



House of Representatives

General Assembly

File No. 183

January Session, 2023

House Bill No. 6666

House of Representatives, March 23, 2023

The Committee on Housing reported through REP. LUXENBERG of the 12th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT EXPANDING RENTERS' RIGHTS.

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

1 Section 1. Subsection (b) of section 47a-21 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

4 (b) (1) [In the case of a tenant under sixty-two years of age, a] A
5 landlord shall not demand a security deposit in an amount that exceeds
6 [two months'] one month's rent.

7 (2) [In the case of a tenant sixty-two years of age or older, a landlord
8 shall not demand a security deposit in an amount that exceeds one
9 month's rent.] Any landlord who has received a security deposit in an
10 amount that exceeds one month's rent prior to October 1, 2023, from a
11 tenant who becomes sixty-two years of age after paying such security
12 deposit, shall return the portion of such security deposit that exceeds
13 one month's rent to the tenant upon the tenant's request. Any landlord
14 who has received a security deposit in an amount that exceeds one

15 month's rent from a tenant prior to October 1, 2023, other than a tenant
16 who becomes sixty-two years of age after paying such security deposit,
17 may, subject to the provisions of this section, retain such deposit until
18 the time the tenancy is terminated.

19 Sec. 2. Subparagraph (A) of subdivision (7) of subsection (c) of section
20 7-148 of the general statutes is repealed and the following is substituted
21 in lieu thereof (*Effective October 1, 2023*):

22 (7) (A) (i) Make rules relating to the maintenance of safe and sanitary
23 housing and prescribe civil penalties for the violation of such rules not
24 to exceed one thousand dollars per violation;

25 (ii) Regulate the mode of using any buildings when such regulations
26 seem expedient for the purpose of promoting the safety, health, morals
27 and general welfare of the inhabitants of the municipality;

28 (iii) Regulate and prohibit the moving of buildings upon or through
29 the streets or other public places of the municipality, and cause the
30 removal and demolition of unsafe buildings and structures;

31 (iv) Regulate and provide for the licensing of parked trailers when
32 located off the public highways, and trailer parks or mobile
33 manufactured home parks, except as otherwise provided by special act
34 and except where there exists a local zoning commission so empowered;

35 (v) Establish lines beyond which no buildings, steps, stoop, veranda,
36 billboard, advertising sign or device or other structure or obstruction
37 may be erected;

38 (vi) Regulate and prohibit the placing, erecting or keeping of signs,
39 awnings or other things upon or over the sidewalks, streets and other
40 public places of the municipality;

41 (vii) Regulate plumbing and house drainage;

42 (viii) Prohibit or regulate the construction of dwellings, apartments,
43 boarding houses, hotels, commercial buildings, youth camps or

44 commercial camps and commercial camping facilities in such
45 municipality unless the sewerage facilities have been approved by the
46 authorized officials of the municipality;

47 Sec. 3. Section 46a-81e of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective October 1, 2023*):

49 (a) It shall be a discriminatory practice in violation of this section:

50 (1) To refuse to sell or rent after the making of a bona fide offer, or to
51 refuse to negotiate for the sale or rental of, or otherwise make
52 unavailable or deny, a dwelling to any person because of sexual
53 orientation or civil union status.

54 (2) To discriminate against any person in the terms, conditions, or
55 privileges of sale or rental of a dwelling, or in the provision of services
56 or facilities in connection therewith, because of sexual orientation or
57 civil union status.

58 (3) To make, print or publish, or cause to be made, printed or
59 published any notice, statement, or advertisement, with respect to the
60 sale or rental of a dwelling that indicates any preference, limitation, or
61 discrimination based on sexual orientation or civil union status, or an
62 intention to make any such preference, limitation or discrimination.

63 (4) (A) To represent to any person because of sexual orientation or
64 civil union status, that any dwelling is not available for inspection, sale
65 or rental when such dwelling is in fact so available. (B) It shall be a
66 violation of this subdivision for any person to restrict or attempt to
67 restrict the choices of any buyer or renter to purchase or rent a dwelling
68 (i) to an area which is substantially populated, even if less than a
69 majority, by persons of the same sexual orientation or civil union status
70 as the buyer or renter, (ii) while such person is authorized to offer for
71 sale or rent another dwelling which meets the housing criteria as
72 expressed by the buyer or renter to such person, and (iii) such other
73 dwelling is in an area which is not substantially populated by persons
74 of the same sexual orientation or civil union status as the buyer or renter.

75 As used in this subdivision, "area" means municipality, neighborhood
76 or other geographic subdivision which may include an apartment or
77 condominium complex.

78 (5) For profit, to induce or attempt to induce any person to sell or rent
79 any dwelling by representations regarding the entry or prospective
80 entry into the neighborhood of a person or persons of a particular sexual
81 orientation or civil union status.

82 (6) For any person or other entity engaging in residential-real-estate-
83 related transactions to discriminate against any person in making
84 available such a transaction, or in the terms or conditions of such a
85 transaction, because of sexual orientation or civil union status.

86 (7) To deny any person access to or membership or participation in
87 any multiple-listing service, real estate brokers' organization or other
88 service, organization, or facility relating to the business of selling or
89 renting dwellings, or to discriminate against him in the terms or
90 conditions of such access, membership or participation, on account of
91 sexual orientation or civil union status.

92 (8) To coerce, intimidate, threaten, or interfere with any person in the
93 exercise or enjoyment of, or on account of his having exercised or
94 enjoyed, or on account of his having aided or encouraged any other
95 person in the exercise or enjoyment of, any right granted or protected
96 by this section.

97 [(b) The provisions of this section shall not apply to (1) the rental of a
98 room or rooms in a unit in a dwelling if the owner actually maintains
99 and occupies part of such unit as his residence, or (2) a unit in a dwelling
100 containing not more than four units if the owner actually maintains and
101 occupies one of such other units as his residence.]

102 [(c)] (b) Nothing in this section limits the applicability of any
103 reasonable state statute or municipal ordinance restricting the
104 maximum number of persons permitted to occupy a dwelling.

105 [(d)] (c) Nothing in this section prohibits a person engaged in the

106 business of furnishing appraisals of real property to take into
107 consideration factors other than sexual orientation or civil union status.

108 [(e)] (d) Notwithstanding any other provision of this chapter,
109 complaints alleging a violation of this section shall be investigated
110 within one hundred days of filing and a final administrative disposition
111 shall be made within one year of filing unless it is impracticable to do
112 so. If the Commission on Human Rights and Opportunities is unable to
113 complete its investigation or make a final administrative determination
114 within such time frames, it shall notify the complainant and the
115 respondent in writing of the reasons for not doing so.

116 [(f)] (e) Any person who violates any provision of this section shall be
117 guilty of a class D misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	47a-21(b)
Sec. 2	October 1, 2023	7-148(c)(7)(A)
Sec. 3	October 1, 2023	46a-81e

HSG *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
Various Municipalities	Revenue Gain	Potential	Potential

Explanation

The bill results in a potential revenue gain to municipalities beginning in FY 24 due to an increased maximum amount for civil penalties related to violation of municipal ordinances and an expanded provision of housing discrimination, for which violation can result in a fine.

Section 1 changes the amount of security deposit a landlord can demand from two to one month's rent. This has no fiscal impact because (1) the state is not a direct residential landlord; and (2) it is anticipated that any savings the Department of Housing may experience in its security deposit guarantee program would be used to benefit additional tenants.

Section 2 increases the maximum amount municipalities may impose as civil penalties to \$1,000 for violation of municipal ordinances. This results in a potential revenue gain to municipalities beginning in FY 24. The amount of potential revenue gain is dependent on the number and amount of civil penalties imposed.

Section 3 eliminates a provision that exempted certain rentals from housing discrimination due to a person's sexual orientation or civil

union status. Violation of this provision results in a class D misdemeanor which is punishable by up to 30 days in prison, a fine up to \$250, or both. This results in a potential revenue gain to municipalities beginning in FY 24 to the extent there are more fines collected.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number and amount of civil penalties and fines imposed.

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)