

Housing Committee JOINT FAVORABLE REPORT

Bill No.: HB-5713

AN ACT CONCERNING CONSIDERATION OF CRIMINAL CONVICTIONS OF A

Title: PROSPECTIVE TENANT.

Vote Date: 3/7/2019

Vote Action: Joint Favorable Substitute

PH Date: 2/7/2019

File No.:

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SPONSORS OF BILL:

The Housing Committee,

Rep. Brandon L. McGee, 5th Dist.,

Rep. Bobby G. Gibson, 15th Dist.

REASONS FOR BILL:

Formerly incarcerated persons have difficulty integrating back into communities, including finding stable housing. Reentry is concentrated in certain neighborhoods, likely to be disadvantaged, disproportionately minority, and low institutional investment, all which could contribute to recidivism rates. This bill would prohibit housing providers from considering a prospective tenant's criminal conviction after certain time periods, seven years, which would lower barriers to finding housing for formerly incarcerated people.

SUBSTITUTE LANGUAGE:

In Section 1(8), a reference to section 47a-1 was deleted for accuracy and in Section 2(a), a reference to Sub sec. (c) was added for accuracy.

LCO No. 5643

RESPONSE FROM ADMINISTRATION/AGENCY:

Steven Hernández, Executive Director, Commission on Equity and Opportunity; supports this bill, including the work of the commission on re-entry: Hope for Success: Returning Home, as well as stating that Seattle, WA and Washington, D.C. have passed legislation that regulates

landlords use of criminal background checks in screening and prevents landlords from screening based on criminal convictions, arrests that didn't lead to conviction or records that have been expunged.

NATURE AND SOURCES OF SUPPORT:

Lucius Couloute, Researcher, Prison Policy Initiative; supports this bill, stating that formerly incarcerated people experience homelessness rates that are ten times that of the general public and states that a criminal record does not provide information on whether a prospective tenant will be a good one, a criminal record helps utilize personal biases to discriminate against people.

Hartford Foundation For Public Giving; supports this bill, stating that housing is a fundamental basic human need that many returning citizens struggle to access, sharing that during a focus group in 2017 in Greater Hartford, 69% of recently released individuals reported needing housing.

Tammy Leach, Member, Katal Center for Health, Equity and Justice; supports this bill, with concerns about the lookback period, stating that seven years is too long of a wait for records to be sealed for formerly incarcerated persons solely because obtaining housing is a barrier they face.

Cindy Prizio, Executive Director, One Standard of Justice; supports this bill, with recommendation to change the lookback period of seven years, sharing that people on registry lists along with other special populations are often excluded from positive change. Sex offenders were highlighted with the statistics that a person convicted of a sexual offense ends up on the public registry for ten years or life in Connecticut with their addresses published, which evidently results in limited or nonexistent private and public housing. It was also shared that people who have committed a sexual offense have the lowest recidivism among any class of offender other than a person convicted of murder.

Susan Reynolds, Member, Katal Center for Healthy, Equity and Justice; supports this bill, with recommendations of removing the lookback period of seven years, Section (2).

Annette Sanderson, President, Conn-NAHRO; supports this bill, giving recommendations to language change regarding the lookback period to take into account any period of incarceration, rather than solely be based on date of conviction. This suggestion was made to properly assess an individual's potential for recidivism as they comply with the terms of parole or other supervised release conditions.

The following people support HB 5713, stating that this lookback restriction or dealing records after a certain time is a sensible balance between a landlord's property management and the prospective tenant's opportunity to a second chance in the community. It is stated that people who are stably housed are less likely to re-offend:

Anderson Curtis, Smart Justice Field Organizer, American Civil Liberties Union of Connecticut,

Kathleen Flaherty, Esq., Executive Director, Connecticut Legal Rights Project, Inc.,

Reverend Andrew G. Osmun, Board Member, One Standard of Justice, Inc.,

NATURE AND SOURCES OF OPPOSITION:

Robert Sampson, 16th District, State Senator; opposes this bill, stating that the State of Connecticut should not be involving itself in a private contract between a landlord and a tenant.

Scott Bertrand, Executive Director, Enfield Housing Authority; opposes this bill, stating that setting tight restrictions, delaying or eliminating access to information could potentially not “keep in step” with the obligation to provide safety to residents, which includes elderly, individuals with disabilities and families with young children.

Rick Bush, Treasurer, Connecticut Coalition of Property Owners; opposes this bill, stating that it will severely impact and limit the ability of landlords to protect themselves and their existing tenants. It was also stated that instead of this legislation, incentivizing landlords to allow prospective tenants with prior criminal convictions to live at their properties.

Juliet L. Cavanaugh, Broker/Residential Manager, Cavanaugh & Company, LLC.; opposes this bill stating that all factors should be evaluated including the individual at the time of the offense, the nature of the offense and how long ago the offense occurred and this legislation would limit that.

Cathy K. Forcier, Executive Director, Wethersfield Housing Authority; opposes this bill, expressing that there should be consideration for violent felony convictions that could affect the safety of current residents and stating that one lookback period for all crimes does not make practical sense.

The following people oppose HB 5713, stating support of the committee’s efforts to address the matter of inmate reentry however, does not support unfairly sanctioning property managers and landlords who undertake sensible measures to provide safe stable housing to present and future tenants:

Robert Chesson, Esq., Landlord Law Firm,

Elizabeth Lagasse, Regional Director, Connecticut Apartment Association,

Carrie Rowley, Co-Chair Government Relations, Connecticut Apartment Association,

Kevin W. Santini, Property Manager/Owner, Connecticut Apartment Association,

The following people oppose HB 5713 stating that this legislation would put tenants and families at risk by not being allowed to do background checks on prospective tenants.

Sunshine Homes, LLC, Enfield, Connecticut;

Marianthe Andriosopoulos, Landlord, Bristol, Connecticut,

Craig Barletta, Resident, Bethany, Connecticut,

Michael Batista, Resident, Connecticut,

Linda Baumgarten, Resident, Connecticut,

Adam Bonoff, Resident, Easton, Connecticut,

Chandler Boutin, Resident, Connecticut,

Bryan A. Brown, Resident/Landlord, Connecticut,

Ken Burkamp, Landlord, Connecticut,

Robert E. Chain, Branch Manager, American Financial Network,

Leo Chomen, Real Estate Agent, Randall Realtors,

Tammy Cooney, Resident, Connecticut,

Jaclyn Daniel, Resident, Connecticut,

Bob De Cosmo, President, Property Owners Alliance, LLC.,

Andre Drouin, Landlord, Connecticut,

Monty Du, Resident, Wilton, Connecticut,

Michael J. Flaherty Jr., Realtor, Sullivan Real Estate, Inc.,

Nancy Fox, Realtor, Randall Realtor,

Kristine Gasque, Landlord, Enfield, Connecticut,

Geoffrey S. Johnson, Realtor/Landlord, Hamden, Connecticut,

David Haberfeld, Landlord, Connecticut,

Kevin Harris, Resident, Bristol, Connecticut,

Chad Heidenis, Property Owner, Connecticut,

Brynn Hickey, Landlord, Connecticut,

Robert T. Hanners, Landlord, Waterford, Connecticut,

Mohammed Hossain, Resident, Connecticut,

Patrick James, Broker, Connecticut,

Paul J. Januszewski, Member, LECOKY Properties, LLC.,

Steven J. Iovanna, Architect, Meriden, Connecticut,

Holly Keating, Real Estate Agent, Agnelli Real Estate, LLC.,

Eric and Melissa Lindgren, Resident, Derby, Connecticut,

Rob Makas, Landlord, Connecticut,

Alison Malkin, Broker, Connecticut,

Edward Mastella, Resident, Connecticut,

Garen Mirzoian, Resident, Connecticut,

Joseph Mollica, Resident/Landlord, Windsor, Connecticut,

Mike Molnari, Landlord, Connecticut,

Evon Muschinsky, Resident, East Lyme, Connecticut,

Michael S. O'Neill, Resident, Somers, Connecticut,

Tomas Olivo, Landlord, Waterbury, Connecticut,

Filipe Pereira, Managing Director, Connecticut Property Management,

Marilyn and Brian Phillips, Landlords, Connecticut,

Marty Rauch, Resident, Connecticut,

Cheryl A. Reynolds, Landlord, Deep River, Connecticut,

Jeff Spiewak, Real Estate Investor, EMB Investment Properties, LLC,

Alex Squiers, Property Owner, Enfield, Connecticut,

Hilary Stoudt, Resident, Connecticut,

Tushar Shah, Realtor/Landlord, William Raveis Real Estate,

Z. Wang, Resident, Connecticut,

Yan Liu, Resident, Cheshire, Connecticut,

Lin Yang, Resident, Woodbridge, Connecticut,

Han Zhang, Resident, Connecticut,

Chen Zhong, Resident, Connecticut

Reported by: Zoë Gluck

Date: 3/19/19