



CONNECTICUT LEGAL SERVICES

A PRIVATE NONPROFIT CORPORATION

16 MAIN STREET, 2ND FLOOR, NEW BRITAIN, CT 06051

TELEPHONE (860) 225-8678

FAX (860) 225-6105

PUBLIC POLICY ADVOCATE

RAPHAEL L. PODOLSKY

DIRECT LINE:

(860) 616-4472

CELL: (860) 836-6355

EMAIL: RPODOLSKY@CONN

LEGALSERVICES.ORG

CLS ADMINISTRATIVE OFFICE

62 WASHINGTON STREET

MIDDLETOWN, CT 06457

(860) 344-0447

KEVIN J. RASCH

BOARD CHAIR

DEBORAH WITKIN

EXECUTIVE DIRECTOR

ANNE LOUISE BLANCHARD

*LITIGATION AND ADVOCACY
DIRECTOR*

CLS LAW OFFICES

211 STATE STREET

BRIDGEPORT, CT 06604

16 MAIN STREET

NEW BRITAIN, CT 06051

153 WILLIAMS STREET

NEW LONDON, CT 06320

20 SUMMER STREET

STAMFORD, CT 06901

85 CENTRAL AVENUE

WATERBURY, CT 06702

872 MAIN STREET

WILLIMANTIC, CT 06226

SATELLITE OFFICES

5 COLONY STREET

MERIDEN, CT 06451

98 SOUTH MAIN STREET

NORWALK, CT 06854

29 NAEK ROAD, SUITE 5A

VERNON, CT 06066

H.B. 7276 – Family and Group Day Care

Planning and Development Committee public hearing – March 6, 2019

Testimony of Raphael L. Podolsky

Recommended Committee action: APPROVAL OF THE BILL
with amendment

Under Section 8-3j of the General Statutes, municipal zoning ordinances are required to treat licensed family child day care homes in the same manner as single-family or multi-family dwellings. In other words, such homes cannot be zoned out of residential districts. H.B. 7276 makes two principal changes in the law. First, it extends Section 8-3j to apply to licensed group child day care homes as well. Second, it prevents landlords and condominium associations from prohibiting their residents from providing day care to children as licensed child care providers. We support the bill and are particularly interested in the protection it provides for tenants, for which home day care can be an important source of income.

Section 8-3j establishes the state's public policy in favor of home day care in residential districts. The legal aid programs, however, have represented tenants who have been faced with eviction for doing exactly what state policy attempts to promote. For this reason, we particularly support Section 4 of the bill.

However, we oppose Section 7, which allows the landlord to charge an extra security deposit (apparently of unlimited amount) to a tenant who provides home day care. First, it is likely that this provision will become a different way of preventing such day care. The imposition of a security deposit of three, four, five, or more months' rent will effectively make sure that few tenants will take children into their home. Second, it is inconsistent with the underlying principle of 8-3j, which is that in-home day care is more like a residential use than a commercial one. For example, a landlord cannot, under the state Fair Housing Act, charge an extra security deposit to a tenant because the tenant has a large family. The existing two-month maximum on security deposits is the most that can be charged. We urge the Committee to delete Section 7 from the bill.