



General Assembly

February Session, 2022

Raised Bill No. 5233

LCO No. 1474



Referred to Committee on HOUSING

Introduced by:
(HSG)

AN ACT CONCERNING EVICTIONS FOR CAUSE.

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

1 Section 1. Section 47a-23c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) (1) Except as provided in subdivision (2) of this subsection, this
4 section applies to any tenant who resides in a building or complex
5 consisting of five or more separate dwelling units or who resides in a
6 mobile manufactured home park, [and who is either: (A) Sixty-two
7 years of age or older, or whose spouse, sibling, parent or grandparent is
8 sixty-two years of age or older and permanently resides with that
9 tenant, or (B) a person with a physical or mental disability, as defined in
10 subdivision (8) of section 46a-64b, or whose spouse, sibling, child,
11 parent or grandparent is a person with a physical or mental disability
12 who permanently resides with that tenant, but only if such disability can
13 be expected to result in death or to last for a continuous period of at least
14 twelve months.]

15 (2) With respect to tenants in common interest communities, this

16 section applies only to (A) a conversion tenant, as defined in subsection
17 (3) of section 47-283, who (i) is described in subdivision (1) of this
18 subsection, or (ii) is not described in subdivision (1) of this subsection
19 but, during a transition period, as defined in subsection (4) of section 47-
20 283, is residing in a conversion condominium created after May 6, 1980,
21 or in any other conversion common interest community created after
22 December 31, 1982, or (iii) is not described in subdivision (1) of this
23 subsection but is otherwise protected as a conversion tenant by public
24 act 80-370, and (B) a tenant who is not a conversion tenant but [who is
25 described in subdivision (1) of this subsection if his] whose landlord
26 owns five or more dwelling units in the common interest community in
27 which the dwelling unit is located.

28 (3) As used in this section, "tenant" includes each resident of a mobile
29 manufactured home park, as defined in section 21-64, including a
30 resident who owns [his own home] the home in which such resident
31 resides, "landlord" includes a "licensee" and an "owner" of a mobile
32 manufactured home park, as defined in section 21-64, "complex" means
33 two or more buildings on the same or contiguous parcels of real
34 property under the same ownership, and "mobile manufactured home
35 park" means a parcel of real property, or contiguous parcels of real
36 property under the same ownership, upon which five or more mobile
37 manufactured homes occupied for residential purposes are located.

38 (b) (1) No landlord may bring an action of summary process or other
39 action to dispossess a tenant described in subsection (a) of this section
40 except for one or more of the following reasons: (A) Nonpayment of
41 rent; (B) refusal to agree to a fair and equitable rent increase, as defined
42 in subsection (c) of this section; (C) material noncompliance with section
43 47a-11 or subsection (b) of section 21-82, which materially affects the
44 health and safety of the other tenants or which materially affects the
45 physical condition of the premises; (D) voiding of the rental agreement
46 pursuant to section 47a-31, or material noncompliance with the rental
47 agreement; (E) material noncompliance with the rules and regulations
48 of the landlord adopted in accordance with section 47a-9 or 21-70; (F)

49 permanent removal by the landlord of the dwelling unit of such tenant
50 from the housing market; or (G) bona fide intention by the landlord to
51 use such dwelling unit as [his] such landlord's principal residence.

52 (2) The ground stated in subparagraph (G) of subdivision (1) of this
53 subsection is not available to the owner of a dwelling unit in a common
54 interest community occupied by a conversion tenant.

55 (3) A tenant may not be dispossessed for a reason described in
56 subparagraph (B), (F) or (G) of subdivision (1) of this subsection during
57 the term of any existing rental agreement.

58 (c) (1) The rent of a tenant protected by this section may be increased
59 only to the extent that such increase is fair and equitable, based on the
60 criteria set forth in section 7-148c.

61 (2) Any such tenant aggrieved by a rent increase or proposed rent
62 increase may file a complaint with the fair rent commission, if any, for
63 the town, city or borough where [his] such tenant's dwelling unit or
64 mobile manufactured home park lot is located; or, if no such fair rent
65 commission exists, may bring an action in the Superior Court to contest
66 the increase. In any such court proceeding, the court shall determine
67 whether the rent increase is fair and equitable, based on the criteria set
68 forth in section 7-148c.

69 [(d) A landlord, to determine whether a tenant is a protected tenant,
70 may request proof of such protected status. On such request, any tenant
71 claiming protection shall provide proof of the protected status within
72 thirty days. The proof shall include a statement of a physician or an
73 advanced practice registered nurse in the case of alleged blindness or
74 other physical disability.]

75 Sec. 2. Subsections (i) and (j) of section 47-88b of the 2022 supplement
76 to the general statutes are repealed and the following is substituted in
77 lieu thereof (*Effective October 1, 2022*):

78 [(i) After the conversion of a dwelling unit in a building to

79 condominium ownership, the declarant or unit owner, for the purpose
80 of determining if a lessee's eviction is prohibited under subsection (b) of
81 section 47a-23c, may ask any lessee to provide proof of the age,
82 blindness or physical disability of such lessee or any person residing
83 with him, or of the familial relationship existing between such lessee
84 and any person residing with him. The lessee shall provide such proof,
85 including, in the case of alleged physical disability, a statement of a
86 physician, a physician assistant or an advanced practice registered nurse
87 or, in the case of alleged blindness, a statement of a physician, an
88 advanced practice registered nurse or an optometrist, within thirty
89 days.]

90 [(j)] (i) During the first thirty days of the one hundred eighty-day
91 period under subsection (b) of this section, an organization, if any,
92 representing tenants of a building or buildings being submitted to the
93 provisions of this chapter shall have the exclusive right to contract for
94 the purchase of such building or buildings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	47a-23c
Sec. 2	October 1, 2022	47-88b(i) and (j)

HSG *Joint Favorable*