

Legal Services Offices

Statewide Legal Services:

(860) 344-0380 (Central CT & Middletown)

1-800-453-3320 (All other regions)

Other Legal Services Programs:

Hartford, Hartford County:

Greater Hartford Legal Assistance

80 Jefferson Street

Hartford, CT 06106-5051

(860) 541-5000

FAX: (860) 541-5050

Greater New Haven Area:

New Haven Legal Assistance

Association, Inc.

426 State Street

New Haven, CT 06510

(203) 946-4811

TDD: (203) 946-4811

FAX: (203) 498-9271

Visit us on the internet:

www.slsct.org

www.ghla.org

www.nhlegal.org

www.connlegalservices.org

www.larcc.org



This pamphlet was produced by the Legal Assistance Resource Center of CT in cooperation with CT Legal Services, Greater Hartford Legal Assistance, New Haven Legal Assistance Association, and Statewide Legal Services.

The information in this pamphlet is based on the law as of December 2001. We hope that the information is helpful. It is not intended as legal advice for an individual situation. If you need further help and have not done so already, please call Statewide Legal Services (see above) or contact an attorney.

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Throughout Connecticut:

Statewide Legal Services *(see left)*

Connecticut Legal Services:

Administrative Office: (860) 344-0447

Offices:

211 State Street

Bridgeport, CT 06604

(203) 336-3851

587 Main Street

New Britain, CT 06051

(860) 225-8678

153 Williams Street

New London, CT 06320

(860) 447-0323

20 Summer Street

Stamford, CT 06901

(203) 348-9216

85 Central Avenue

Waterbury, CT 06722

(203) 756-8074

872 Main St., P.O. Box 258

Willimantic, CT 06226

(860) 456-1761

CLS Satellite Offices:

Danbury (203) 348-9216

Meriden (860) 225-8678

Middletown (860) 225-8678

Norwalk (203) 899-2451

Norwich (860) 447-0323

Rockville 1-800-413-7796

Torrington 1-800-413-7797

AIDS Legal Network for CT

80 Jefferson Street

Hartford, CT 06106

(860) 541-5040 or 1-888-380-3646

Tenants' Rights: Fair Rent Commission



What is the Fair Rent Commission?

The Fair Rent Commission is a city/town commission which has the power to decide whether a rent increase or a rent charged to a tenant in the town is unfairly high.

What can the Fair Rent Commission do?

The Fair Rent Commission receives complaints from tenants about rents charged for their apartments, investigates the complaints and holds hearings on those complaints.

After a hearing, the Fair Rent Commission may order the landlord to reduce the rent. If the apartment needs repairs, the Commission may order the rent to be reduced or order the tenant to pay the rent to the Fair Rent Commission until the landlord has made all repairs needed.

Who may file a complaint?

Any tenant who lives in a town with a Fair Rent Commission may file a complaint. You do not need to have a written lease to file a complaint. You do not need a lawyer to file a complaint. *Note: Not all cities have a Fair Rent Commission. (See pages 8 and 9 to find out whether your town does.)*

When should I file a complaint?

You should file a complaint with the Fair Rent Commission whenever:

- Your landlord has demanded an increase in rent which you believe is unfair;
- Your landlord wants to charge you for utilities when they used to be included in the rent;
- You believe your present rent is unfair because your apartment has serious unsafe and unhealthy conditions or conditions which violate the housing code.

Can my landlord evict me if I file a complaint?

NO. The law says your landlord cannot evict you just because you filed a complaint with the Fair Rent Commission.

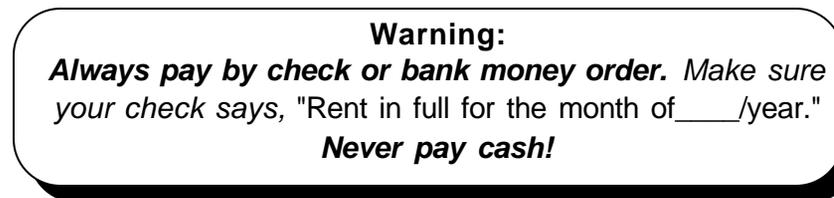
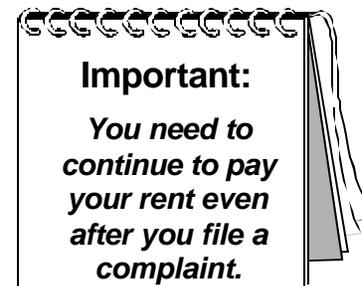
However, you can be evicted if you don't pay your rent each month. If you have paid your rent and your landlord tries to evict you after you have filed a complaint with the Commission, contact legal services and the Commission right away.

How do I file a complaint?

To file a Fair Rent complaint, call or go to the offices of the Fair Rent Commission and ask to fill out the complaint form.

What rent should I pay after I file my complaint?

Before you do anything else, you should make sure that each month you offer to your landlord the old rent or any higher rent which you think is fair. Offer this amount when it comes due each month. You must offer this amount to your landlord as rent each month even after you have filed a complaint with the Fair Rent Commission. You must continue to do so until the Commission has ruled on your complaint.



What happens after I file a complaint?

After you have filled out the complaint, the Fair Rent Commission will investigate your complaint and schedule a hearing on it. The Commission may ask you and your landlord to come to an informal conference to see if an agreement can be made on what the rent should be. You do not have to agree to anything at this informal conference. If you cannot reach an agreement with your landlord, you have the right to demand a hearing on your complaint.

What do I need to do before the hearing?

Well before the date of the hearing, you should tell the Fair Rent Commission the following:

- the witnesses you want to be at the hearing, particularly any witnesses, such as code inspectors, who work for the town;
- the documents you will need for the hearing, particularly any city/town documents, such as code enforcement reports; and
- if you think an important witness might not show up for the hearing, or that the landlord won't supply some documents, insist that the Commission issue a subpoena. This subpoena can force that person to go to the hearing and/or to bring the documents.

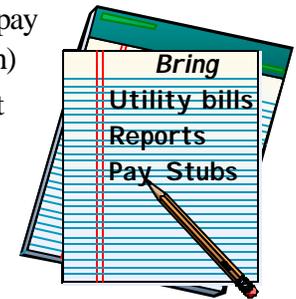
Get ready to present your side....



- Be ready to describe the conditions of your apartment if they are unhealthy, unsafe, or violate the housing code. Examples of these conditions include rats, roaches, leaks, holes, etc. Bring pictures if you have them.
- Ask the Housing Code Office to inspect your apartment as soon as you file your complaint. Get a copy of this report and give it to the Fair Rent Commission.

- Get all related documents together. This list includes:

- Copies of your utility bills (if you pay your own utilities and they are high)
- Report from the Health Department or Housing Code Office
- Proof of your income, such as payroll stubs, welfare forms, etc.



If you have any questions or problems, call Statewide Legal Services at 1-800-453-3320.

What happens at the hearing?

The Fair Rent Commission will hold a hearing on your case. The Commission will listen to witnesses called by you and by your landlord. It will also look at any documents that are important to the situation. All testimony will be taken under oath and recorded.

After the hearing, the Commission will make its decision and give you a written notice of the decision. You have a right to appeal that decision.

What are my rights at the hearing?

- You can have any person called to be a witness.
- You can demand that a person bring any books or documents to the hearing that you think are needed
- You can subpoena a person or documents to be sure they appear at the hearing.
- You have the right to be represented at the hearing
- You have the right to ask questions of your landlord and his or her witnesses.

How does the Commission make its decision?

The law lists 13 factors to be considered by the Commission. The most important of these factors are:

- the rents charged for similar apartments in the neighborhood or the town,
- the size of the rent increase and the history of recent rent increases
- the condition of the apartment and whether it violates housing and health codes
- the landlord's expenses and whether this increase will be used to improve your apartment
- your income and whether there are other apartments you can afford.



Here are the 13 factors the Fair Rent Commission considers:

1. The rents charged for similar apartments in the city or neighborhood;
2. The health and safety conditions of your apartment;
3. The number of bathtubs or showers, toilets, kitchen sinks and bathroom sinks in your apartment;
4. Services (such as utilities, furniture, furnishings and equipment) supplied by the landlord;
5. The size and number of bedrooms in your apartment;
6. The repairs needed to make your apartment livable;
7. The amount of taxes and other expenses of the landlord;
8. Whether your apartment complies with the housing code and State statutes relating to health and safety;
9. Your income and whether there are other apartments you can afford;
10. What utilities you have in your apartment and whether you or your landlord pays for them;
11. Damages, other than ordinary wear and tear, which you have caused to the apartment;
12. How much the landlord has raised your rent in the past;
13. How much of the rent increase will be used to improve your apartment and the building.



What does the Commission do after the hearing?

After the hearing, the Fair Rent Commission considers the testimony and documents. It can decide a number of things:



1. It can decide that the rent increase is *fair* and order you to pay it.
 2. It can decide that the rent increase is *unfair* and:
 - A. Set the rent at a fair level and order the landlord to accept that amount as rent.
- OR...*
- B. Decide that the rent increase has to be phased-in gradually. This means you won't be hit with a large increase all at once.
- OR...*
- C. Delay a rent increase until repairs are made. It may order you to pay rent each month to the Fair Rent Commission at a level it decides is fair. This rent will be held by the Commission until your landlord has repaired the unsafe and unhealthy conditions in your apartment. Once those repairs are made, the rent you have paid to the Commission will be given to your landlord.

The Fair Rent Commission may also give your complaint to other city agencies, such as the Health Department or Housing Code Office. These agencies must then make sure that your landlord repairs the unsafe and unhealthy conditions in your apartment.

If your landlord fails to comply with any order of the Fair Rent Commission, he or she may be subject to a fine. You should report any violations to the Fair Rent Commission.

What can I do if I don't agree with the Fair Rent Commission's decision?

You have a right to appeal the Fair Rent Commission's decision. Connecticut statutes provide for this appeal process (C.G.S. §7-148e). Appeals are court cases which must be taken to the housing session for the area where you live. If you are considering appealing a Fair Rent Commission decision, you should contact Statewide Legal Services (see back page for number).

Notes

Towns with Fair Rent Commissions

The following towns have Fair Rent Commissions. You should **contact** the Fair Rent **Commission in the town in which you live.**

Bloomfield

800 Bloomfield Ave
Bloomfield CT 06002
(860) 769-3500

Bridgeport

45 Lyon Terrace, Room 211
Bridgeport, CT 06604
(203) 576-8323

Danbury

Town Hall
155 Deer Hill Ave.
Danbury, CT 06810
(203) 797-4625

Enfield

Town Manager's Office
820 Enfield Street
Enfield, CT 06082
(860) 253-6391

Farmington

Town Hall, c/o Social Services
1 Monteith Drive
Farmington, CT 06032
(860) 673-8200

Glastonbury

c/o Housing Authority
25 Risley Road
Glastonbury, CT 06033
(860) 652-7568

Groton

45 Fort Hill Road
Groton, CT 06340
(860) 446-5988

Hamden

Fair Housing Office
11 Pine Street
Hamden, CT 06514
(203) 776-5978

Hartford

10 Prospect Street
Hartford, CT 06103
(860) 543-8645

Manchester

c/o Health Department
479 Main St., PO Box 191
Manchester, CT 06045-0191
(860) 647-3173

New Haven

165 Church St., 1st Floor
New Haven, CT 06510
(203) 946-8156

Newington

c/o Human Services
131 Cedar St.
Newington, CT 06111
(860) 665-8590

Norwalk

125 East Ave.
Norwalk, CT 06851
(203) 854-7989

Fair Rent Commissions (continued)

Rocky Hill

Barbara Natarajan
45 S. Condor Drive
Rocky Hill, CT 06067
(860) 529-9865

Simsbury

c/o Social Services
Town Hall
933 Hopmeadow Street
Simsbury, CT 06070
(860) 658-3283

Stamford

c/o Ellene Bromley
Social Service Commission
888 Washington Blvd.
Stamford, CT 06904-2152
(203) 977-4140

Thompson

Town Clerk Office
P.O. Box 899
Riverside Drive
North Groszenordale
Thomson, CT 06255

Westbrook

c/o First Selectman
P.O. Box G
Westbrook, CT 06498
(860) 399-6236

West Hartford

Social Services Dept.
50 South Main St.
West Hartford, CT 06107
(860) 523-3258

West Haven

355 Main St.
P.O. Box 312
Community Development Office
West Haven, CT 06516
(203) 937-3550

Wethersfield

Fair Rent Commission
Town Hall
505 Silas Deane Highway
Wethersfield, CT 06109
(860) 721-2800

Windsor

Windsor Town Hall
275 Broad St.
Windsor, CT 06095
(860) 285-1900