Bill No.: SB-54
Title: AN ACT CONCERNING A LANDLORD’S ABILITY TO REVIEW CRIMINAL RECORDS RELATING TO A PROSPECTIVE TENANT.
Vote Date: 3/7/2019
Vote Action: Joint Favorable Substitute
PH Date: 2/7/2019
File No.: 210

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SPONSORS OF BILL:

The Housing Committee,

Sen. Martin M. Looney, 11th Dist.

REASONS FOR BILL:

This bill would assist individuals with prior criminal convictions to find adequate housing. The bill requires the Department of Housing commissioner to adopt regulations that establish a limited look-back period of when a landlord may consider a prospective tenant’s criminal record.

The bill as amended gives landlord immunity from civil liability.

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:

Martin M. Looney, 11th District, State Senator; supports this bill, stating that eliminating barriers for formerly incarcerated persons serves not only the interest of those persons but also the interest of society. Recommendations were made from the Commission on Equity
and Opportunity including “ban the box” and “clean slate” legislation, both to help eliminate these barriers.

Karen DuBois-Walton, Executive Director, New Haven Housing Authority; supports this bill, stating that re-entry policies began over 10 years ago in response to the number of returning citizens being released from a period of incarceration. New Haven Housing Authority’s “clean slate” model looks at convictions beyond 3 years for misdemeanors and 5 years for felonies as inconsequential for consideration and removes significant barriers to housing.

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.

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.

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 SB 54, 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 SB 54, 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 SB 54 stating that this legislation would put tenants and families at risk by not being allowed to do background checks on prospective tenants:

Marianthe Andriosopoulos, Landlord, Bristol, Connecticut,

Craig Barletta, Resident, Bethany, Connecticut,

Michael Batista, Resident, Connecticut,

Linda Baumgarten, 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, Landlord, Connecticut

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

Andre Drouin, Landlord, Connecticut,

Monty Du, Resident, Wilton, Connecticut,

Robert Eickmeyer, Landlord, Connecticut,

Ereyn LaLonde, Realtor, 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,

Bryan A. Brown, Resident/Landlord, Connecticut,

Robert T. Hinners, Landlord, Waterford, Connecticut,

Steven J. Iovanna, Architect, Meriden, Connecticut,

Cailee Jacquette, Landlord, Connecticut,

Patrick James, Broker, Connecticut,

A. Clayton Janer, Realtor/Broker, East Haven, Connecticut,

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

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

Eric and Melissa Lindgren, Resident, Derby, Connecticut,

Minghai Liu, Resident, Darien, Connecticut,
Rob Makas, Landlord, Connecticut.
Alison Malkin, Broker, Connecticut.
Andrea Malone, Landlord, Malone LLC.
Edward Mastella, Resident, Connecticut.
Garen Mirzoian, Resident, Connecticut.
Joseph Mollica, Resident/Landlord, Windsor, Connecticut.
Mike Molnari, Landlord, Connecticut.
Filipe Pereira, Managing Director, Connecticut Property Management.
Marilyn and Brian Phillips, Landlords, Connecticut.
Chris Powell, Member, Board of Directors, Connecticut Council on Freedom of Information.
Marty Rauch, Resident, Connecticut.
Jeff Spiewak, Real Estate Investor, EMB Investment Properties, LLC.
Alex Squiers, Property Owner, Enfield, Connecticut.
Mark Stanton, Landlord, Connecticut.
Hilary Stoudt, Resident, Connecticut.
Tushar Shah, Realtor/Landlord, William Raveis Real Estate.
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