



General Assembly

January Session, 2021

***Raised Bill No. 6529***

LCO No. 3690



Referred to Committee on HOUSING

Introduced by:  
(HSG)

***AN ACT CONCERNING HOUSING AUTHORITIES AND  
ESTABLISHING AN OFFICE OF THE HOUSING ADVOCATE.***

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

1 Section 1. Section 8-41 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) For purposes of this section, a "tenant of the authority" means a  
4 tenant who lives in housing owned or managed by a housing authority  
5 or who is receiving housing assistance in a housing program directly  
6 administered by such authority. When the governing body of a  
7 municipality other than a town adopts a resolution as described in  
8 section 8-40, it shall promptly notify the chief executive officer of such  
9 adoption. Upon receiving such notice, the chief executive officer shall  
10 appoint five persons who are residents of said municipality as  
11 commissioners of the authority, except that the chief executive officer  
12 may appoint two additional persons who are residents of the  
13 municipality if (1) the authority operates more than three thousand  
14 units, or (2) upon the appointment of a tenant commissioner pursuant  
15 to subsection (c) of this section, the additional appointments are

16 necessary to achieve compliance with 24 CFR 964.415 or section 9-167a.  
17 If the governing body of a town adopts such a resolution, such body  
18 shall appoint five persons who are residents of said town as  
19 commissioners of the authority created for such town, except that such  
20 body may appoint two additional persons who are residents of the town  
21 if, upon the appointment of a tenant commissioner pursuant to  
22 subsection (c) of this section, the additional appointments are necessary  
23 to achieve compliance with 24 CFR 964.415 or section 9-167a. The  
24 commissioners who are first so appointed shall be designated to serve  
25 for a term of either one, two, three, four or five years, except that if the  
26 authority has five members, the terms of not more than one member  
27 shall expire in the same year. Terms shall commence on the first day of  
28 the month next succeeding the date of their appointment, and annually  
29 thereafter a commissioner shall be appointed to serve for five years  
30 except that any vacancy which may occur because of a change of  
31 residence by a commissioner, removal of a commissioner, resignation or  
32 death shall be filled for the unexpired portion of the term. If a governing  
33 body increases the membership of the authority on or after July 1, 1995,  
34 such governing body shall, by resolution, provide for a term of five  
35 years for each such additional member. The term of the chairman shall  
36 be three years. At least one of such commissioners of an authority  
37 having five members, and at least two of such commissioners of an  
38 authority having more than five members, shall be a tenant or tenants  
39 of the authority selected pursuant to subsection (c) of this section. If, on  
40 October 1, 1979, a municipality has adopted a resolution as described in  
41 section 8-40, but has no tenants serving as commissioners, the chief  
42 executive officer of a municipality other than a town or the governing  
43 body of a town shall appoint a tenant who meets the qualifications set  
44 out in this section as a commissioner of such authority when the next  
45 vacancy occurs. No commissioner of an authority may hold any public  
46 office in the municipality for which the authority is created. A  
47 commissioner shall hold office until said commissioner's successor is  
48 appointed and has qualified. Not later than January 1, 2022, each  
49 commissioner who is serving on said date, and, thereafter, upon  
50 appointment, each newly appointed commissioner who is not a

51 reappointment, shall participate in a training for housing authority  
52 commissioners provided by the United States Department of Housing  
53 and Urban Development. A certificate of the appointment or  
54 reappointment of any commissioner shall be filed with the clerk and  
55 shall be conclusive evidence of the legal appointment of such  
56 commissioner, after said commissioner has taken an oath in the form  
57 prescribed in the first paragraph of section 1-25. The powers of each  
58 authority shall be vested in the commissioners thereof. Three  
59 commissioners shall constitute a quorum if the authority consists of five  
60 commissioners. Four commissioners shall constitute a quorum if the  
61 authority consists of more than five commissioners. Action may be  
62 taken by the authority upon a vote of not less than a majority of the  
63 commissioners present, unless the bylaws of the authority require a  
64 larger number. The chief executive officer, or, in the case of an authority  
65 for a town, the governing body of the town, shall designate which of the  
66 commissioners shall be the first chairman, but when the office of  
67 chairman of the authority becomes vacant, the authority shall select a  
68 chairman from among its commissioners. An authority shall select from  
69 among its commissioners a vice chairman, and it may employ a  
70 secretary, who shall be executive director, and technical experts and  
71 such other officers, agents and employees, permanent and temporary,  
72 as it requires, and shall determine their qualifications, duties and  
73 compensation, provided, in municipalities having a civil service law, all  
74 appointments and promotions, except the employment of the secretary,  
75 shall be based on examinations given and lists prepared under such law,  
76 and, except so far as may be inconsistent with the terms of this chapter,  
77 such civil service law and regulations adopted thereunder shall apply  
78 to such housing authority and its personnel. For such legal services as it  
79 requires, an authority may employ its own counsel and legal staff. An  
80 authority may delegate any of its powers and duties to one or more of  
81 its agents or employees. Not later than October 1, 2021, any existing  
82 employee of a housing authority shall submit to a state and national  
83 criminal history records check conducted in accordance with the  
84 provisions of section 29-17a, and, thereafter, any prospective employee  
85 hired on or after said date by an authority, shall submit to such a state

86 and national records check prior to commencing employment with the  
87 authority. A commissioner, or any employee of the authority who  
88 handles its funds, shall be required to furnish an adequate bond. The  
89 commissioners shall serve without compensation, but shall be entitled  
90 to reimbursement for their actual and necessary expenses incurred in  
91 the performance of their official duties.

92 (b) The authority shall designate a tenant organization as the  
93 recognized jurisdiction-wide tenant organization only if (1) the  
94 members of the governing board of such tenant organization were  
95 elected through a jurisdiction-wide election, and (2) such tenant  
96 organization satisfies the requirements for elected jurisdiction-wide  
97 resident councils pursuant to regulations promulgated by the United  
98 States Department of Housing and Urban Development, except that a  
99 tenant of the authority shall be eligible to vote in any election for the  
100 governing board of such tenant organization and to serve on the  
101 governing board of such tenant organization without regard to whether  
102 such tenant receives or lives in housing that receives federal assistance.  
103 Any tenant organization that has been designated by the authority as  
104 the recognized jurisdiction-wide tenant organization may select tenants  
105 for appointment as tenant commissioner in accordance with subsection  
106 (c) of this section.

107 (c) (1) Not less than sixty days before the appointment of any tenant  
108 commissioner or the expiration of the term of any tenant commissioner,  
109 whichever is earlier, the housing authority shall notify all tenant  
110 organizations comprised of tenants residing within units owned or  
111 managed by such housing authority and all tenants of such authority of  
112 such pending appointment or expiration of term. The notice shall  
113 include information concerning procedures by which tenants may  
114 petition for an election pursuant to this subsection.

115 (2) The appointee as tenant commissioner shall be selected by a fair  
116 election of the tenants of the authority if, not more than thirty days after  
117 the authority notifies such tenants of a pending appointment or  
118 expiration of term pursuant to subdivision (1) of this subsection, ten per

119 cent of the tenants of the authority or seventy-five tenants of the  
120 authority, whichever is less, petition the authority for an election.

121 (3) If the tenants of the authority have not petitioned for an election  
122 pursuant to subdivision (2) of this subsection, then the appointee as  
123 tenant commissioner shall be selected by the recognized jurisdiction-  
124 wide tenant organization, if any, by means provided for in the by-laws  
125 adopted by such tenant organization. Such means may include, without  
126 limitation, a fair election by the tenants of the authority or selection by  
127 the governing board of such tenant organization.

128 (4) If an appointee as tenant commissioner has not been selected by  
129 an election of the tenants of the authority or by other means pursuant to  
130 the by-laws adopted by the recognized jurisdiction-wide tenant  
131 organization by the date ninety days after the date the housing authority  
132 provides notice of a pending appointment or expiration of term  
133 pursuant to subdivision (1) of this subsection, then the appointing  
134 authority shall select the appointee. In making such selection, the  
135 appointing authority shall consider any tenant recommended by any  
136 tenant organization within its jurisdiction or the jurisdiction-wide  
137 tenant organization.

138 (5) The housing authority shall provide all tenants of the authority  
139 with written notice of any election conducted pursuant to this  
140 subsection or subsection (b) of this section not later than thirty days  
141 before the date of such election. For any election conducted pursuant to  
142 this subsection for an authority having more than five commissioners,  
143 the housing authority may establish qualifications for the second tenant  
144 commissioner as necessary to achieve compliance with 24 CFR 964.415  
145 or section 9-167a.

146 (d) For any election conducted pursuant to subsection (c) of this  
147 section, the housing authority shall use its best efforts to secure an  
148 impartial entity to administer such election. To the extent practicable,  
149 such impartial entity shall be selected with the agreement of the  
150 recognized jurisdiction-wide tenant organization, if any. In the event of

151 a dispute concerning the procedure for or results of such election, any  
152 person may petition the entity administering such election for a  
153 resolution of such dispute.

154 (e) Notwithstanding any provision of subsection (a) of this section or  
155 any other provision of the general statutes, a commissioner of an  
156 authority may serve as a justice of the peace or a registrar of voters.

157 Sec. 2. Section 8-68f of the general statutes is repealed and the  
158 following is substituted in lieu thereof (*Effective October 1, 2021*):

159 Each housing authority which receives financial assistance under any  
160 state housing program, and the Connecticut Housing Finance Authority  
161 or its subsidiary when [said] such authority or subsidiary is the  
162 successor owner of housing previously owned by a housing authority  
163 under part II or part VI of this chapter, shall, for housing which it owns  
164 and operates, (1) provide each of its tenants with a written lease, (2)  
165 provide each tenant, at the time the tenant signs an initial lease and  
166 annually thereafter, contact information for the management of the  
167 housing authority, the local department of public health and the  
168 Commission on Human Rights and Opportunities, and a notice of a  
169 tenant's rights, (3) adopt a procedure for hearing tenant complaints and  
170 grievances, [(3)] (4) adopt procedures for soliciting tenant comment on  
171 proposed changes in housing authority policies and procedures,  
172 including changes to its lease and to its admission and occupancy  
173 policies, and [(4)] (5) encourage tenant participation in the housing  
174 authority's operation of state housing programs, including, where  
175 appropriate, the facilitation of tenant participation in the management  
176 of housing projects. If such housing authority or the Connecticut  
177 Housing Finance Authority or its subsidiary operates both a federal and  
178 a state-assisted housing program, it shall use the same procedure for  
179 hearing tenant grievances in both programs. The Commissioner of  
180 Housing shall adopt regulations in accordance with the provisions of  
181 chapter 54 to establish uniform minimum standards for the  
182 requirements in this section.

183 Sec. 3. Section 8-68d of the general statutes is repealed and the  
184 following is substituted in lieu thereof (*Effective October 1, 2021*):

185 (a) Each housing authority shall submit a report to the Commissioner  
186 of Housing and the chief executive officer of the municipality in which  
187 the authority is located not later than March first, annually. The report  
188 shall contain (1) an inventory of all existing housing owned or operated  
189 by the authority, including the total number, types and sizes of rental  
190 units and the total number of occupancies and vacancies in each housing  
191 project or development, and a description of the condition of such  
192 housing, (2) a description of any new construction projects being  
193 undertaken by the authority and the status of such projects, (3) the  
194 number and types of any rental housing sold, leased or transferred  
195 during the period of the report which is no longer available for the  
196 purpose of low or moderate income rental housing, (4) the results of its  
197 annual audit conducted in accordance with subsection (b) of this section,  
198 and [(4)] (5) such other information as the commissioner may require by  
199 regulations adopted in accordance with the provisions of chapter 54.

200 (b) The commissioners of the authority shall annually contract with a  
201 firm of certified public accountants to undertake an independent  
202 financial audit of the authority in accordance with generally accepted  
203 auditing standards.

204 Sec. 4. (NEW) (*Effective October 1, 2021*) (a) There is established, within  
205 the Department of Housing, an Office of the Housing Advocate. Not  
206 later than October 1, 2021, the Commissioner of Housing shall, within  
207 available appropriations, designate an employee within the Department  
208 of Housing with knowledge of housing-related issues and state  
209 programs to serve as Housing Advocate.

210 (b) The Office of the Housing Advocate shall provide services to any  
211 tenant, as defined in section 47a-1 of the general statutes, including, but  
212 not limited to, (1) assisting a tenant in understanding the tenant's rights  
213 and responsibilities under the terms of his or her rental agreement, as  
214 defined in section 47a-1 of the general statutes; (2) providing resources

215 to assist a tenant in advocating for himself or herself to resolve a dispute  
216 with a housing authority, as defined in section 8-39 of the general  
217 statutes, or a landlord, as defined in section 47a-1 of the general statutes;  
218 and (3) coordinating finding housing for a tenant.

219 (c) The Housing Advocate may, within available funds, appoint such  
220 staff as may be deemed necessary. The duties of the staff may include  
221 the duties of the Housing Advocate if performed under the direction of  
222 the Housing Advocate.

223 (d) The General Assembly may annually appropriate such sums as  
224 necessary for the payment of the salaries of the staff and for the payment  
225 of office expenses and other actual expenses incurred by the Housing  
226 Advocate in the performance of the advocate's duties.

227 (e) Not later than February 1, 2022, and annually thereafter, the  
228 Housing Advocate shall submit, in accordance with the provisions of  
229 section 11-4a of the general statutes, to the Commissioner of Housing  
230 and the joint standing committee of the General Assembly having  
231 cognizance of matters relating to housing, a detailed report analyzing  
232 the activities of the Office of the Housing Advocate during the prior year  
233 and any recommendations for proposed legislation to promote the  
234 purposes of the office.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	8-41
Sec. 2	<i>October 1, 2021</i>	8-68f
Sec. 3	<i>October 1, 2021</i>	8-68d
Sec. 4	<i>October 1, 2021</i>	New section

**Statement of Purpose:**

To create an Office of the Housing Advocate, require training for housing authority commissioners and criminal history records checks for housing authority employees, and require housing authorities to provide certain contact information and notify tenants of their rights.



*[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.]*