

## McCall, Brandon

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**From:** Michael Clinton <mclinton@clintonlawoffices.com>  
**Sent:** Friday, January 30, 2015 1:18 PM  
**To:** HSGTestimony  
**Subject:** Testimony re: HB 6133

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Dear Sir/Madam:

Please accept the following as my written testimony regarding HB-6133. I respectfully ask that this testimony be to be entered into the record:

My name is Michael Clinton and I am a licensed attorney with a landlord/tenant practice located in Glastonbury, Connecticut. I have been a general practitioner for over 25 years and I have concentrated in landlord/tenant law for over twenty (20) years. During my time as a landlord/tenant lawyer I have developed a reputation and practice which is respected and recognized throughout Connecticut as a resource for other lawyers and landlords alike in the area of landlord/tenant law. As such, I am writing this testimony in support of HB-6133.

Throughout my years of practice it has been my experience that the vast majority of landlords take their responsibilities seriously and genuinely care about their tenants and their well-being. That does not mean that they do not make mistakes in their business. Part of the reason for this problem is that many landlords simply do not have the time or resources for continuing education in the arena of landlord/tenant law. This is particularly true for the smaller landlord who works a full time job and is invested in real estate as a supplement to their income.

This leads to the issue of the severe penalties incurred when a violation of the housing discrimination laws occurs. In most cases, it is simply the result of inexperience or lack of understanding of the law and not malicious intent on the part of the landlord's part. However, the consequences of a landlord's ignorance of the law is unduly harsh in my view. Litigation, attorney's fees, fines and punishment resulting in costs and damages claims upwards of \$10,000 for a first time offender is excessive in my view. Contrast these penalties with other areas of law: First time offenders for drunk driving, larceny, assaulting another person or a family member or any myriad of crimes most often allows the perpetrator to enter an educational or diversionary program as opposed to going to jail. I believe these programs serve a valuable purpose – to wit: minimizing incarceration and massive fines for first time offenders and instead educating and rehabilitating. However, first time offenders violating the non-discrimination statutes are not afforded any opportunity to minimize the harsh consequences of their mistake.

I believe that reasonable legislation should be enacted which prevents the unwitting landlord from suffering dire consequences for their unintended failure to abide by the complex non-discrimination laws set forth in our statutes. Rather, I believe that a first time offender should be afforded the opportunity to attend educational courses (at a reasonable expense) to enlighten them as to the complex laws surrounding our non-discrimination statutes before they are crushed under the weight of excessive fines, litigation and legal fees. This outcome would foster better and more educated landlords, reduce the punitive effect of the statutes as applied to first time offenders and set the

groundwork for sound public policy, namely – preventing discrimination of any sort as enumerated in our statutes.

Thank you for your consideration.

Respectfully submitted,

**Michael H. Clinton, Esq.**

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