



Senate

General Assembly

File No. 225

January Session, 2011

Substitute Senate Bill No. 1076

Senate, March 28, 2011

The Committee on Housing reported through SEN. GOMES of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING RESIDENT PARTICIPATION IN THE REVITALIZATION OF PUBLIC HOUSING.

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

1 Section 1. (NEW) (*Effective October 1, 2011*) (a) For purposes of this
2 section: (1) "Disposition" means the sale, lease, transfer or other change
3 in the ownership or control of a housing project or portion thereof; (2)
4 "major physical transformation" means any renovation, rehabilitation,
5 revitalization or redevelopment of real property or a portion thereof
6 for which the estimated cost exceeds fifty per cent of the estimated
7 replacement value of such real property or portion thereof; and (3)
8 "authority" or "housing authority", "housing project" and "real
9 property" have the same meanings as in section 8-39 of the general
10 statutes.

11 (b) Any housing authority that intends to undertake, in connection
12 with a housing project, the major physical transformation or
13 disposition of any real property or portion thereof that is owned or
14 managed by such authority, shall notify all residents of such real

15 property of its intention. If a tenant organization represents the
16 residents of such real property, the authority and the organization
17 shall enter into a written agreement containing the information
18 required pursuant to subsection (c) of this section. If no tenant
19 organization represents the residents of such real property, the
20 authority shall make reasonable efforts to encourage residents to form
21 a tenant organization. Until such organization is formed, the authority
22 shall consult with residents and shall provide such residents with the
23 information required pursuant to subsection (c) of this section. The
24 developer undertaking the major physical transformation, if any, and
25 the entity that will own, lease or otherwise control the real property or
26 portion thereof, if any, shall be parties to any written agreement
27 reached with a tenant organization.

28 (c) Any written agreement entered into pursuant to subsection (b) of
29 this section shall include provisions detailing the ways in which any
30 party to such agreement shall inform residents as to (1) how the major
31 physical transformation, if any, will affect the appearance of the real
32 property or portion thereof, (2) whether any residents will be
33 displaced or rents will increase as a result of the major physical
34 transformation or disposition activities, (3) how the entity that will
35 own, lease or otherwise control the real property or portion thereof, if
36 any, is governed and how such governance may affect such residents,
37 and (4) how such residents may participate in the planning,
38 implementation and monitoring of the major physical transformation
39 or disposition activities. Any authority undertaking major physical
40 transformation or disposition activities shall make reasonable efforts to
41 provide residents and tenant organizations with resources concerning
42 housing policy and resident outreach, training, organizing and legal
43 rights.

44 (d) No authority shall be eligible to apply for financial assistance for
45 the major physical transformation of any real property or portion
46 thereof from the Commissioner of Economic and Community
47 Development or the executive director of the Connecticut Housing
48 Finance Authority unless such authority is complying with the

49 provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section

HSG *Joint Favorable Subst.*

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: None

Explanation

There is no fiscal impact for requiring municipal housing authorities to inform residents of major physical transformations or dispositions, as specified in the bill.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 1076*****AN ACT CONCERNING RESIDENT PARTICIPATION IN THE REVITALIZATION OF PUBLIC HOUSING.*****SUMMARY:**

This bill requires housing authorities to inform and engage residents when they intend to undertake, in connection with a housing project, a major physical transformation or disposition of property they own or operate. Under the bill, “major physical transformation” means any renovation, rehabilitation, revitalization, or redevelopment of real property or a portion thereof for which the estimated cost exceeds 50% of its estimated replacement value. “Disposition” means the sale, lease, transfer, or other change in the ownership or control of all or part of a housing project.

An authority intending to transform or dispose of a property must engage the residents by entering into a written agreement with the property’s tenant organization, if one exists, detailing the methods by which the authority and other parties involved in the project will inform residents about how the project will affect them and how they may participate in its planning, implementing, and monitoring activities. The other parties that may be involved in the project are the developer undertaking the major physical transformation and the entity that will own, lease, or control the property. Under the bill, they must be parties to the agreement.

If no tenant organization exists, the bill requires the housing authority to make reasonable efforts encouraging residents to form one. Until that time, the authority must consult with residents to provide information that would otherwise be part of the agreement.

A housing authority that does not comply with the bill’s provisions

is not eligible to apply to the Department of Economic and Community Development commissioner or the Connecticut Housing Finance Authority for financial assistance to transform a property. However, the bill does not set a deadline for entering into agreements nor does it establish an enforcement authority or process.

EFFECTIVE DATE: October 1, 2011

AGREEMENT BETWEEN HOUSING AUTHORITY AND TENANTS

Any written agreement entered into under the bill must include provisions detailing the ways in which the housing authority and any other parties to the agreement will inform residents about:

1. the major physical transformation's affect on the property's appearance;
2. whether they will be displaced or rents will increase as a result of the major physical transformation or disposition activities;
3. how the entity that ultimately owns, leases, or otherwise controls the property is governed and how its governance may affect residents; and
4. how they may participate in the planning, implementation, and monitoring of the major physical transformation or disposition activities.

Besides providing residents with this information, an authority undertaking major physical transformation or disposition activities must make reasonable efforts to provide residents and tenant organizations with resources concerning housing policy and resident outreach, training, organizing, and legal rights.

COMMITTEE ACTION

Housing Committee

Joint Favorable Substitute
Yea 8 Nay 3 (03/10/2011)