

Tenants, Lodgers, and Long-Term Guests

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Issue

Explain how Connecticut law (1) differentiates between tenants and lodgers and (2) determines when a guest may gain the protections of a tenant.

Summary

The state's landlord-tenant laws protect people living in dwellings owned or leased by others. Under the law, a "tenant" is the lessee, sublessee, or person entitled under a rental agreement to occupy a dwelling unit or premises to the exclusion of others ([CGS § 47a-1](#)). A person does not have to be listed on a formal lease to gain protection under Connecticut's landlord-tenant laws but may gain protection by establishing residence in a place.

Note:

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Transient guests, however, are not protected under the landlord-tenant laws and the dwelling's primary occupant may have such guests removed. Transient status is determined on a case-by-case basis, focusing on whether the person has control over and possession of the space in question. The court considers factors such as how long the person has lived in the dwelling. When a guest can no longer be considered transient, the eviction procedures under the landlord-tenant laws must be used to evict him or her (i.e., summary process). (Information on the summary process can be found in the Judicial Branch pamphlets that are linked at the end of this report.)

Transient Status

The landlord-tenant laws do not apply to transient occupancy of a hotel, motel, or similar lodging ([CGS § 47a-2\(a\)\(4\)](#)).

Under the law:

1. occupancy in a hotel, motel, or similar lodging for less than 30 days is transient, except that such occupancy is not transient if the dwelling unit or room in such hotel, motel, or lodging is occupied as the primary residence of the occupant from the beginning of such occupancy; and
2. occupancy in a hotel, motel, or similar lodging for 30 days or more is not transient, except that such occupancy is transient if the dwelling unit or room in such hotel, motel, or lodging is not occupied as the primary residence of the occupant and the occupancy is for less than 90 days ([CGS § 47a-2\(c\)](#)).

Courts have considered several factors in determining whether a person is a transient guest, such as:

1. length of stay,
2. existence of a lease or other “special contract for the room,”
3. degree of control over the space,
4. whether the person has another residence, and
5. the extent to which the person has made the dwelling his or her home for the time being (*Bourque v. Morris*, 190 Conn. 364, 369 (1983), *State v. Anonymous*, 34 Conn. Sup. 603, 605 (1977)).

These factors allow the court to determine whether the person has possession and control over the space in the manner that an official tenant would. A unilateral intention on the part of the occupant to remain indefinitely is not enough; all of the circumstances of the transaction must be considered (*Bourque*, 190 Conn. at 369).

While the transient status statute mentions only hotels and motels, the courts use the same analysis to determine whether a person is a guest in a private home.

Additional Information

You may also find the following Judicial Branch pamphlets to be helpful resources:

1. [*The Rights and Responsibilities of Landlords and Tenants in Connecticut*](#)
2. [*A Landlord's Guide to Summary Process*](#)
3. [*A Tenant's Guide to Summary Process*](#)

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