

§ 81-1. Creation of Fair Rent Commission. [Amended 5-10-2005; 10-7-2019]

A Fair Rent Commission is created, which shall consist of seven electors or taxpayers of the Town, who shall serve for terms of two years and annually elect their own Chair and Vice Chair. The Director of Social Services shall serve without vote as an ex officio member of said Commission. Members of the Commission shall serve without compensation but shall be reimbursed for expenses incurred in the performance of their duties.

§ 81-2. Powers and authority of Commission.

- A. The Commission may make studies and investigations, conduct hearings and receive complaints relative to rental charges on housing accommodations, except those accommodations rented on a seasonal basis, within the Town of West Hartford in order to control and eliminate excessive rental charges on such accommodations and to carry out the provisions of C.G.S. §§ 7-148b to 7-148f, inclusive, C.G.S. § 47a-20 and Subsection (b) of C.G.S. § 47a-23c. The Commission, for such purposes, may compel the attendance of persons at hearings, issue subpoenas and administer oaths, issue orders and continue, review, amend, terminate or suspend any of its orders and decisions. The Commission may be empowered to retain legal counsel to advise it.
- B. For the purposes of this section, "seasonal basis" means housing accommodations rented for a period or periods aggregating not more than 120 days in any one calendar year.

§ 81-3. Determination of excessive rent.

In determining whether a rental charge or a proposed increase in a rental charge is so excessive, with due regard to all the circumstances, as to be harsh and unconscionable, the Fair Rent Commission shall consider such of the following circumstances as are applicable to the type of accommodation:

- A. The rents charged for the same number of rooms in other housing accommodations in the same and in other areas of the municipality.
- B. The sanitary conditions existing in the housing accommodations in question.
- C. The number of bathtubs or showers, flush waste closets, kitchen sinks and lavatory basins available to the occupants thereof.
- D. Services, furniture, furnishings and equipment supplied therein.
- E. The size and number of bedrooms contained therein.
- F. Repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein.
- G. The amount of taxes and overhead expenses thereof.
- H. Whether the accommodations are in compliance with the ordinances of the Town

of West Hartford and the General Statutes of the State of Connecticut relating to health and safety.

- I. The income of the petitioner and the availability of accommodations.
- J. The availability of utilities.
- K. Damages done to the premises by the tenant, caused by other than ordinary wear and tear.
- L. The amount and frequency of increases in rental charges.
- M. Whether, and the extent to which, the income from an increase in rental charges has been or will be reinvested in improvements to the accommodations.

§ 81-4. Rent reduction order; repairs.

If the Commission determines, after a hearing, that the rental charge or proposed increase in the rental charge for any housing accommodation is so excessive, based on the standards and criteria set forth in this chapter, as to be harsh and unconscionable, it may order that the rent be limited to such an amount as it determines to be fair and equitable. If the Commission determines, after a hearing, that the housing accommodation in question fails to comply with any ordinance of the Town of West Hartford or state statute or regulation relating to health and safety, it may order the suspension of further payment of rent by the tenant until such time as the landlord makes the necessary changes, repairs or installations so as to bring such housing accommodation into compliance with such ordinance, statute or regulation. The rent during said period shall be paid to the Commission, to be held in escrow by said Commission.

§ 81-5. Appeals.

Any person aggrieved by any order of the Commission may appeal to the Superior Court for the Judicial District of Hartford-New Britain at Hartford. Any such appeal shall be considered a privileged matter with respect to the order of trial as provided in C.G.S. § 7-148e.

§ 81-6. Penalties for offenses. [Amended 6-28-1994]

Any person who violates any order of rent reduction or rent suspension by demanding, accepting or receiving an amount in excess thereof while such order remains in effect, and no appeal pursuant to § 81-5 is pending, or who violates any other provision of this chapter or C.G.S. § 47a-20 or who refuses to obey any subpoena, order or decision of the Commission pursuant thereto shall be fined not less than \$25 nor more than \$100 for each offense. If such offense continues for more than five days, it shall constitute a new offense for each day it continues to exist thereafter.