



## Senate

General Assembly

**File No. 259**

February Session, 2000

Substitute Senate Bill No. 357

*Senate, March 28, 2000*

The Committee on Planning and Development reported through SEN. COLEMAN of the 2<sup>nd</sup> Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***An Act Concerning Tenant Rights In State Public Housing.***

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

1 Section 8-68f of the general statutes is repealed and the following is  
2 substituted in lieu thereof:

3 Not later than July 1, 1990, the Commissioner of Economic and  
4 Community Development shall establish, for housing owned or  
5 operated by a housing authority which receives financial assistance  
6 under any state housing program, uniform minimum standards for (1)  
7 housing authority leases, (2) housing authority tenant grievance  
8 procedures, which shall include all substantive and procedural rights  
9 available to tenants in federally-assisted housing, (3) tenant comment  
10 on proposed changes in housing authority policies and procedures,  
11 and (4) the facilitation of tenant participation in the management of  
12 housing projects. The commissioner shall adopt, in accordance with  
13 the provisions of chapter 54, such minimum standards by January 1,

14 2001. Each housing authority shall put such minimum standards in  
15 place on or before October 1, 2001.

**HSG Committee Vote:** Yea 11 Nay 0 JFS C/R PD

**PD Committee Vote:** Yea 16 Nay 0 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Minimal Cost

**Affected Agencies:** Department of Economic and Community Development

**Municipal Impact:** Minimal Cost (Housing Authorities)

**Explanation**

**State Impact:**

This bill requires the Department of Economic and Community Development to amend its state assisted public housing grievance procedures to include the same substantive and procedural rights available to tenants in federally assisted public housing. This requirement will result in minimal additional administrative costs to the department.

**Municipal Impact:**

Housing Authorities

The requirement that housing authorities extend federal substantive and procedural rights to the tenant grievance procedures will result in additional costs to the authorities. These costs will be administrative in nature, related to the development of the written procedures as well as the possibility of an increased number of tenant-administration

dispute resolution meetings and formal grievance hearings. These increased costs are expected to be minimal. The debts and liabilities of a housing authority are not those of the municipality in which it is located. Therefore, these potential additional costs to the housing authorities are not a cost to the municipalities.

**OLR Bill Analysis**

sSB 357

**AN ACT CONCERNING TENANT RIGHTS IN STATE PUBLIC HOUSING.****SUMMARY:**

This bill gives tenants residing in state-funded public housing projects the same substantive and procedural grievance rights federal law gives tenants in federally funded projects. It does this by requiring the economic and community development commissioner to include these rights in the minimum standard that current law requires him to set for tenant grievance procedures in state-funded public housing.

The standard is part of a set of uniform standards the commissioner must adopt governing certain aspects of the relationship between public housing authorities and their tenants who reside in state-funded public housing. Current law required him to set these standards by July 1, 1990, but he has not done so. Besides grievance procedures, he must set standards for leases, tenant comment on proposed policy and procedural changes, and tenant management.

The bill gives the commissioner until January 1, 2000, to set the standards and gives housing authorities until October 1, 2001, to adopt them. (Despite the new deadline, the bill retains the July 1, 1990 deadline.) The bill requires him to set the standards by following the same statutory procedure for adopting regulations.

EFFECTIVE DATE: October 1, 2000

**FEDERAL GRIEVANCE PROCEDURES AND REQUIREMENTS**

Federal regulations require housing authorities operating federally funded housing projects to have written procedures giving tenants the opportunity to air a grievance at a hearing (24 CFR 966.52). The authorities must include the procedure in their leases or cite them by reference. They must also give tenants at least 30 days notice before

changing the procedure.

A tenant must first present his grievance in person or in writing to the authority to see if the parties can resolve the dispute without a hearing. The authority must make a written record of the meeting and send the tenant a copy. The tenant can request a hearing by submitting a written request stating the reason for the grievance and the relief he seeks.

The authority appoints a hearing officer in the manner the grievance procedure specifies, and it must comply with his decision. The decision does not block the tenant from taking legal action.

**BACKGROUND**

***Tenant Representation on Public Housing Authority Boards***

The law requires the commissioner to set minimum standards by which housing authorities must give tenants the opportunity to comment on policy and procedural changes and become involved in managing their projects. Another law requires the commissions that govern housing authorities to include tenant members. It also requires the local officials who appoint the commissioners to notify tenant organizations before appointing a commissioner if they indicate beforehand that they want to be notified about these matters. In these cases, the appointing authorities must consider the tenant organizations' suggestions (CGS § 8-41b).

**COMMITTEE ACTION**

Housing Committee

Joint Favorable Substitute Change of Reference  
Yea 11    Nay 0

Planning and Development Committee

Joint Favorable Report  
Yea 16    Nay 0

