



General Assembly

January Session, 2005

**Raised Bill No. 976**

LCO No. 2999

\* SB00976PD\_JUD031505 \*

Referred to Committee on Planning and Development

Introduced by:  
(PD)

**AN ACT CONCERNING HEAT AND UTILITY SURCHARGE CLAUSES  
IN RESIDENTIAL LEASES.**

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

1 Section 1. Section 47a-4 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) A rental agreement shall not provide that the tenant: (1) Agrees  
4 to waive or forfeit rights or remedies under this chapter and sections  
5 47a-21, 47a-23 to 47a-23b, inclusive, 47a-26 to 47a-26g, inclusive, 47a-35  
6 to 47a-35b, inclusive, 47a-41a, 47a-43 and 47a-46, or under any section  
7 of the general statutes or any municipal ordinance unless such section  
8 or ordinance expressly states that such rights may be waived; (2)  
9 authorizes the landlord to confess judgment on a claim arising out of  
10 the rental agreement; (3) agrees to the exculpation or limitation of any  
11 liability of the landlord arising under law or to indemnify the landlord  
12 for that liability or the costs connected therewith; (4) agrees to waive  
13 his right to the interest on the security deposit pursuant to section 47a-  
14 21; (5) agrees to permit the landlord to dispossess him without resort  
15 to court order; (6) consents to the distraint of his property for rent; (7)  
16 agrees to pay the landlord's attorney's fees in excess of fifteen per cent

17 of any judgment against the tenant in any action in which money  
18 damages are awarded; [or] (8) agrees to pay a late charge prior to the  
19 expiration of the grace period set forth in section 47a-15a or to pay rent  
20 in a reduced amount if such rent is paid prior to the expiration of such  
21 grace period; or (9) agrees to pay a heat or utilities surcharge if heat or  
22 utilities is included in the rental agreement.

23 (b) A provision prohibited by subsection (a) of this section included  
24 in a rental agreement is unenforceable.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	47a-4

**PD**

*Joint Favorable C/R*

**JUD**