



General Assembly

January Session, 2015

***Raised Bill No. 1004***

LCO No. 4232



Referred to Committee on AGING

Introduced by:  
(AGE)

***AN ACT CONCERNING SENIOR HOUSING.***

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

1 Section 1. (NEW) (*Effective July 1, 2015*) (a) For purposes of this  
2 section, "elderly" means sixty-two years of age and older. The  
3 Commissioner of Housing, in consultation with the Connecticut  
4 Housing Finance Authority, shall conduct a study concerning state-  
5 assisted housing for elderly tenants authorized pursuant to chapter 128  
6 of the general statutes. The study shall include, but not be limited to:  
7 (1) The financial impact on the availability of such housing of an  
8 increase in younger tenants with disabilities, (2) the number of  
9 negative incidents between elderly tenants and younger tenants with  
10 disabilities from the beginning of calendar year 2010 to the end of  
11 calendar year 2014 and the number of evictions related to such  
12 incidents, (3) support services available to assist tenants with  
13 disabilities and any gaps in such services, (4) recommendations  
14 concerning the provision of comparable housing to tenants if the state  
15 reserves units in state-assisted housing for elderly tenants or younger  
16 tenants with disabilities, (5) recommendations for additional support

17 services needed for tenants, and (6) an estimate of any additional state  
18 appropriations needed to implement recommendations made  
19 pursuant to subdivisions (4) and (5) of this subsection.

20 (b) The Commissioner of Housing shall submit a report, in  
21 accordance with the provisions of section 11-4a of the general statutes,  
22 on the study to the joint standing committees of the General Assembly  
23 having cognizance of matters relating to aging and housing not later  
24 than December 31, 2015.

25 Sec. 2. Section 8-116c of the general statutes is repealed and the  
26 following is substituted in lieu thereof (*Effective October 1, 2015*):

27 (a) An elderly person, as defined in subsection (m) of section 8-113a,  
28 shall not be eligible to move into a housing project, as defined in  
29 subsection (f) of section 8-113a, if the person (1) is currently using  
30 illegal drugs, (2) is currently abusing alcohol and has a recent history  
31 of disruptive or dangerous behavior and whose tenancy (A) would  
32 constitute a direct threat to the health or safety of another individual,  
33 or (B) would result in substantial physical damage to the property of  
34 another, (3) has a recent history of disruptive or dangerous behavior  
35 and whose tenancy (A) would constitute a direct threat to the health  
36 and safety of another individual, or (B) would result in substantial  
37 physical damage to the property of another, or (4) was convicted of the  
38 illegal sale or possession of a controlled substance, as defined in  
39 section 21a-240, within the prior twenty-four-month period.

40 (b) Any authority, municipal developer, nonprofit corporation or  
41 other lessor may evict any [individual] person from such housing  
42 project who is: [convicted] (1) Convicted of the illegal sale or  
43 possession of a controlled substance, as defined in section 21a-240,  
44 during the period of time the [individual] person is residing in such  
45 housing, (2) engaged in conduct that constitutes a serious nuisance as  
46 defined in section 47a-15, or (3) fails to comply with the provisions of  
47 subsections (g) and (h) of section 47a-11. Such eviction shall be in

48 accordance with the provisions of chapter 832 and shall be accorded an  
49 expedited hearing and trial. Nothing in this section shall be construed  
50 to limit the remedies of any such authority, municipal developer,  
51 nonprofit corporation or lessor under chapter 832. For purposes of this  
52 subsection, "expedited" means a case that takes precedence over all  
53 other civil actions with respect to the order of trial except as provided  
54 in sections 52-191 and 52-192.

55 Sec. 3. Subsection (b) of section 47a-23c of the general statutes is  
56 repealed and the following is substituted in lieu thereof (*Effective*  
57 *October 1, 2015*):

58 (b) (1) No landlord may bring an action of summary process or  
59 other action to dispossess a tenant described in subsection (a) of this  
60 section except for one or more of the following reasons: (A)  
61 Nonpayment of rent; (B) refusal to agree to a fair and equitable rent  
62 increase, as defined in subsection (c) of this section; (C) material  
63 noncompliance with section 47a-11 or subsection (b) of section 21-82,  
64 [which] that materially affects the health and safety of the other  
65 tenants or [which] that materially affects the physical condition of the  
66 premises; (D) voiding of the rental agreement pursuant to section 47a-  
67 31, or material noncompliance with the rental agreement; (E) material  
68 noncompliance with the rules and regulations of the landlord adopted  
69 in accordance with section 47a-9 or 21-70; (F) permanent removal by  
70 the landlord of the dwelling unit of such tenant from the housing  
71 market; [or] (G) bona fide intention by the landlord to use such  
72 dwelling unit as his or her principal residence; or (H) the tenant meets  
73 grounds for eviction under subsection (b) of section 8-116c, as  
74 amended by this act.

75 (2) The ground stated in subparagraph (G) of subdivision (1) of this  
76 subsection is not available to the owner of a dwelling unit in a  
77 common interest community occupied by a conversion tenant.

78 (3) A tenant may not be dispossessed for a reason described in

79 subparagraph (B), (F) or (G) of subdivision (1) of this subsection  
80 during the term of any existing rental agreement.

81 Sec. 4. Section 47a-35 of the general statutes is repealed and the  
82 following is substituted in lieu thereof (*Effective October 1, 2015*):

83 (a) [Execution] Except as provided in subsection (c) of this section,  
84 execution shall be stayed for five days from the date judgment has  
85 been rendered, provided any Sunday or legal holiday intervening shall  
86 be excluded in computing such five days.

87 (b) No appeal shall be taken except within such five-day period. If  
88 an appeal is taken within such period, execution shall be stayed until  
89 the final determination of the cause, unless it appears to the judge who  
90 tried the case that the appeal was taken solely for the purpose of delay,  
91 [or unless] the defendant fails to give bond, as provided in section 47a-  
92 35a, or the provisions of subsection (c) of this section apply. If  
93 execution has not been stayed, as provided in this subsection,  
94 execution may then issue, except as otherwise provided in sections  
95 47a-36 to 47a-41, inclusive.

96 (c) Execution of a judgment for possession in favor of a housing  
97 authority, municipal developer, nonprofit corporation or other lessor  
98 of a housing project on account of one or more of the reasons specified  
99 in subsection (b) of section 8-116c, as amended by this act, shall not be  
100 stayed pending an appeal unless the court makes written findings that  
101 there is a reasonable likelihood that the tenant will prevail on appeal.  
102 A motion for a stay pending appeal may be made to the appropriate  
103 appellate court or to a single justice only if the defendant is able to  
104 demonstrate in the motion that application to the lower court for the  
105 relief sought is not practicable, that the lower court has denied an  
106 application, or has refused to afford the relief which the applicant  
107 requested, with the reasons given by the lower court for its action, if  
108 any. If such judgment has not been stayed and is thereafter set aside  
109 and a judgment entered for the tenant, the tenant shall be housed in

110 the next available unit of suitable size of the housing authority,  
111 municipal developer, nonprofit corporation or other lessor of a  
112 housing project. A tenant shall not be awarded or receive any  
113 consequential or other damages or relief as a result of said judgment or  
114 initial eviction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	New section
Sec. 2	<i>October 1, 2015</i>	8-116c
Sec. 3	<i>October 1, 2015</i>	47a-23c(b)
Sec. 4	<i>October 1, 2015</i>	47a-35

**Statement of Purpose:**

To ensure adequate and safe state-assisted housing for elderly persons.

*[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.]*