



RESOLUTION

Item # 31941-2 RE:

To His Honor, the Mayor, and the Common Council of the City of New Britain:
the undersigned beg leave to recommend the adoption of the following:

Resolution Summary: PURPOSE. ~~To establish a fair rent commission for the City of New Britain.~~ Pursuant to and in conformity with the Connecticut General Statutes, Sections 7-148b through 7-148f, the Common Council of the City of New Britain proposes the establishment of a Fair Rent Commission, whose powers, duties and obligations shall be to make studies and investigations, conduct hearings and receive complaints relative to rental charges on housing accommodations, ensuring that rental charges "are not to be harsh and unconscionable", thus creating a fair and equal process for the tenant and landlord; compelled by the need for habitable and rent stabilized housing stock in the city of New Britain, and

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Code of Ordinances be amended by adding a new Division 17, FAIR RENT COMMISSION to Chapter 2 to read as follows (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

[NEW] Chapter 17. Fair Rent Commission.

Sec. 2-911. FAIR RENT COMMISSION

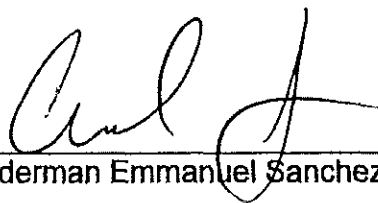
(a) ~~There shall be a Fair Rent Commission of the City of New Britain, established pursuant to Connecticut General Statutes Section 7-148b (hereinafter referred to as the "Commission").~~ Pursuant to and in conformity with the Connecticut General Statutes, Sections 7-148b through 7-148f, there is hereby created a commission known as the Fair Rent Commission. Said Commission shall have such powers, duties and responsibilities as are provided pursuant to Sections 7-148b through 7-148f, inclusive, of the Connecticut General Statutes including but not limited to make studies and investigations, to conduct hearings and receive complaints relative to rental charges on housing accommodations, to ensure that rental charges "are not harsh and unconscionable", thus creating a fair and equal process for the tenant and landlord; compelled by the need for habitable and rent stabilized housing stock in the city of New Britain, and

(b) The Commission shall consist of ~~seven~~ nine (9) electors of the city appointed by the Mayor which shall be comprised of three (3) tenants/renters, three (3) landlords and three (3) property owners. The chairperson of the Commission shall be elected by its members. The members shall be appointed to serve a term of two (2) years. The Commission shall be empowered to enact such by-laws and regulations as are necessary for the conduct of its business, provided no by-laws or regulations shall be in conflict with Section 7-148b through 7-148f of the Connecticut General Statutes, and

(c) In the Commission's consideration of fair rents, no fines or penalties for violations of city ordinances or state or federal laws may be included in fair rent amounts, nor shall the cost of complying with anti-blight or code enforcement orders from the city, state or federal governments or other authorities.

(d) In determining whether a rental charge is too excessive, with due regard to all the circumstances, the Fair Rent Commission shall consider the following 13 factors: (1) the rents charged for the same number of rooms and other housing accommodations in the same and in other areas of the municipality; (2) the sanitary conditions existing in the housing accommodations in question; (3) the number of bathtubs and showers, flush water closets, kitchen sinks and lavatory basins available to the occupants thereof; (4) services, furniture, furnishings and equipment supplied therein; (5) the size and number of bedrooms contained therein; (6) repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein; (7) the amount of taxes and overhead expenses, including debt services, thereof; whether the accommodations are in compliance with the ordinances of the city and the general statutes relating to health and safety; (9) the income of the petitioner and the availability of accommodations; (10) the availability of utilities; (11) damages done to the property by the tenant caused by other than ordinary wear and tear; (12) the amount and frequency of increases in the rental charges; (13) whether, and the extent to which, the income from an increase rental charge has been or will be reinvested in improvements to the accommodation

(e) The Fair Rent Commission will be unable to accept excessive rent complaints if: 1) The Tenants owe back rent; 2) The Tenants have already signed leases agreeing to requested rent; and 3) Landlords have already begun the legal eviction process against the specified tenant.



Alderman Emmanuel Sanchez

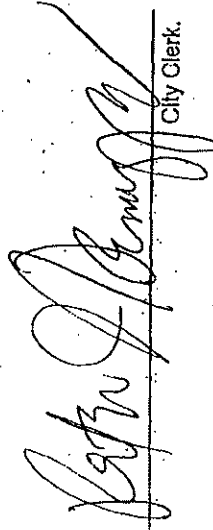
No. 31941-2 Rec'd 09/12/2012
(Above For Town Clerk's Use Only)

RESOLUTION

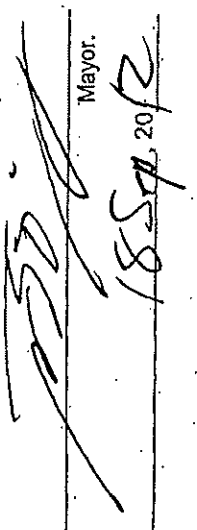
Re: **AMENDMENT TO THE ORDINANCES**
ADDING A NEW DIVISION 27 FAIR RENT COMMISSION
SEC. 2-911

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski.

Resolution adopted with Ald. Carlozzi, Giantonio, and Platosz opposed.



City Clerk.

APPROVED


Mayor.
18 Sep 2012

Sec. 2-926. Fair rent commission.

- (a) Pursuant to and in conformity with sections 7-148b through 7-148f of the General Statutes, there is hereby created a commission known as the fair rent commission. Said commission shall have such powers, duties and responsibilities as are provided pursuant to sections 7-148b through 7-148f, inclusive, of the General Statutes, including, but not limited to, make studies and investigations, to conduct hearings and receive complaints relative to rental charges on housing accommodations, to ensure that rental charges "are not harsh and unconscionable," thus creating a fair and equal process for the tenant and landlord; compelled by the need for habitable and rent stabilized housing stock in the city of New Britain; and
- (b) The commission shall consist of nine (9) electors of the city appointed by the mayor which shall be comprised of three (3) tenants/renters, three (3) landlords and three (3) property owners. The chairperson of the commission shall be elected by its members. The members shall be appointed to serve a term of two (2) years. The commission shall be empowered to enact such by-laws and regulations as are necessary for the conduct of its business, provided no by-laws or regulations shall be in conflict with sections 7-148b through 7-148f of the General Statutes; and
- (c) In the commission's consideration of fair rents, no fines or penalties for violations of city ordinances or state or federal laws may be included in fair rent amounts, nor shall the cost of complying with anti-blight or code enforcement orders from the city, state or federal governments or other authorities.
- (d) In determining whether a rental charge is too excessive, with due regard to all the circumstances, the fair rent commission shall consider the following thirteen (13) factors:
- (1) The rents charged for the same number of rooms and other housing accommodations in the same and in other areas of the municipality;
 - (2) The sanitary conditions existing in the housing accommodations in question;
 - (3) The number of bathtubs and showers, flush water closets, kitchen sinks and lavatory basins available to the occupants thereof;
 - (4) Services, furniture, furnishings and equipment supplied therein;
 - (5) The size and number of bedrooms contained therein;
 - (6) Repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein;
 - (7) The amount of taxes and overhead expenses, including debt services, thereof;
 - [(8)] Whether the accommodations are in compliance with the ordinances of the city and the general statutes relating to health and safety;
 - (9) The income of the petitioner and the availability of accommodations;
 - (10) The availability of utilities;
 - (11) Damages done to the property by the tenant caused by other than ordinary wear and tear;
 - (12) The amount and frequency of increases in the rental charges;
 - (13) Whether, and the extent to which, the income from an increase rental charge has been or will be reinvested in improvements to the accommodation.
- (e) The fair rent commission will be unable to accept excessive rent complaints if:
- (1) The tenants owe back rent;
 - (2) The tenants have already signed leases agreeing to requested rent; and
 - (3) Landlords have already begun the legal eviction process against the specified tenant.

(Res. No. 31941-2, 9-12-12)