OLR Bill Analysis
sSB 54

AN ACT CONCERNING A LANDLORD’S ABILITY TO REVIEW CRIMINAL RECORDS RELATING TO A PROSPECTIVE TENANT.

SUMMARY

This bill requires the Department of Housing (DOH) commissioner to adopt regulations, by January 1, 2020, that establish the period of time immediately preceding a rental application during which landlords may consider a prospective tenant’s criminal records in evaluating his or her application (presumably this means the period of time covered by the criminal records and not the landlord’s review period itself).

Additionally, the bill grants landlords immunity from civil liability for damage or injury resulting from any subsequent crime such tenant commits once he or she becomes a tenant, so long as the landlord (1) complied with DOH’s regulations established under the bill and (2) was not a conspirator or accomplice or compliant in the crime.

The bill also limits the period of time for which public housing authorities (PHAs) may review an applicant’s criminal history involving certain crimes. Under current law, PHAs may consider an applicant’s history of any crimes involving (1) physical violence to people or properties; (2) the manufacture, sale, distribution, or use of controlled drugs; and (3) acts that would adversely affect other tenants’ health, safety, or welfare. The bill limits their authority to review these criminal records to the time period established in the DOH regulations. As under existing law, PHAs may also consider an applicant’s history of alcohol abuse and whether he or she is subject to lifetime registration as a sex offender due to a sexually violent offense.

EFFECTIVE DATE: October 1, 2019, except the public housing authority provision is effective January 1, 2020.
BACKGROUND

Related Bills

HB 5713, reported favorably by the Housing Committee, generally prohibits rental housing providers from considering potential tenants’ criminal records beyond a specified lookback period and allows aggrieved individuals to report alleged violations to the Commission on Human Rights and Opportunities.

COMMITTEE ACTION

Housing Committee

Joint Favorable Substitute
Yea 11  Nay 3  (03/07/2019)