
OLR Bill Analysis

sHB 6421

AN ACT CONCERNING PUBLIC HOUSING GRIEVANCE PROCEDURES.

SUMMARY:

This bill extends to all housing authorities that have received state assistance a requirement to implement tenants' rights and grievance procedures. Since 1989, the law has required (1) housing projects that presently receive state assistance and (2) moderate-income rental housing or elderly housing that the Connecticut Housing Finance Authority (CHFA) or its subsidiary owns, and that a housing authority previously owned, to implement the procedures.

Since 2000, the law has required the Department of Economic and Community Development (DECD) commissioner to adopt regulations establishing uniform minimum standards for the procedures, but to date none have been adopted. The bill requires the commissioner to submit a report to the Housing Committee on October 1, 2013 if DECD has still has not adopted regulations, detailing the reasons why.

The law, unchanged by the bill, requires a housing authority, or CHFA or its subsidiary, to use uniform grievance procedures if it operates both federally- and state-funded housing projects.

The bill also makes a technical change.

EFFECTIVE DATE: July 1, 2013

BACKGROUND

Tenants' Rights and Grievance Procedures

Housing authorities receiving state assistance, and CHFA or its subsidiary, when either is the successor owner of moderate-income rental housing or housing for elderly people that was previously owned by a housing authority, must (1) provide their tenants with a

written lease, (2) adopt a procedure for hearing tenant complaints and grievances, (3) adopt procedures for tenants to comment on proposed housing authority policy and procedure changes, and (4) encourage tenant participation in the housing authority's operation of state housing programs.

Federal Grievance Procedures

Federal regulations require housing authorities operating federally-funded housing projects to adopt grievance procedures giving tenants the opportunity for a hearing. The authorities must include these procedures, or refer to them, in the lease. They must also give tenants at least 30 days notice before changing the procedures.

Under the procedures, a tenant must present his or her 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 a copy to the tenant. The tenant can request a hearing by submitting a written request stating the reason for the grievance and the relief he or she seeks.

The authority appoints a hearing officer or hearing panel in the manner the grievance procedures specify, and it must comply with the decision. The decision does not block the tenant from taking legal action (24 CFR 966. 51 et seq.).

COMMITTEE ACTION

Housing Committee

Joint Favorable Substitute

Yea 9 Nay 1 (03/14/2013)