

## *Legal Services Offices*

**Statewide Legal Services:** (Entry point for the legal services network in Connecticut). **860-344-0380** Central CT area or **1-800-453-3320**.

### *Other Legal Services Programs:*

#### **Hartford, Hartford County:**

**Greater Hartford Legal Aid**  
999 Asylum Avenue  
**Hartford, CT 06105**  
(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](http://www.slsct.org)  
[www.ghla.org](http://www.ghla.org)  
[www.nhlegal.org](http://www.nhlegal.org)  
[www.connlegalservices.org](http://www.connlegalservices.org)  
[www.larcc.org](http://www.larcc.org)

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

The information in this pamphlet is based on CT law as of 4/2009. 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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(no changes from 2/2008)

#### **Throughout Connecticut:**

**Connecticut Legal Services:**  
*Administrative Office:* (860) 344-0447

#### **Offices:**

211 State Street  
**Bridgeport, CT 06604**  
(203) 336-3851

16 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 06702**  
(203) 756-8074

872 Main Street  
**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**

999 Asylum Avenue  
Hartford, CT 06105  
(860) 541-5027 or 1-888-380-3646

# Tenants' Rights: *Fair Rent Commission*



April 2009

## 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 has the authority to receive and investigate rent complaints from tenants and hold hearings on those complaints.

After the hearing, the Fair Rent Commission may order the landlord to reduce the rent or order the tenant to pay rent to the Fair Housing Commission. *(See page 4 for more information.)*

## Who may file a complaint?

Any tenant who lives in a town with a Fair Rent Commission may file a complaint. *Note:* Seasonal renters (renting 120 days or less) cannot. You do not need to have a written lease to file a complaint. You do not need a lawyer to file a complaint. Not all cities have a Fair Rent Commission. *(See pages 8 and 9 or call your town/city hall.)*

## 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.

## How do I file a complaint?

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

## 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 do not 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 *(see back of pamphlet)* and the Commission right away. *(Also see page 7, #4 on retaliation.)*

## 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.



**Warning:**  
**Always pay by check or bank or postal money order.**  
Make sure your check says,  
"Rent in full for the month of \_\_\_\_/\_\_\_\_year".  
**Never pay cash!**

## **What happens after I file a complaint?**

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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 meeting to see if you can reach an agreement on the rent amount. 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?**

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

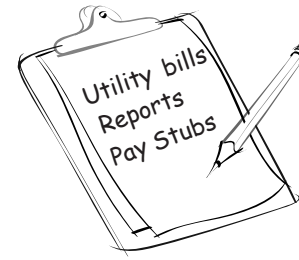
- The witnesses you want to be at the hearing, particularly any witnesses, such as code inspectors, who work for the town;
- The documents you will need for the hearing, particularly any city/town documents, such as code enforcement reports; and
- If you think an important witness might not show up for the hearing, or that the landlord will not 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, including:



- 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 or your local Fair Rent Commission.

## **What happens at the hearing?**

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When the Fair Rent Commission holds a hearing on your case, it 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. (*See page 6*).

## **What are my rights at the hearing?**

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- 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 any housing and health code violations,
- the landlord's expenses and whether this increase will be used to improve your apartment, and
- 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 will not have 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.
3. **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.
4. **If the Fair Rent Commission decides** that a landlord has retaliated against (tried to get back at) a tenant who has complained to Commission, it can order the landlord to stop the retaliation.

If your landlord does not follow any order of the Fair Rent Commission, he or she may have to pay a fine. You should report any violations to the Fair Rent Commission.



## **What can I do if I do not agree with the Fair Rent Commission's decision?**

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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 that must be taken to the housing session for the area in which 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**

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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**

999 Broad St., 2nd Floor  
City Hall Annex  
Bridgeport, CT 06604  
(203) 576-8323

### **Colchester**

127 Norwich Ave.  
Colchester, CT 06415  
(860) 537-7220

### **Danbury**

City Hall  
155 Deerfield Ave.  
Danbury, CT 06810  
(203) 797-4631

### **Enfield**

Office of Comm. Devel.  
786F Enfield Street  
Enfield, CT 06082  
(860) 253-6386

### **Farmington**

Town Hall,  
c/o Social Services  
1 Monteith Drive  
Farmington, CT 06032  
(860) 675-2390

### **Glastonbury**

c/o Housing Authority  
25 Risley Road  
Glastonbury, CT 06033  
(860) 652-7570

### **Groton**

134 Groton Long Point Road  
Groton, CT 06340  
(860) 446-5990

### **Hamden**

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

### **Hartford**

250 Constitution Plaza, 4th Fl.  
Hartford, CT 06103  
(860) 757-9277

## **Fair Rent Commissions (continued)**

### **Manchester**

c/o Town Attorney  
41 Center Street  
Manchester, CT 06040  
(860) 647-3132

### **New Haven**

165 Church St., 1st Floor  
New Haven, CT 06511  
(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

### **Rocky Hill**

Town Manager  
761 Old Main St.  
Rocky Hill, CT 06067  
(860) 258-2700

### **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) 977-4029

### **Westbrook**

Teresa Mulvey Municipal Ctr.  
866 Boston Post Road  
Westbrook, CT 06498  
(860) 399-3040

### **West Hartford**

Human Services Dept.  
50 South Main St., Rm 306  
West Hartford, CT 06107  
(860) 561-7561

### **Wethersfield**

505 Silas Dean Hwy.  
Wethersfield, CT 06109  
(860) 721-2801

### **Windsor**

Community Development  
L.P. Wilson Community Ctr.  
599 Matianuck Ave.  
Windsor, CT 06095  
(860) 285-1985