



General Assembly

January Session, 2023

***Raised Bill No. 6780***

LCO No. 4696



Referred to Committee on HOUSING

Introduced by:  
(HSG)

***AN ACT CONCERNING TENANTS' RIGHTS.***

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

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) As used in this section,  
2 "walk-through" means a joint physical inspection of the dwelling unit  
3 by the landlord and the tenant, or their designees, for the purposes of  
4 noting and listing any observed conditions within the dwelling unit. On  
5 and after January 1, 2024, upon or after the entry into a rental agreement  
6 but prior to the tenant's occupancy of a dwelling unit, a landlord shall  
7 offer such tenant the opportunity to conduct a walk-through of the  
8 dwelling unit. If the tenant requests such a walk-through, the landlord  
9 and tenant, or their designees, shall use a copy of the preoccupancy  
10 walk-through checklist prepared by the Commissioner of Housing  
11 pursuant to subsection (c) of this section. The landlord and the tenant,  
12 or their designees, shall specifically note on the walk-through checklist  
13 any existing conditions, defects or damages to the dwelling unit present  
14 at the time of the walk-through. After the walk-through, the landlord  
15 and the tenant, or their designees, shall sign duplicate copies of the  
16 walk-through checklist and each shall receive a copy.

17 (b) Upon the tenant's vacating of the dwelling unit, the landlord may  
18 not retain any part of the security deposit collected under chapter 831 of  
19 the general statutes or seek payment from the tenant for any condition,  
20 defect or damage that was noted in the preoccupancy walk-through  
21 checklist. Such walk-through checklist shall be admissible, subject to the  
22 rules of evidence but shall not be conclusive, as evidence of the  
23 condition of the dwelling unit at the beginning of a tenant's occupancy  
24 in any administrative or judicial proceeding.

25 (c) Not later than December 1, 2023, the Commissioner of Housing  
26 shall (1) prepare a standardized preoccupancy walk-through checklist  
27 for any landlord and tenant to use to document the condition of any  
28 dwelling unit during a preoccupancy walk-through under subsection  
29 (a) of this section, and (2) make such checklist available on the  
30 Department of Housing's Internet web site.

31 (d) The provisions of this section shall not apply to any tenancy under  
32 a rental agreement entered into prior to January 1, 2024.

33 Sec. 2. (NEW) (*Effective October 1, 2023*) (a) As used in this section,  
34 "tenant screening report" means a credit report, a criminal background  
35 report, an employment history report, a rental history report, or any  
36 combination thereof, used by a landlord to determine the suitability of  
37 a prospective tenant.

38 (b) No landlord may demand from a prospective tenant any  
39 payment, fee or charge for the processing, review or acceptance of any  
40 rental application, or demand any other payment, fee or charge before  
41 or at the beginning of the tenancy, except a security deposit pursuant to  
42 section 47a-21 of the general statutes or a fee for a tenant screening  
43 report as provided by subsection (c) of this section.

44 (c) A landlord may charge a fee for a tenant screening report  
45 concerning a prospective tenant if the fee for such tenant screening  
46 report is not more than the actual cost paid by the landlord for such  
47 report. The landlord shall waive any fee for such report if the  
48 prospective tenant provides the landlord with a copy of a tenant

49 screening report concerning the prospective tenant that was conducted  
50 within thirty days of the prospective tenant's rental application and that  
51 is satisfactory to the landlord.

52 (d) A landlord may not collect a tenant screening report fee from a  
53 prospective tenant until the landlord provides the prospective tenant  
54 with (1) a copy of the tenant screening report, and (2) a copy of the  
55 receipt or invoice from the entity conducting the tenant screening report  
56 concerning the prospective tenant.

57 Sec. 3. Section 47a-23c of the general statutes is repealed and the  
58 following is substituted in lieu thereof (*Effective October 1, 2023*):

59 (a) (1) Except as provided in subdivision (2) of this subsection, this  
60 section applies to any tenant who resides in a building or complex  
61 consisting of five or more separate dwelling units or who resides in a  
62 mobile manufactured home park and who is either: (A) Sixty-two years  
63 of age or older, or whose spouse, sibling, parent or grandparent is sixty-  
64 two years of age or older and permanently resides with that tenant, or  
65 (B) a person with a physical or mental disability, as defined in  
66 subdivision (8) of section 46a-64b, or whose spouse, sibling, child,  
67 parent or grandparent is a person with a physical or mental disability  
68 who permanently resides with that tenant, but only if such disability can  
69 be expected to result in death or to last for a continuous period of at least  
70 twelve months.

71 (2) With respect to tenants in common interest communities, this  
72 section applies only to (A) a conversion tenant, as defined in subsection  
73 (3) of section 47-283, who (i) is described in subdivision (1) of this  
74 subsection, or (ii) is not described in subdivision (1) of this subsection  
75 but, during a transition period, as defined in subsection (4) of section 47-  
76 283, is residing in a conversion condominium created after May 6, 1980,  
77 or in any other conversion common interest community created after  
78 December 31, 1982, or (iii) is not described in subdivision (1) of this  
79 subsection but is otherwise protected as a conversion tenant by public  
80 act 80-370\*, and (B) a tenant who is not a conversion tenant but who is

81 described in subdivision (1) of this subsection if his landlord owns five  
82 or more dwelling units in the common interest community in which the  
83 dwelling unit is located.

84 (3) As used in this section, "tenant" includes each resident of a mobile  
85 manufactured home park, as defined in section 21-64, including a  
86 resident who owns his own home, "landlord" includes a "licensee" and  
87 an "owner" of a mobile manufactured home park, as defined in section  
88 21-64, "complex" means two or more buildings on the same or  
89 contiguous parcels of real property under the same ownership, and  
90 "mobile manufactured home park" means a parcel of real property, or  
91 contiguous parcels of real property under the same ownership, upon  
92 which five or more mobile manufactured homes occupied for  
93 residential purposes are located.

94 (b) (1) No landlord may bring an action of summary process or other  
95 action to dispossess a tenant described in subsection (a) of this section  
96 except for one or more of the following reasons: (A) Nonpayment of  
97 rent; (B) refusal to agree to a fair and equitable rent increase, as defined  
98 in subsection (c) of this section; (C) material noncompliance with section  
99 47a-11 or subsection (b) of section 21-82, which materially affects the  
100 health and safety of the other tenants or which materially affects the  
101 physical condition of the premises; (D) voiding of the rental agreement  
102 pursuant to section 47a-31, or material noncompliance with the rental  
103 agreement; (E) material noncompliance with the rules and regulations  
104 of the landlord adopted in accordance with section 47a-9 or 21-70; (F)  
105 permanent removal by the landlord of the dwelling unit of such tenant  
106 from the housing market; or (G) bona fide intention by the landlord to  
107 use such dwelling unit as his principal residence.

108 (2) The ground stated in subparagraph (G) of subdivision (1) of this  
109 subsection is not available to the owner of a dwelling unit in a common  
110 interest community occupied by a conversion tenant.

111 (3) A tenant may not be dispossessed for a reason described in  
112 subparagraph (B), (F) or (G) of subdivision (1) of this subsection during

113 the term of any existing rental agreement.

114 (c) (1) The rent of a tenant protected by this section may be increased  
115 only to the extent that such increase is fair and equitable, based on the  
116 criteria set forth in section 7-148c.

117 (2) Any such tenant aggrieved by a rent increase or proposed rent  
118 increase may file a complaint with the fair rent commission, if any, for  
119 the town, city or borough where his dwelling unit or mobile  
120 manufactured home park lot is located; or, if no such fair rent  
121 commission exists, may bring an action in the Superior Court to contest  
122 the increase. In any such court proceeding, the court shall determine  
123 whether the rent increase is fair and equitable, based on the criteria set  
124 forth in section 7-148c.

125 (d) A landlord, to determine whether a tenant is a protected tenant,  
126 as described in subdivision (1) of subsection (a) of this section, may  
127 request proof of such protected status. On such request, any tenant  
128 claiming protection shall provide proof of the protected status within  
129 thirty days. The proof shall include a statement of a physician or an  
130 advanced practice registered nurse in the case of alleged blindness or  
131 other physical disability.

132 (e) (1) On and after January 1, 2024, whenever a dwelling unit located  
133 in a building or complex consisting of five or more separate dwelling  
134 units or in a mobile manufactured home park is rented to, or a rental  
135 agreement is entered into or renewed with, a tenant, the landlord of  
136 such dwelling unit or such landlord's agent shall provide such tenant  
137 with written notice of the provisions of subsections (b) and (c) of this  
138 section in a form as described in subdivision (2) of this subsection.

139 (2) Not later than December 1, 2023, the Commissioner of Housing  
140 shall create a notice which shall be used by landlords, pursuant to  
141 subdivision (1) of this subsection, to inform tenants of the rights  
142 provided to protected tenants under subsections (b) and (c) of this  
143 section. Such notice shall be a one-page, plain-language summary of  
144 such rights and shall be available in languages other than English, as

145 determined by the commissioner. Not later than December 1, 2023, such  
146 notice shall be posted on the Department of Housing Internet web site.

147 Sec. 4. Section 47a-1 of the general statutes is repealed and the  
148 following is substituted in lieu thereof (*Effective October 1, 2023*):

149 As used in this chapter, [and] sections 47a-21, 47a-23 to 47a-23c,  
150 inclusive, as amended by this act, 47a-26a to 47a-26g, inclusive, 47a-35  
151 to 47a-35b, inclusive, 47a-41a, 47a-43 and 47a-46 and section 47a-7b and  
152 sections 1 and 2 of this act:

153 (a) "Action" includes recoupment, counterclaim, set-off, cause of  
154 action and any other proceeding in which rights are determined,  
155 including an action for possession.

156 (b) "Building and housing codes" include any law, ordinance or  
157 governmental regulation concerning fitness for habitation or the  
158 construction, maintenance, operation, occupancy, use or appearance of  
159 any premises or dwelling unit.

160 (c) "Dwelling unit" means any house or building, or portion thereof,  
161 which is occupied, is designed to be occupied, or is rented, leased or  
162 hired out to be occupied, as a home or residence of one or more persons.

163 (d) "Landlord" means the owner, lessor or sublessor of the dwelling  
164 unit, the building of which it is a part or the premises.

165 (e) "Owner" means one or more persons, jointly or severally, in whom  
166 is vested (1) all or part of the legal title to property, or (2) all or part of  
167 the beneficial ownership and a right to present use and enjoyment of the  
168 premises and includes a mortgagee in possession.

169 (f) "Person" means an individual, corporation, limited liability  
170 company, the state or any political subdivision thereof, or agency,  
171 business trust, estate, trust, partnership or association, two or more  
172 persons having a joint or common interest, and any other legal or  
173 commercial entity.

174 (g) "Premises" means a dwelling unit and the structure of which it is  
175 a part and facilities and appurtenances therein and grounds, areas and  
176 facilities held out for the use of tenants generally or whose use is  
177 promised to the tenant.

178 (h) "Rent" means all periodic payments to be made to the landlord  
179 under the rental agreement.

180 (i) "Rental agreement" means all agreements, written or oral, and  
181 valid rules and regulations adopted under section 47a-9 or subsection  
182 (d) of section 21-70 embodying the terms and conditions concerning the  
183 use and occupancy of a dwelling unit or premises.

184 (j) "Roomer" means a person occupying a dwelling unit, which unit  
185 does not include a refrigerator, stove, kitchen sink, toilet and shower or  
186 bathtub and one or more of these facilities are used in common by other  
187 occupants in the structure.

188 (k) "Single-family residence" means a structure maintained and used  
189 as a single dwelling unit. Notwithstanding that a dwelling unit shares  
190 one or more walls with another dwelling unit or has a common parking  
191 facility, it is a single-family residence if it has direct access to a street or  
192 thoroughfare and does not share heating facilities, hot water equipment  
193 or any other essential facility or service with any other dwelling unit.

194 (l) "Tenant" means the lessee, sublessee or person entitled under a  
195 rental agreement to occupy a dwelling unit or premises to the exclusion  
196 of others or as is otherwise defined by law.

197 (m) "Tenement house" means any house or building, or portion  
198 thereof, which is rented, leased or hired out to be occupied, or is  
199 arranged or designed to be occupied, or is occupied, as the home or  
200 residence of three or more families, living independently of each other,  
201 and doing their cooking upon the premises, and having a common right  
202 in the halls, stairways or yards.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	New section
Sec. 2	<i>October 1, 2023</i>	New section
Sec. 3	<i>October 1, 2023</i>	47a-23c
Sec. 4	<i>October 1, 2023</i>	47a-1

**Statement of Purpose:**

To (1) permit tenants to conduct a walk-through inspection of a dwelling unit before moving in, (2) limit fees a landlord may charge in connection with tenant screenings, and (3) require landlords to provide written notice to certain protected tenants of their legal rights regarding evictions.

*[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.]*