



General Assembly

January Session, 2011

**Committee Bill No. 467**

LCO No. 3617

\*03617SB00467HSG\*

Referred to Committee on Housing

Introduced by:  
(HSG)

**AN ACT CONCERNING THE RETURN OF SECURITY DEPOSITS BY  
RESIDENTIAL LANDLORDS.**

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

1 Section 1. Subsection (d) of section 47a-21 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2011*):

4 (d) (1) Within the time specified in subdivisions (2) and (4) of this  
5 subsection, the person who is the landlord at the time a tenancy is  
6 terminated, other than a rent receiver, shall pay to the tenant or former  
7 tenant: (A) The amount of any security deposit that was deposited by  
8 the tenant with the person who was landlord at the time such security  
9 deposit was deposited less the value of any damages which any person  
10 who was a landlord of such premises at any time during the tenancy of  
11 such tenant has suffered as a result of such tenant's failure to comply  
12 with such tenant's obligations; and (B) any accrued interest due on  
13 such security deposit as required by subsection (i) of this section. If the  
14 landlord at the time of termination of a tenancy is a rent receiver, such  
15 rent receiver shall return security deposits in accordance with the  
16 provisions of subdivision (3) of this subsection.

17 (2) Upon termination of a tenancy, any tenant may notify his  
18 landlord in writing of such tenant's forwarding address. Within thirty  
19 days after termination of a tenancy, each landlord other than a rent  
20 receiver shall deliver to the tenant or former tenant at such forwarding  
21 address either (A) the full amount of the security deposit paid by such  
22 tenant plus accrued interest as provided in subsection (i) of this  
23 section, or (B) the balance of the security deposit paid by such tenant  
24 plus accrued interest as provided in subsection (i) of this section after  
25 deduction for any damages suffered by such landlord by reason of  
26 such tenant's failure to comply with such tenant's obligations, together  
27 with a written statement itemizing the nature and amount of such  
28 damages and explaining such landlord's reason for withholding all or  
29 part of the security deposit. Any such landlord who violates any  
30 provision of this subsection shall be liable for twice the amount or  
31 value of any security deposit paid by such tenant, except that, (i) if the  
32 violation is the failure to deliver the accrued interest, such landlord  
33 shall only be liable for twice the amount of such accrued interest, and  
34 (ii) if the violation is the failure to provide a written statement under  
35 subparagraph (B) of this subdivision, such landlord shall be liable for  
36 treble any portion of the security deposit found to be wrongly  
37 withheld.

38 (3) (A) Any receiver who is authorized by the court appointing him  
39 receiver to return security deposits and to inspect the premises of any  
40 tenant shall pay security deposits and interest in accordance with the  
41 provisions of subdivisions (1) and (2) of this subsection from the  
42 operating income of such receivership to the extent that any such  
43 payments exceed the amount in any escrow accounts for such tenants.  
44 (B) Any rent receiver shall present any claim by any tenant for return  
45 of a security deposit to the court which authorized him to be a rent  
46 receiver. Such court shall determine the validity of any such claim and  
47 shall direct such rent receiver to pay from the escrow account or from  
48 the operating income of such property the amount due such tenant as  
49 determined by such court.

50 (4) Any landlord who does not have written notice of his tenant's or  
51 former tenant's forwarding address shall deliver any written statement  
52 and security deposit due to the tenant, as required by subdivision (2)  
53 of this subsection, within the time required by subdivision (2) of this  
54 subsection or within fifteen days after receiving written notice of such  
55 tenant's forwarding address, whichever is later.

56 Sec. 2. Subsection (g) of section 47a-21 of the general statutes is  
57 repealed and the following is substituted in lieu thereof (*Effective*  
58 *October 1, 2011*):

59 (g) Any person may bring an action in replevin or for money  
60 damages in any court of competent jurisdiction to reclaim any part of  
61 his security deposit which may be due. This section does not preclude  
62 the landlord or tenant from recovering other damages to which he may  
63 be entitled. The landlord shall have the burden of proof in any action  
64 brought under this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	47a-21(d)
Sec. 2	<i>October 1, 2011</i>	47a-21(g)

**Statement of Purpose:**

To prevent landlords from withholding security deposits in order to realize a wrongful monetary gain.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. LOONEY, 11th Dist.

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