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## **OLR Bill Analysis**

### **HB 6666**

#### ***AN ACT EXPANDING RENTERS' RIGHTS.***

#### **SUMMARY**

This bill makes unrelated changes in laws on landlord-tenant security deposits (§ 1), municipal regulatory authority relating to safe and sanitary housing (§ 2), and housing discrimination due to sexual orientation or civil union status (§ 3).

Regarding landlord-tenant security deposits, the bill does the following:

1. sets the maximum deposit amount a landlord may demand from any tenant, regardless of age, at one month's rent;
2. allows landlords to keep, until the end of the tenancy, any deposit amount over one month's rent received before October 1, 2023; and
3. requires landlords to return any amount over one month's rent upon the request of a tenant who turns 62 during the tenancy.

Current law sets the maximum security deposit at (1) one month's rent for tenants age 62 or older and (2) two months' rent for all other tenants.

Regarding municipal regulatory authority, the bill expressly authorizes municipalities to impose civil penalties of up to \$1,000 for each violation of their rules on maintaining safe and sanitary housing. Existing law also has related municipal penalties and fines (see BACKGROUND).

Lastly, the bill subjects the rental of certain owner-occupied dwelling units to a state law that prohibits housing discrimination specifically

due to a person's sexual orientation or civil union status. Current law exempts from these antidiscrimination provisions the rental of (1) rooms in a dwelling the owner lives in or (2) units located in a dwelling containing up to four units, one of which the owner occupies (i.e., "owner-occupied units"). The bill eliminates this exemption, and in doing so now subjects such an owner who violates the state's anti-housing discrimination law to a class D misdemeanor, punishable by up to 30 days in prison, a fine of up to \$250, or both.

EFFECTIVE DATE: October 1, 2023

## **DISCRIMINATORY HOUSING PRACTICES**

### ***Housing Discrimination***

Existing law prohibits housing discrimination based on a person's sexual orientation or civil union status and establishes a list of specific actions that are considered discriminatory practices. (A related law, the Discriminatory Housing Practices Act (DHPA), also provides similar protection against housing discrimination based on other protected classes, such as race, marital status, or gender expression or identity.)

By eliminating current law's exemption from these provisions, the bill now makes it a discriminatory practice for an owner of an owner-occupied unit (as described above) to do any of the following based on someone's sexual orientation or civil union status:

1. refuse to negotiate, sell, or rent after a legitimate offer;
2. discriminate in terms, conditions, or privileges of a sale, rental, or provision of services or facilities;
3. deny access to real estate multiple listing services;
4. place housing ads indicating a discriminatory preference; and
5. represent that the dwelling is not available for inspection, sale, or rental when it is in fact available.

### ***CHRO Investigations***

Under existing law, unchanged by the bill, individuals who believe

they have been discriminated against in violation of the DHPA, or the similar protections against housing discrimination due to sexual orientation or civil union status, may file a complaint with the Commission on Human Rights and Opportunities (CHRO) within 180 days after the alleged incident. When CHRO finds reasonable cause that discrimination occurred, it negotiates a settlement agreement between the parties. If an agreement cannot be reached, it conducts an administrative hearing (CGS § 46a-82 et seq.).

## **BACKGROUND**

### ***Related Municipal Penalties and Fines***

Existing law allows a municipality to do the following:

1. prescribe penalties of up to \$250 for a violation of any regulation or ordinance adopted under its statutory authority (CGS § 7-148(c)(10));
2. establish fines of between \$10 and \$100 per day for housing blight, which constitute a lien on the property if unpaid (CGS §§ 7-148(c)(7)(H)(xv) & 7-148aa); and
3. enact an ordinance imposing a special assessment on blighted housing to cover blight enforcement and remediation costs (CGS § 7-148ff).

By law, municipalities are generally required to notify individuals of their right to contest a citation before a hearing officer, whose decision can be appealed in Superior Court (CGS § 7-152c).

### ***Related Bill***

sHB 6781, § 1, reported favorably by the Housing Committee, contains provisions allowing (1) municipalities to prescribe civil penalties of up to \$2,000 per violation of their rules on maintaining safe and sanitary housing and (2) landlords to appeal these fines to the municipality's zoning board of appeals, under certain circumstances.

## **COMMITTEE ACTION**

Housing Committee

Joint Favorable

Yea 12 Nay 3 (03/02/2023)