

*Town of Wethersfield, CT
Thursday, November 2, 2023*

Chapter 10. Committees, Boards, Commissions and Other Agencies

Article XXIII. Fair Rent Commission

§ 10-81. Creation.

There is hereby created a Fair Rent Commission in accordance with Section 7-148b of the Connecticut General Statutes, Revision of 1958, as amended. Said Commission shall have all the powers and duties now or hereafter provided for fair rent commissions by the Connecticut General Statutes.

§ 10-82. Purpose.

The Commission's purpose is to afford a course of appeal to those residents who feel that their rental charge is so excessive as to be considered harsh and unconscionable.

§ 10-83. Powers and duties.

A. The Commission is authorized to 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 its jurisdiction, in order to control and eliminate excessive rental charges on such accommodations and to carry out the provisions of Sections 7-148b to 7-148f, inclusive, Section 47a-20 and Subsection **(b)** of Section 47a-23c of the General Statutes. 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 retain legal counsel and other expert advisors.

[Amended 1-16-1990; 6-18-1990]

B. 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. The Commission shall also consider such additional or amended circumstances as may be hereafter provided by the General Statutes.

- (1) The rents charged for the same number of rooms in 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 or 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 service thereof.
 - (8) Whether the accommodations are in compliance with the ordinances of the Town and the General Statutes relating to health and safety.
 - (9) The availability of utilities.
 - (10) Damages done to the premises by the tenant, caused by other than ordinary wear and tear.
 - (11) The amount and frequency of increases in rental charges.
 - (12) Whether, and the extent to which, the income from a increase in rental charges has been or will be reinvested in improvements to the accommodations.
 - (13) The income of the petitioner and the availability of accommodations.
- C. 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 article, 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 Town ordinance 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.
[Amended 6-18-1990]
- D. If the Commission determines, after a hearing, that a landlord has retaliated in any manner against a tenant because the tenant has complained to the Commission, the Commission may order the landlord to cease and desist from such conduct.

§ 10-84. Appeals.

Any person aggrieved by any order of the Commission may appeal to the Superior Court for the County of Hartford. Any such appeal shall be considered a privileged matter with respect to the order of trial.

§ 10-85. Penalties for offenses.

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 this order is pending or violates any other provisions of this article or Section 47a-20 of the Connecticut General Statutes 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.

§ 10-86. Membership and alternates.

- A. The Fair Rent Commission shall consist of three members and one alternate who shall be appointed by the Town Council for terms of two years. One member shall be a tenant of an eligible dwelling unit, one member shall be a landlord or a landlord representative and one member, and the alternate member, shall be a neutral member who shall be neither a landlord nor a tenant. If, during the member's term, the status of a Commissioner changes with respect to whether he or she

is a tenant or a landlord or neither, he or she shall be disqualified from office and the position shall be deemed vacant. Any vacancy on said Commission from whatever cause arising shall be filled, within a reasonable time, by appointment by the Town Council for the unexpired portion of the term. [Amended 7-16-2018]

- B. The Town Chief Building and Zoning Official and Town Director of Health shall serve as ex officio members of said Commission, without voting rights.

§ 10-87. Organization.

At its initial meeting and on an annual basis thereafter, the Commission shall elect from its membership a Chairperson, a Vice Chairperson and a Secretary. In addition to any schedule for regular meetings which such Commission may establish, any member of the Commission may at any time request, in writing, that the Chairperson call a special meeting, whereupon the Chairperson shall, within three days after receipt of such request, call a special meeting for a time within seven days after the date of the receipt of request of such meeting. A quorum at any meeting shall consist of four members, and the affirmative vote of four members shall be required for any action to be taken.

§ 10-88. Jurisdiction.

The Fair Rent Commission has jurisdiction over and this article applies to only those housing accommodations which consist of two or more housing units or dwellings.

§ 10-89. Reports to Council.

The Commission shall provide to the Town Council, on an annual basis, a summary report on its activities for the prior year.