docket, shall be in the geographical area where the premises are located.

[(d)] (e) Venue for infractions and violations that may be heard and decided by a magistrate pursuant to section 51-193u shall be at Superior Court facilities designated by the Chief Court Administrator to hear such matters.

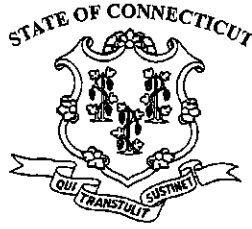
Substitute House Bill No. 7198

(f) In any other matter, an action shall be made returnable to the geographical area as is prescribed by statute.

Sec. 16. (NEW) (*Effective from passage*) Housing matters, as defined in section 47a-68 of the general statutes, shall be heard on a docket separate from other matters within the judicial districts of Hartford, New Britain, New Haven, Fairfield, Waterbury and Stamford-Norwalk, provided in the judicial district of (1) New Britain, such matters shall be heard by the judge assigned to hear housing matters in the judicial district of Hartford, (2) Waterbury, such matters shall be heard by the judge assigned to hear housing matters in the judicial district of New Haven, and (3) Stamford-Norwalk, such matters shall be heard by the judge assigned to hear housing matters in the judicial district of Fairfield. The records, files and other documents pertaining to housing matters shall be maintained separate from the records, files and other documents of the court. Housing matters do not have to be heard in the facilities to which the process is returned and the pleadings are filed.

Sec. 52. Section 51-349 of the general statutes is repealed. (*Effective from passage*)

Approved June 30, 2017



Substitute Senate Bill No. 917

Public Act No. 17-127

AN ACT CONCERNING DISCRIMINATORY PRACTICES AGAINST VETERANS, LEAVES OF ABSENCE FOR NATIONAL GUARD MEMBERS, APPLICATION FOR CERTAIN MEDICAID PROGRAMS AND DISCLOSURE OF CERTAIN RECORDS TO FEDERAL MILITARY LAW ENFORCEMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 46a-51 of the general statutes is amended by adding subdivision (22) as follows (*Effective October 1, 2017*):

(NEW) (22) "Veteran" means veteran as defined in subsection (a) of section 27-103.

Sec. 6. Section 46a-64c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) It shall be a discriminatory practice in violation of this section:

(1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, [or] familial status or status as a veteran.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, [or] familial status or status as a veteran.

(3) To make, print or publish, or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, familial status, learning disability, [or] physical or mental disability or status as a veteran, or an intention to make any such preference, limitation or discrimination.

(4) (A) To represent to any person because of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, familial status, learning disability, [or] physical or mental disability or status as a veteran that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

(B) It shall be a violation of this subdivision for any person to restrict or attempt to restrict the choices of any buyer or renter to purchase or rent a dwelling (i) to an area which is substantially populated, even if less than a majority, by persons of the same protected class as the buyer or renter, (ii) while such person is authorized to offer for sale or rent another dwelling which meets the housing criteria as expressed by the buyer or renter to such person, and (iii) such other dwelling is in an area which is not substantially populated by persons of the same protected class as the buyer or renter. As used in this subdivision, "area" means municipality, neighborhood or other geographic subdivision which may include an apartment or condominium complex; and "protected class" means race, creed, color, national origin, ancestry, sex, gender identity or

expression, marital status, age, lawful source of income, familial status, learning disability, [or] physical or mental disability or status as a veteran.

(5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, familial status, learning disability, [or] physical or mental disability or status as a veteran.

(6) (A) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a learning disability or physical or mental disability of: (i) Such buyer or renter; (ii) a person residing in or intending to reside in such dwelling after it is so sold, rented, or made available; or (iii) any person associated with such buyer or renter.

(B) To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a learning disability or physical or mental disability of: (i) Such person; or (ii) a person residing in or intending to reside in such dwelling after it is so sold, rented, or made available; or (iii) any person associated with such person.

(C) For purposes of this subdivision, discrimination includes: (i) A refusal to permit, at the expense of a person with a physical or mental disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises; except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted; (ii) a refusal to make reasonable accommodations in rules, policies, practices or

services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; (iii) in connection with the design and construction of covered multifamily dwellings for the first occupancy after March 13, 1991, a failure to design and construct those dwellings in such manner that they comply with the requirements of Section 804(f) of the Fair Housing Act or the provisions of the state building code as adopted pursuant to the provisions of sections 29-269 and 29-273, whichever requires greater accommodation. "Covered multifamily dwellings" means buildings consisting of four or more units if such buildings have one or more elevators, and ground floor units in other buildings consisting of four or more units.

(7) For any person or other entity engaging in residential real-estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, familial status, learning disability, [or] physical or mental disability or status as a veteran.

(8) To deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership or participation, on account of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, familial status, learning disability, [or] physical or mental disability or status as a veteran.

(9) To coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this section.

(b) (1) The provisions of this section shall not apply to (A) the rental of a room or rooms in a single-family dwelling unit if the owner actually maintains and occupies part of such living quarters as his residence or (B) a unit in a dwelling containing living quarters occupied or intended to be occupied by no more than two families living independently of each other, if the owner actually maintains and occupies the other such living quarters as his residence. (2) The provisions of this section with respect to the prohibition of discrimination on the basis of marital status shall not be construed to prohibit the denial of a dwelling to a man or a woman who are both unrelated by blood and not married to each other. (3) The provisions of this section with respect to the prohibition of discrimination on the basis of age shall not apply to minors, to special discount or other public or private programs to assist persons sixty years of age and older or to housing for older persons as defined in section 46a-64b, provided there is no discrimination on the basis of age among older persons eligible for such housing. (4) The provisions of this section with respect to the prohibition of discrimination on the basis of familial status shall not apply to housing for older persons as defined in section 46a-64b or to a unit in a dwelling containing units for no more than four families living independently of each other, if the owner of such dwelling resides in one of the units. (5) The provisions of this section with respect to the prohibition of discrimination on the basis of lawful source of income shall not prohibit the denial of full and equal accommodations solely on the basis of insufficient income. (6) The provisions of this section with respect to the prohibition of discrimination on the basis of sex shall not apply to the rental of sleeping accommodations to the extent they utilize shared bathroom facilities when such sleeping accommodations are provided by associations and organizations which rent such sleeping accommodations on a temporary or permanent basis for the exclusive use of persons of the same sex based on considerations of privacy and modesty.

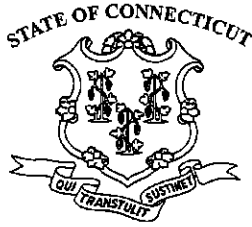
(c) Nothing in this section limits the applicability of any reasonable state statute or municipal ordinance restricting the maximum number of persons permitted to occupy a dwelling.

(d) Nothing in this section or section 46a-64b shall be construed to invalidate or limit any state statute or municipal ordinance that requires dwellings to be designed and constructed in a manner that affords persons with physical or mental disabilities greater access than is required by this section or section 46a-64b.

(e) Nothing in this section prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, familial status, learning disability, [or] physical or mental disability or status as a veteran.

(f) Notwithstanding any other provision of this chapter, complaints alleging a violation of this section shall be investigated within one hundred days of filing and a final administrative disposition shall be made within one year of filing unless it is impracticable to do so. If the Commission on Human Rights and Opportunities is unable to complete its investigation or make a final administrative determination within such time frames, it shall notify the complainant and the respondent in writing of the reasons for not doing so.

(g) Any person who violates any provision of this section shall be guilty of a class D misdemeanor.



House Bill No. 6881

Public Act No. 17-171

AN ACT CONCERNING THE PROVISION OF ESSENTIAL SERVICES BY LANDLORDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

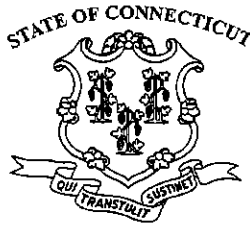
Section 1. Subsection (a) of section 47a-13 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) If the landlord is required to supply heat, running water, hot water, electricity, gas or other essential service, and if the landlord fails to supply such essential service and the failure is not caused by conditions beyond the landlord's control, the tenant may give notice to the landlord specifying the breach and may elect to (1) procure reasonable amounts of heat, hot water, running water, electric, gas or other essential service during the period of the landlord's noncompliance and deduct the actual and reasonable cost of such service from the rent; or (2) procure reasonable substitute housing during the period of the landlord's noncompliance if the landlord fails to supply such service within [two business days] forty-eight hours of such breach, except if the breach is the failure to provide the same service and such breach recurs within six months, the tenant may secure substitute housing immediately; or (3) if the failure to supply such service is wilful, the tenant may terminate the rental agreement

House Bill No. 6881

and recover an amount not more than two months' periodic rent or double the actual damages sustained by him, whichever is greater. If the rental agreement is terminated, the landlord shall return all security and prepaid rent and interest required pursuant to section 47a-22, recoverable under section 47a-21.

Approved July 7, 2017



Substitute House Bill No. 7019

Public Act No. 17-236

AN ACT CONCERNING THE DEPARTMENT OF BANKING'S ENFORCEMENT AUTHORITY, THE ISSUANCE OF CERTAIN REPORTS, REQUIRING THE RETURN OF CERTAIN PORTIONS OF SECURITY DEPOSITS AND MAKING MINOR REVISIONS TO THE BANKING STATUTES.

Sec. 17. Subsection (b) of section 47a-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(b) (1) In the case of a tenant under sixty-two years of age, a landlord shall not demand a security deposit in an amount that exceeds two months' rent.

(2) In the case of a tenant sixty-two years of age or older, a landlord shall not demand a security deposit in an amount that exceeds one month's rent. Any landlord who has received a security deposit in an amount that exceeds one month's rent from a tenant who becomes sixty-two years of age after paying such security deposit shall return the portion of such security deposit that exceeds one month's rent to the tenant upon the tenant's request.

Sec. 18. (*Effective from passage*) (a) There is established a task force to study methods to prevent the issuance of mortgages to persons with excessive blight fines or who have violated nuisance abatement laws.

(b) The task force shall consist of the following members:

- (1) Two appointed by the speaker of the House of Representatives;
- (2) Two appointed by the president pro tempore of the Senate;

Substitute House Bill No. 7019

(3) One appointed by the majority leader of the House of Representatives;

(4) One appointed by the Senate majority leader;

(5) One appointed by the minority leader of the House of Representatives; and

(6) One appointed by the Senate Republican president pro tempore.

(c) Any member of the task force appointed under subsection (b) of this section may be a member of the General Assembly.

(d) All appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the task force from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to banking shall serve as administrative staff of the task force.

(g) Not later than July 1, 2018, the task force shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to banking, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or July 1, 2018, whichever is later.

Sec. 20. (*Effective from passage*) (a) The Department of Housing and the Department of Banking, in consultation with the banking community, shall, within available appropriations, conduct a study concerning the development of a lead abatement interest rate reduction program that provides interest rate subsidies to owners who experience difficulty obtaining financing for the abatement of lead due to the high cost of such abatement, failure to meet underwriting criteria, decreased market value of an affected home or personal financial circumstances.

(b) On or before January 1, 2018, the Commissioner of Housing and the Banking Commissioner shall submit a report on the study described in subsection (a) of this section to the joint standing committees of the General Assembly having cognizance of matters relating to housing, banking and planning and development, in accordance with the provisions of section 11-4a of the general statutes. Such report shall include, but need not be limited to, recommendations for establishing, implementing and administering such program.