



## CONNECTICUT REALTORS®

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### Statement on

## H.B. 5505 (Raised): AN ACT CONCERNING A STUDY OF A STATE-WIDE PROPERTY MAINTENANCE CODE

### SUPPORT WITH CHANGE

Submitted to the Planning and Development Committee  
March 14, 2014

By Dan Keune  
Connecticut REALTORS®

Good afternoon Senator Osten, Representative Rojas and members of the committee. My name is Dan Keune. I am a REALTOR in Ellington and a past chair of the Connecticut REALTORS® Legislative Committee. I'm speaking this afternoon on behalf of over 15,000 members of the Association in support with changes of HB 5505 but with specific concerns.

1. **The purpose should be to study only, without any direction as to the outcome.** The current language implies that the outcome must be the selection of a "nationally recommended model" and implies those national models are developed for modifications at the state and municipal levels. Separately, by specifically giving the Study to the "Codes and Standards Committee" it reinforces that the intent is not to study the feasibility, or in consideration of the great damage that could be done by such a code, but instead may be just saying to pick a "national model" to use.

The Committee should retain the option that a potential outcome of the Study could be that implementing this type of model in Connecticut would be a very bad idea. If the study is objective, then not implementing a state-wide code should be a consideration.

2. **Hindsight is 20/20 – and in this case, we know from our earlier reviews of the International Property Maintenance Code the detrimental impact that could happen to the real estate industry in Connecticut.** We have gone on record several times during the past six years of strongly opposing implementation of the International Property Maintenance Code (IPMC) in Connecticut. While this bill does not specifically name IPMC, due to the strong advocacy by employees in state government towards IPMC, we would be surprised if that is not the "unnamed" code contemplated in the study.

Here are just few of the areas of concern we identified with past efforts to implement the IPMC in Connecticut:

- entry issues conflicting with existing lease language;
- concerns of cost burdens for mandatory inspections; (continued on next page ...)

- misuse of an inspection process by tenants trying to avoid eviction;
  - restrictions that are difficult for owners that would interfere with a transfer of ownership;
  - vague terminology that could lead to litigation and a scope that has appeared to apply to even land and seasonal dwellings;
  - protective treatments that are more onerous than existing state and federal legislation, such as lead paint treatments;
  - interference with lien and other lending provisions that could make it even more difficult and expensive to transfer ownership or obtain financing, especially for multi-family properties
3. **If the concerns that are leading to this "study" are related to blighted properties, then create recommendations to address blight at the municipal level.** We believe it's reasonable to create responses to specific problems, and not to create new problems for real estate. A state-wide implementation of a code that may be meant to address a very small segment of real estate, e.g., distressed properties that are blighted, should not create chaos and potentially exorbitant costs to the entire housing stock. The real estate market and economy are trying to improve. Please don't shut those down with any mandates of global change for the entire state. However, templates that could serve to solve the limited problems would make sense.
4. **The real estate industry (REALTORS®, builders, landlords) need seats at the table when any property maintenance codes are contemplated.** Often work groups exclude those with important insights into the impact of potential changes. We urge the committee that if this study is approved that it not "mandate" an outcome, and that it specifically includes/names representatives of the real estate industry to play an active role in those deliberations. **We are ready to serve should this study be authorized.**

We respectfully request your consideration in accepting our changes to HB 5505 to allow for an objective study of the merits of adopting a state-wide property maintenance code.

Thank you for your consideration.