

Statement on  
Program Review and Investigations Committee  
Informational Public Hearing Agenda  
Wednesday, September 21, 2016

By  
Connecticut REALTORS®

Connecticut REALTORS® (CTR) would like to submit testimony in SUPPORT of the Study on Commission on Human Rights and Opportunities: Discrimination Complaint Processing. Below outlines our general of areas of concern on the Complaint process, for your consideration.

1. **CTR interprets that the law was never intended to create opportunities for attorneys to generate housing complaints including asking for monetary damages which bear no rational relation to the injury.** Private attorneys should not be able to use the Complaint Process to their business advantage to bring discrimination cases by hiring persons who are not seeking housing to test for Fair Housing compliance. Those individuals who are not actively and legitimately seeking housing should not be permitted to seek compensation for “emotional distress” under the fair housing process. The process should be used by either bona fide tenants or authorized testers.
2. **CTR recommends attestation under oath would assure equality and fairness for all parties involved.** In litigation, Complaints must be verified in a court of law with a statement under oath affirming the allegations are true, therefore subjecting the complainant to perjury in the event they are proven false. Attestation under oath is the only true way to assure a Complainant’s honesty when alleging said discrimination took place.
3. **CTR recommends there be a cap on the maximum number of reconsiderations allowable equally to both Complainant and Respondent.** CTR’s understanding is the Complainant, even if ruled against after a Hearing, could ask for numerous additional “reconsiderations,” but the Respondent does not have endless reconsiderations.
4. **CTR recommends the Respondent should be able to recover attorney fees after a hearing if the Hearing results in a finding that no discrimination occurred.** Currently, CT law allows a Complainant to recover attorney fees pursuant to a Hearing if the Hearing results are favorable to Complainant. However, currently a Respondent does not have the ability to recover attorney fees if the hearing results are favorable to Respondent.
5. **CTR recommends expanding the time frame for a Respondent to be able to respond to a complaint.** Presently, Respondents have 10 days, which is rather short given the serious nature of these types of allegations.
6. **CTR suggests studying the pre-hearing review standard for violations of the Connecticut Fair Housing Laws.** A higher standard than “reasonably likely” may prove to be more balanced to all involved.

CTR represents over 16,000 members involved in all aspects of real estate in Connecticut. We are committed to fair housing in real estate. CTR applauds the effort made by the committee to address this topic. Thank you for your attention to this important matter.