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## **OLR Bill Analysis**

### **HB 5233**

#### ***AN ACT CONCERNING EVICTIONS FOR CAUSE.***

#### **SUMMARY**

This bill extends protections against lapse of time evictions and excessive rent increases to cover all tenants residing in buildings and complexes of a certain size, mobile home parks, and certain common interest communities. Under current law, these protections are available only to certain "protected tenants" (see below).

Specifically, the bill prohibits landlords from evicting, solely for their lease expiring (i.e., lapse of time), all tenants residing in (1) a building or complex consisting of five or more separate dwelling units, (2) a mobile manufactured home park (including certain conversion tenants), or (3) a dwelling unit in a common interest community where the landlord owns five or more units. Under current law, the prohibition applies only to evicting certain protected tenants residing in these dwellings. This includes a tenant who is:

1. at least age 62;
2. an individual with a physical or intellectual disability;
3. permanently residing with a spouse or specified relative that is (a) at least age 62 or (b) an individual with a disability meeting certain requirements; or
4. a conversion tenant in a mobile home park meeting certain requirements.

Current law permits landlords to request proof of protected status and requires tenants to provide this proof within 30 days. The bill eliminates these provisions and makes conforming changes.

Under existing law, and unchanged by the bill, landlords may evict tenants protected against lapse of time evictions on other grounds. These are commonly known as "just cause" or "good cause" evictions and include nonpayment of rent, material noncompliance with the lease or a landlord's rules and regulations, breach of statutory duties or serious nuisance, and illegal conduct. Additionally, landlords may evict these tenants for other specified reasons, including:

1. if the tenant will not agree to a fair and equitable rent increase;  
and
2. if the landlord (a) permanently removes the rental unit from the housing market or (b) intends to use it as a principal residence.

As under current law for protected tenants, the bill also requires rent increases for tenants protected against lapse of time evictions to be fair and equitable (see BACKGROUND). It allows these tenants, if aggrieved by a rent increase and residing in a municipality without a fair rent commission, to bring action to contest the increase in Superior Court.

Finally, the bill makes technical changes.

EFFECTIVE DATE: October 1, 2022

## **BACKGROUND**

### ***Fair and Equitable Rent Increases***

Any tenant may file a complaint with a fair rent commission if one exists in the municipality in which he or she resides. Fair rent commissions must consider certain factors when determining whether a rental charge or proposed rent increase is excessive to the point of being "harsh and unconscionable." The factors include the following:

1. rents for comparable units;
2. amount and frequency of rent increases;
3. sanitary conditions;

4. number of bathtubs or showers, toilets, and sinks;
5. services, furniture, and furnishings;
6. bedroom size and number;
7. repairs necessary to make the accommodations livable;
8. amount of taxes and overhead expenses, including debt service;
9. compliance with state and local health and safety laws and regulations;
10. renter's income and housing availability;
11. utility availability;
12. tenant damage to the premises, other than ordinary wear; and
13. the degree to which income from the rent increase will be reinvested in property improvements (CGS § 7-148c).

**COMMITTEE ACTION**

Housing Committee

Joint Favorable

Yea 11 Nay 4 (03/10/2022)