



General Assembly

February Session, 2020

**Raised Bill No. 5126**

LCO No. 987



Referred to Committee on HOUSING

Introduced by:  
(HSG)

**AN ACT CONCERNING INSPECTIONS OF RENTAL PROPERTY  
PRIOR TO OCCUPANCY OR TERMINATION, LATE RENTAL  
PAYMENTS AND DESIGNATION OF A RENTAL HOUSING  
OMBUDSMAN.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2020*) (a) After the execution of  
2 a rental agreement but prior to a tenant's occupancy, a landlord shall  
3 offer such tenant the opportunity to inspect the premises of the dwelling  
4 unit that is subject to such rental agreement with the landlord or the  
5 landlord's agent to determine the condition of such unit. If the tenant  
6 requests such inspection, the tenant and landlord shall execute a written  
7 agreement after such inspection but before the tenant begins occupancy  
8 of the unit attesting to the condition of the unit and specifically noting  
9 any existing conditions, defects or damages to the unit determined from  
10 such inspection.

11 (b) Upon the tenant's vacating of the dwelling unit, the landlord may  
12 not retain any part of the security deposit collected under chapter 831 of  
13 the general statutes for any condition, defect or damage that was noted  
14 in the written agreement.

15 (c) Within a reasonable time after notification of either the landlord's  
16 or tenant's intention to terminate the tenancy, the landlord shall provide  
17 written notice to the tenant of the tenant's right to request an inspection  
18 of the dwelling unit before vacating the dwelling unit and to be present  
19 at such inspection. If the tenant requests such inspection, the inspection  
20 shall occur not earlier than two weeks and not later than one week  
21 before the end of the tenancy. The landlord shall provide written notice  
22 of the time and date of such inspection at least forty-eight hours prior to  
23 such inspection. After the inspection, the landlord shall provide the  
24 tenant with an itemized statement specifying conditions that (1) were  
25 not noted in the written agreement pursuant to subsections (a) and (b)  
26 of this section, and (2) require repairs or cleaning that are proposed to  
27 be the basis of withholding any portion of the security deposit under  
28 section 47a-21 of the general statutes. The tenant shall have an  
29 opportunity to cure any such condition prior to the termination of the  
30 tenancy. The provisions of this subsection shall not apply if the tenant  
31 terminates the tenancy with less than two weeks' notice to the landlord.

32 (d) Any written agreement or statement made under this section shall  
33 be admissible as evidence of the condition of the dwelling unit at the  
34 beginning of a tenant's occupancy only in any administrative or other  
35 legal proceeding related to the return of the security deposit under  
36 section 47a-21 of the general statutes.

37 Sec. 2. Section 47a-15a of the general statutes is repealed and the  
38 following is substituted in lieu thereof (*Effective October 1, 2020*):

39 If rent is unpaid when due and the tenant fails to pay rent within nine  
40 days thereafter or, in the case of a one-week tenancy, within four days  
41 thereafter, the landlord may (1) charge the tenant a late fee not  
42 exceeding five dollars per day, beginning on the tenth day of the late  
43 payment, up to twenty-five dollars or ten per cent of the monthly rent,  
44 whichever is less, or (2) terminate the rental agreement in accordance  
45 with the provisions of sections 47a-23 to 47a-23b, inclusive, provided the  
46 landlord has given the tenant written or electronic notice of such late  
47 payment prior to such termination.

48       Sec. 3. (NEW) (*Effective October 1, 2020*) (a) The Commissioner of  
49 Housing shall, within available appropriations, designate an employee  
50 to serve as Rental Housing Ombudsman within the Department of  
51 Housing to provide timely assistance to any tenant, as defined in section  
52 47a-1 of the general statutes, concerning complaints of unsanitary or  
53 dangerous conditions in a dwelling unit, as defined in section 47a-1 of  
54 the general statutes.

55       (b) The Rental Housing Ombudsman, in consultation with the  
56 commissioner, shall:

57       (1) Receive, review and attempt to resolve any complaints from  
58 tenants, including, but not limited to, attempts to resolve such  
59 complaints in collaboration with the landlord, as defined in section 47a-  
60 1 of the general statutes, and any other appropriate state, federal or  
61 nonprofit entities;

62       (2) Compile and analyze data on tenant complaints;

63       (3) Assist tenants to understand their rights and responsibilities  
64 under the terms of their rental agreement, as defined in section 47a-1 of  
65 the general statutes;

66       (4) Provide information to the public, agencies, legislators and others  
67 regarding the problems and concerns of tenants and make  
68 recommendations for resolving those problems and concerns;

69       (5) Analyze and monitor the development and implementation of  
70 federal, state and local laws, regulations and policies relating to tenants  
71 and recommend any changes the Rental Housing Ombudsman deems  
72 necessary;

73       (6) Disseminate information concerning the availability of the Rental  
74 Housing Ombudsman to assist tenants and potential tenants, with any  
75 concerns of unsanitary or dangerous conditions; and

76       (7) Take any other actions necessary to fulfill the duties of the Rental  
77 Housing Ombudsman as set forth in this subsection.

78 (c) On or before January 1, 2021, and annually thereafter, the  
79 Commissioner of Housing shall submit a report, in accordance with the  
80 provisions of section 11-4a of the general statutes, to the joint standing  
81 committee of the General Assembly having cognizance of matters  
82 relating to housing. The commissioner shall report on: (1) The  
83 implementation of this section; (2) the overall effectiveness of the Rental  
84 Housing Ombudsman position; and (3) additional steps that need to be  
85 taken for the Department of Housing to address complaints of  
86 unsanitary or dangerous conditions in dwelling units.

87 (d) Any complaints made to the Rental Housing Ombudsman under  
88 this section may be introduced as evidence in a summary process action  
89 initiated pursuant to chapter 832 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	New section
Sec. 2	<i>October 1, 2020</i>	47a-15a
Sec. 3	<i>October 1, 2020</i>	New section

**Statement of Purpose:**

To permit tenants to request an inspection of rental property prior to occupancy and after notice of termination of a tenancy, to cap late fees for rental payments and to create a Rental Housing Ombudsman within the Department of Housing.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*