



2023 Acts Affecting Housing and Real Estate

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Notice to Readers

This report provides summaries of new laws (public acts and one special act) significantly affecting housing and real estate enacted during the 2023 regular session. OLR's other Acts Affecting reports, including Acts Affecting Municipalities and Acts Affecting Taxes, are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden. Complete summaries of public acts are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

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Building Codes and Housing Safety

Diaper Changing Tables in Public Buildings

A new law requires the state building inspector and the Codes and Standards Committee, with the administrative services commissioner's approval, to jointly include in the next proposed revision to the State Building Code a requirement that certain buildings have at least one safe, sanitary, and convenient baby diaper changing table. This requirement applies to (1) certain newly constructed or substantially renovated public buildings (e.g., state, municipal, religious, and educational buildings); or (2) places of public accommodation, resort, or amusement ([PA 23-72](#), effective upon passage).

Healthy Homes Funds for Certain Condominiums in Hamden

A new law broadens the purposes for which the Healthy Homes Fund may be used to include giving grants to (1) remediate structurally deficient foundations in owner-occupied condominium units in Hamden or (2) relocate these unit owners.

Grants for these units or unit owners must come from remittances to the Healthy Homes Fund between May 1, 2022, and April 30, 2023, and may not exceed the actual cost of remediation or relocation. By law, the Healthy Homes Fund is a separate nonlapsing General Fund account used primarily to support the Crumbling Foundations Assistance Fund, which assists homeowners with concrete foundations damaged by pyrrhotite (i.e., crumbling foundations). The fund is capitalized by revenue from an annual \$12 surcharge on certain homeowners' insurance policies ([PA 23-205](#), § 159, effective July 1, 2023).

Lead Poisoning Prevention and Treatment

This session, the legislature made various changes related to lead poisoning prevention and treatment, including requiring the Department of Public Health's (DPH) Lead Poisoning Prevention Program to direct information to residential property owners who own housing constructed before 1978, instead of 1950, as under prior law. By law, the program must include an education and publicity program that informs the general public and specified individuals of the danger, frequency, and sources of lead poisoning and ways to prevent it ([PA 23-31](#), § 33, October 1, 2023).

Local Health Department Reporting System for Sodium Chloride Damage

A new law extends by one year, from January 1, 2023, to January 1, 2024, the deadline for local health departments to establish an electronic reporting system allowing owners of homes or wells directly damaged by sodium chloride run-off to report the damage to the local health department. It correspondingly extends, from January 1, 2024, to January 1, 2025, the deadline for these health

departments to start annually submitting the reports recorded during the prior year to the Office of Policy and Management (OPM).

Additionally, the act makes certain information related to the reporting system confidential, such as (1) the testing results originating due to a sodium chloride run-off report provided to DPH, OPM, or local health departments and (2) information obtained from DPH or local health department investigations on the results ([PA 23-31](#), § 19, effective upon passage).

Major Traffic Generator Certificates

By law, entities building, expanding, or establishing certain major traffic generating developments must get a certificate from the Office of the State Traffic Administration (OSTA), and local building officials may not issue a building or foundation permit to these entities until they show their certificate. A new law additionally prohibits local building officials from issuing a certificate of occupancy for these developments until conditions of the OSTA certificate have been met ([PA 23-135](#), §§ 3 & 4, effective July 1, 2023).

Mold Standards and Working Group

A new law requires DPH, by January 1, 2024, to take various actions related to mold, such as developing uniform standards for (1) identifying and assessing mold in residential housing, (2) assessing the health threat from mold exposure in the home, and (3) remediating mold. It also requires the department to create a public awareness campaign on in-home mold.

Additionally, the act creates a working group to evaluate the connection between polybutylene pipes and indoor mold in residential and commercial buildings (these pipes, no longer sold in the United States, may eventually break down after exposure to certain substances) ([PA 23-42](#), effective July 1, 2023, except that the working group provisions are effective upon passage).

Smoke Detector Affidavits

A new law makes several changes in a smoke and carbon monoxide detector disclosure law for residential buildings. Under prior law, the transferor (e.g., seller) of a one- or two-family residence had to generally give the transferee (e.g., buyer) an affidavit certifying certain conditions about the detectors or credit the transferee with \$250 at the closing. Among other things, the act (1) eliminates the credit option, (2) extends the affidavit requirement to transfers of units in residential common interest communities, and (3) modifies the content required in the affidavit and when it must be given. It also requires the State Fire Marshal's Office to create a (1) model form that may be used for the affidavit and (2) guide outlining smoke detector requirements to help transferors complete the affidavit ([PA 23-164](#), effective October 1, 2023).

Common Interest Communities

Common Interest Ownership Act

A new law makes various revisions to the Common Interest Ownership Act (CIOA), which governs many condominium and other common interest communities in the state. It requires common interest community associations to keep confidential any unredacted records that identify how a unit owner voted. It increases the fee that unit owners must pay for the required resale certificate when selling their unit, from an association-set fee of up to \$125 to a standard fee of \$185, and provides for potential annual increases tied to inflation.

The act allows residential common interest communities to vary or waive existing law's insurance requirements for a building's units if all units within the building are restricted to nonresidential use.

It also specifies that owners may vote, by electronic or paper ballot, either before or during a meeting (whether held in-person, remotely, or a hybrid) or any continuation of it. As under prior law, this applies unless the association's declaration or bylaws prohibit or limit voting in this way ([PA 23-18](#), effective October 1, 2023).

Notice of Foreclosure on a Lien

A new law specifies that the 60-day notice common interest community (e.g., condominium) owners' associations must give holders of previously recorded first or second security interests (e.g., mortgages) before bringing an action to foreclose a lien on a unit is not an unauthorized communication with a third party under state laws or regulations governing creditors' collection practices ([PA 23-119](#), effective October 1, 2023).

Department of Housing

DOH Changed to Executive Agency

This session, the legislature enacted legislation making the Department of Housing (DOH) an executive branch agency. Under prior law, DOH was within the Department of Economic and Community Development (DECD) for administrative purposes only ([PA 23-204](#), §§ 129-131, effective October 1, 2023).

Housing Trust Fund Program Advisory Committee

New legislation eliminates the Housing Trust Fund Program Advisory Committee. DOH's Housing Trust Fund Program was established in 2005 to, among other things, promote the rehabilitation,

preservation, and production of rental and homeownership housing for low- and moderate-income households ([PA 23-207](#), § 37, effective October 1, 2023).

RAP Study and Program Expenditures

This session, the legislature required the DOH commissioner, within available appropriations, to study methods to improve the efficiency of processing applications under the department’s Rental Assistance Program (RAP). Under the act, the DOH commissioner must report the study’s findings and recommendations to the Housing Committee by January 1, 2024. Additionally, the act requires the commissioner to affirmatively seek to spend all funds appropriated to the program annually without regard to population limitation established in prior years ([PA 23-207](#), §§ 20 & 21, effective upon passage, except the appropriations provision is effective October 1, 2023).

Security Deposit Guarantee Program

New legislation makes several changes to DOH’s security deposit guarantee program, which provides a deposit guarantee that a person may use in place of a security deposit. The act generally extends eligibility for the program to any person with a documented financial need whose income is less than 60% of the state median income. It also reduces, from every 18 months to every 24 months, the frequency with which a person may apply for assistance unless the DOH commissioner grants an exception. The act allows the commissioner to deny eligibility to an applicant after paying one or more claims by a landlord, rather than after paying two claims as prior law allowed ([PA 23-207](#), § 9, effective July 1, 2023).

Homelessness and Emergency Housing

Declaring Homelessness a Public Health Crisis

A new law declares homelessness a public health crisis in Connecticut that will continue until the right of homeless individuals to receive emergency medical care, as guaranteed by the homeless person’s bill of rights, is adequately safeguarded and protected ([PA 23-195](#), § 16, effective upon passage).

Hotels and Motels as Emergency Housing

Under prior law, the Department of Social Services could use state funds to pay for emergency housing in hotels or motels for cash assistance recipients only during disasters or other catastrophic events. A new law repeals this limitation, conforming to current practice ([PA 23-204](#), § 443, effective upon passage).

Housing Affordability and Availability

Affordable Housing Roundtable Group

The legislature passed a new law creating a 24-member majority leaders' roundtable group on affordable housing. The act requires the group to study certain topics related to promoting and developing affordable housing in the state. The Senate and House majority leaders serve as the working group's chairpersons. Beginning by January 1, 2024, the group must annually report its findings and recommendations to the Housing Committee ([PA 23-207](#), § 36, effective upon passage).

Fair Share Housing Allocation Methodology

A new law requires the Office of Policy and Management (OPM) secretary, in consultation with the DOH and DECD commissioners, to create a methodology for each municipality's fair share allocation of affordable housing by generally (1) determining the need for affordable housing units in each of the state's planning regions and (2) fairly allocating this need to each region's municipalities. The OPM secretary must create the methodology by December 1, 2024, and in doing so, may consult with experts, advocates, statewide organizations representing municipalities, and organizations with expertise in affordable housing, fair housing, and planning and zoning.

The act also requires the OPM secretary, by December 1, 2024, and in consultation with the DOH and DECD commissioners, to use the methodology to determine the minimum need for affordable housing units for each planning region and a municipal fair share allocation for each region's municipalities. The methodology must generally rely on specified federal data and meet certain requirements. The OPM secretary must submit the fair share allocation methodology to (1) the Housing and Planning and Development committees and (2) each chamber of the General Assembly for approval ([PA 23-207](#), § 18, effective July 1, 2023).

Landlord Participation in Tenant-Based Rental Assistance Programs

New legislation requires the DOH commissioner, within available appropriations and in consultation with the Connecticut Housing Finance Authority (CHFA) and housing authority representatives that she selects, to establish a program to encourage and recruit landlords to accept from prospective tenants federal Housing Choice Vouchers (HCV), state RAP certificates, or payments from any other state-administered programs providing rental payment subsidies. The program can include advertisements, community outreach events, and communications with landlords who participate in other state housing programs. The act requires the DOH commissioner, starting by October 1, 2024, to report annually to the Housing Committee on (1) the program's status, including its effectiveness, and (2) related recommendations ([PA 23-207](#), § 19, effective October 1, 2023).

Municipal Reports on Housing Stock Changes

A new law requires every municipality to report to DECD on the annual number of (1) new dwellings permitted, including whether they are in single family, two-to-four family, or larger multifamily properties, and (2) dwelling units demolished. The first report, covering 2018-2022, is due December 31, 2023, with annual reports subsequently due by March 31 each year, beginning in 2024. Municipalities that do not comply are deemed ineligible for discretionary state funding that DECD administers ([PA 23-204](#), § 199, effective October 1, 2023).

OPM Housing Programs Report

Existing law requires OPM to (1) aggregate certain data on federal and state housing programs in the state; (2) analyze the programs' impact on economic and racial segregation using certain tools used by the U.S. Census Bureau; and (3) report its findings and recommendations to the Housing Committee biennially, starting by January 1, 2022. A new law ends this reporting requirement by making the office's final report due by January 1, 2024 ([PA 23-204](#), § 71, effective upon passage).

School Construction Reimbursement for "Inclusive Municipalities"

Under a new law, local or regional boards of education located in an "inclusive municipality," as determined by the DOH commissioner, are eligible for a five percentage point increase to their state grant reimbursement rate for school building projects. To qualify as an inclusive municipality, a municipality must meet specified requirements, including having (1) a population greater than 6,000; (2) a share of affordable housing units that is less than 10% of its total housing; (3) certain zoning regulations; and (4) constructed deed-restricted affordable housing units equal to at least 1% of the municipality's total housing units in the three years before applying ([PA 23-207](#), § 42, effective October 1, 2023).

Study of State Property That Could be Developed as Housing

A new law requires the OPM secretary, in consultation with the administrative services and transportation commissioners, to study whether any state-owned real property (excluding conserved lands) is available and suitable for developing as housing. The study must focus on property that is suited to transit-oriented and affordable housing development and must be submitted to the governor and legislature by January 1, 2024 ([PA 23-204](#), § 200, effective October 1, 2023).

Supportive Housing for Parents With Substance Use Disorder Report

A new law requires the mental health and addiction services commissioner to report to the Housing, Human Services, and Public Health committees by January 1, 2024, on access in the state to

supportive housing for pregnant and parenting people with a substance use disorder ([PA 23-97](#), § 31, effective upon passage).

Housing and Community Development

Connecticut Municipal Redevelopment Authority (MRDA)

MRDA is a quasi-public agency authorized to stimulate economic development and transit-oriented development. A new law expands MRDA's purposes to also include providing financial support and technical assistance to municipalities to develop "housing growth zones." These are areas around a central business district or passenger transit station in which local zoning regulations facilitate substantial new housing development.

The act eliminates the provision in prior law creating mandatory member municipalities and limiting optional membership to larger municipalities. In doing so, it allows any municipality outside the Capital Region Development Authority's jurisdiction to work with MRDA.

The act also appropriates \$600,000 in both FYs 24 and 25 from the General Fund to DECD for MRDA's expenses ([PA 23-204](#), §§ 1, 31 & 194-198, various effective dates). Additionally, the legislature authorized \$60 million in bonding to capitalize MRDA ([PA 23-205](#), § 92, effective July 1, 2023).

Grant Program for High Poverty-Low Opportunity Census Tracts

This year's bond act requires the DECD commissioner to establish a grant program to fund eligible projects in "high poverty-low opportunity census tracts." Under the act, these are census tracts in which at least 30% of the residents have incomes below the federal poverty level, according to the U.S. Census Bureau's most recent five-year American Community Survey. The act also authorizes general obligation (GO) bonds of up to \$50 million per year from FYs 24-29 (\$300 million total) for the program.

An eligible project must seek to reduce concentrated poverty and its effects within the qualifying census tract. These projects generally include (1) building, renovating, and rehabilitating mixed-income rental and owner-occupied housing; (2) establishing or improving workforce development programs; and (3) building, renovating, or rehabilitating public infrastructure to support and improve private investment opportunities, quality of life, and public safety ([PA 23-205](#), §§ 101-104, most provisions effective July 1, 2023).

Housing Environmental Improvement Revolving Loan Fund and Retrofit Pilot Program

Under this session’s bond act, DEEP, in collaboration with DOH, must start one or more pilot programs providing financing for qualifying retrofitting projects in multi-family homes located in environmental justice communities or alliance districts. Under the act, this financing is funded through a new Housing Environmental Improvement Revolving Loan Fund. The act authorizes \$125 million in GO bonds to capitalize this fund (\$50 million for FY 24 and \$75 million for FY 25).

Qualifying projects generally must (1) improve a home’s energy efficiency, (2) remediate health and safety concerns that are barriers to the retrofit, or (3) provide services to help residents and building owners access and implement the act’s retrofit programs or other energy efficiency retrofit programs.

The act requires DEEP to begin accepting applications from owners of eligible units by July 1, 2024. Additionally, the department must report on the pilot to the Housing Committee by October 1, 2027, including (1) an analysis of its success and (2) recommendations on creating a permanent program. The pilot program terminates on September 30, 2028 ([PA 23-205](#), §§ 90 & 91, effective October 1, 2023, except the bond authorization is effective July 1, 2023).

Workforce Housing Developments

A new law establishes various state and local financial incentives for individuals and businesses investing in and developing rental units set aside for designated workforce populations under certain programs. Among other things, the act:

1. establishes a new tax credit against the personal income and corporation business taxes, administered by DOH, for individuals or entities making cash contributions to eligible developers constructing or rehabilitating eligible “workforce housing opportunity development projects” in federally designated opportunity zones; and
2. expressly allows businesses making cash contributions to nonprofits developing eligible “workforce housing development projects,” including those in an opportunity zone, to qualify for tax credits under CHFA’s Housing Tax Credit Contribution program ([PA 23-207](#), §§ 28-35, most provisions effective June 1, 2024).

Housing Authorities

Housing Authority Requirements

This session the legislature established several new requirements for housing authorities, including requiring:

1. existing and new housing authority commissioners to participate in a training provided by an industry-recognized training provider;
2. housing authorities receiving state assistance to annually give tenants, beginning when they sign their initial lease: (a) contact information for the authority's management, local health department, and Commission on Human Rights and Opportunities and (b) a copy of the judicial branch's guidance on tenants' and landlords' rights and responsibilities; and
3. any housing authority subject to the state's Single Audit Act to include the audit results in the annual report the authority must submit to the housing commissioner and the chief executive officer of its municipality ([PA 23-207](#), §§ 11, 12 & 15, effective October 1, 2023).

Housing Project Disposition

A new law modifies two of the four conditions that must be met for housing authorities to sell, lease, transfer, or destroy a housing project that will not be available for, or replaced by, low-or moderate-income rental housing.

Under existing law, one of these conditions requires a finding by the housing commissioner that the housing authority developed a plan for these actions in consultation with municipal representatives and the project's residents and made adequate provision for them to participate in the plan. The act allows the plan to include constructing deed-restricted units that are owner-occupied single-family or multifamily housing to replace existing units at a one-to-one ratio or higher.

A second condition under existing law requires a finding by the commissioner that anyone displaced by the action will receive assistance under the Uniform Relocation Assistance Act and either be relocated to a comparable public or subsidized housing dwelling unit in the municipality or be given a tenant-based rental subsidy. The act additionally allows her to find that a displaced person will be relocated to a deed-restricted housing unit within a single-family or multifamily residence in the same municipality ([PA 23-144](#), effective October 1, 2023).

Publishing Payment Standards for Tenant-Based Rental Assistance and DOH Common Rental Application

This session, the legislature enacted legislation requiring any housing authority that administers a tenant-based rental assistance program to publicly post a payment standard (or similar maximum monthly assistance payment) within 30 days after setting or updating it. The act requires a housing authority to post the payment standard in a prominent and publicly available location on its website or the website of the municipality in which it is located. The posting must include (1) a disclaimer that the maximum payment standard may not be applied in full to the actual rental rate the

applicant paid in certain circumstances and (2) any rules or regulations the authority has adopted on rental assistance programs.

Additionally, the act requires the housing commissioner, in consultation with the state's housing authorities, to develop a common rental application that may be used by the housing authorities ([PA 23-207](#), §§ 40 & 41, effective October 1, 2023).

Housing Finance

Connecticut Housing Finance Authority (CHFA) Programs

This session, the legislature expanded and modified CHFA homeownership loan programs. A new law requires CHFA, within bonding resources allocated to DOH, to establish a small multifamily lending program generally for properties with two to 20 units. The authority must establish program guidelines for issuing these loans by January 1, 2024.

Among other changes to its existing programs, the act allows CHFA homeownership loan program deferred loans to defer both principal and interest payments, instead of only principal ([PA 23-45](#), §§ 5-9, effective October 1, 2023, except the multifamily lending program provisions take effect July 1, 2023).

Credit Card Access to Home Equity Lines of Credit

State law allows a consumer revolving loan (e.g., home equity line of credit) secured by an open-end mortgage to have the same priority as the mortgage over the rights of others to a property the mortgage is attached to if specific conditions concerning the loan and mortgage are met. New legislation changes conditions on the consumer revolving loans to allow borrowers to access the proceeds from these loans by certain credit cards, credit plates, or other similar payment methods, if offered by their lenders. Generally, it permits their use if loans allow access, through a card or similar instrument, by single advancements of at least \$1,000 ([PA 23-78](#), effective October 1, 2023).

Foreclosure Mediation Program

A provision in a new law requires a borrower that agrees to modify a mortgage under the state's foreclosure mediation program to send the modification to the lender at least 15 business days before the first modified payment is due ([PA 23-45](#), § 1, effective October 1, 2023).

Housing Violations

Abandoned and Blighted Property Receiverships

Prior law provided a judicial process to appoint a receiver to rehabilitate and dispose of abandoned properties in municipalities with populations of at least 35,000. A new law lowers the population threshold, making the process available in any municipality with at least 15,000 people ([PA 23-33](#), § 1, effective October 1, 2023).

Housing Code Violation Forms

Under new legislation, agencies empowered to enforce municipal health and safety standards or the local housing code (i.e., the board of health or other designated authorities) must create and make available housing code violation complaint forms, in both English and Spanish, for tenants to use ([PA 23-207](#), § 14, effective October 1, 2023).

Housing Receivership Revolving Fund

Existing law establishes the Housing Receivership Revolving Fund, administered by the DOH commissioner, and authorizes the Superior Court to allow the fund to be used to cover the expenses incurred by a receiver. (By law, apartment buildings in serious disrepair may be placed in receivership when the owner fails to comply with an order to abate a nuisance.)

A new law expands the conditions under which the court may authorize the fund's use by (1) eliminating a requirement that the building in receivership have no more than 20 units or be a mobile manufactured home park or a space or lot there and (2) increasing, from \$5,000 to \$10,000, the cap on the anticipated per-unit average expense from the fund.

The act also increases (1) from \$300,000 to \$50.3 million, the program's bond authorization and (2) from \$200,000 total to \$1 million per year, the amount that may be spent from the fund in any single municipality. By law, the court may only authorize the fund's use if sufficient sources of money are not otherwise immediately available ([PA 23-205](#), §§ 66 & 67, effective July 1, 2023).

Increased Fines for Housing Violations

Existing law allows municipalities to set penalties of up to \$250 for violations of their regulations and ordinances adopted under their statutorily enumerated general powers. A new law additionally allows municipalities to prescribe civil penalties of up to \$2,000 against rental property owners for each violation of the municipality's rules on maintaining safe and sanitary housing. However, the act requires that municipalities enforce multiple violations discovered on the same date as one violation.

The act allows an owner who is assessed this penalty to appeal to the municipality's legislative body, or board of selectmen where the legislative body is a town meeting, on the grounds that the violation was proximately caused by a tenant's deliberate or reckless action ([PA 23-207](#), § 3, effective October 1, 2023).

Notice to Lienholder Related to Property Maintenance Violations

Under prior law, a blanket provision required municipalities to notify a lienholder about any notice or order to a property owner to dispose of real estate or make it safe and sanitary. Municipalities had to similarly inform lienholders when they (1) incur costs to dispose of the property or make it safe and sanitary or (2) record a lien for these costs on the land records. A new law eliminates these broadly applicable notice requirements for lienholders if the notice is about making property safe and sanitary but not about disposing of it ([PA 23-33](#), § 8, effective October 1, 2023).

State and Local Enforcement of Blight Violations

A new law broadly expands state and local authority to regulate blight to include regulating blighted commercial properties. It also (1) increases the municipally imposed civil penalties for blight ordinance violations from a daily maximum of \$100 to \$1,000 under certain circumstances; (2) allows municipalities to correct violations without providing notice and an opportunity for correction if a property is cited at least three times in 12 months; and (3) eliminates the option to pay the state blight fine (up to \$250 per day) through the Superior Court's Centralized Infractions Bureau ([PA 23-33](#), §§ 2-4 & 7, effective October 1, 2023).

Tenement Rent Receivership Proceedings

Existing law allows courts to establish a rent receivership after finding that certain conditions affecting health or safety exist in a tenement (i.e., a building with at least three rental units). If established, the rent receiver uses the property's rental income to pay for correcting the cited conditions or reimburse the municipality for correcting them. Under a new law, when a municipal authority (as opposed to the tenants) requests a rent receivership, mortgagees and lienholders do not need to participate in proceedings to determine whether a receiver should be appointed; only property owners must respond to the municipality's request ([PA 23-33](#), § 9, effective October 1, 2023).

Housing Discrimination

Fair Housing Disclosure During Closing

A new law requires sellers to provide a one-page disclosure on housing discrimination and federal and state fair housing laws at the closing for any residential property, not just closings for properties with at least two units ([PA 23-84](#), § 37, effective April 1, 2024).

Housing Discrimination Based on Sexual Orientation

New legislation subjects the rental of certain owner-occupied dwelling units to a state law that prohibits housing discrimination specifically due to a person's sexual orientation or civil union status. Under prior law, these antidiscrimination provisions did not apply to the rental of (1) rooms in a dwelling the owner lives in or (2) units in a dwelling containing up to four units, one of which the owner occupies. The act eliminates this exemption, and in doing so subjects such an owner who violates the state's anti-housing discrimination law to a class D misdemeanor, punishable by up to 30 days in prison, a fine of up to \$250, or both ([PA 23-207](#), § 26, effective October 1, 2023).

Removal of Certain Eviction Records

A new law requires the Judicial Department to remove from its website any records or identifying information related to an eviction proceeding that is withdrawn, dismissed or nonsuited, or decided in the tenant's favor. It must do this within 30 days after the action's disposition. The act also (1) prohibits the Judicial Department from including removed records in any sale or transfer of bulk case records to a person or entity purchasing them for commercial purposes and (2) expressly prohibits commercial purchasers from disclosing a removed record ([PA 23-207](#), § 23, effective July 1, 2024, and applicable to any summary process action disposed of either before or after this date).

Landlord and Tenant

Limits on Late Charges for Overdue Rent

By law, if a rental agreement requires tenants to pay a late charge for overdue rent, it must give them a nine-day grace period (or four days for week-to-week tenancies), before imposing the charge. New legislation limits the late charges landlords may impose after this grace period has passed. Under the act, if a rental agreement contains a valid written agreement to pay late charges after the grace period, the charges cannot exceed the lesser of (1) \$5 per day, up to a \$50 maximum, or (2) 5% of the overdue rent or 5% of the tenant's share of the rent in the case of rental agreements that are partially paid by a government or charitable entity.

The act also prohibits (1) rental agreements from requiring tenants to agree to late charges that exceed these limits and (2) landlords from assessing more than one late charge on an overdue rent payment ([PA 23-207](#), §§ 7 & 8, effective October 1, 2023).

Limits on Rental Application-Related Fees

A new law prohibits landlords from requiring prospective tenants to pay any fees, charges, or payments for reviewing, processing, or accepting a rental application, or make any other payments before or at the start of tenancy, with certain exceptions. The act excludes from this prohibition (1) security deposits, (2) advance payments for first month's rent, (3) deposits for a key or other special equipment, and (4) fees for a tenant screening report.

Beginning on October 1, 2023, the act limits the fee a landlord can charge for a tenant screening report to \$50 plus an inflation adjustment. Among other things, the act also prohibits landlords from charging tenants a move-in or move-out fee ([PA 23-207](#), §§ 5 & 6, effective October 1, 2023).

Municipal Landlord Identification Requirements

This session, the legislature modified municipal landlord identification requirements. By law, municipalities can require nonresident owners and landlords renting to federal HCV program participants (i.e., project-based housing providers (PBHPs)) to give (1) their current residential addresses or (2) the current residential address of the agent in charge of the building if the owners are a business entity that owns rental property. However, prior law also required PBHPs to provide identifying information and the current residential address of each controlling participant associated with the property (i.e., those with day-to-day financial or operational control).

The act makes changes to this “controlling participant” requirement. It only requires a PBHP to disclose the identifying information and current residential addresses of its controlling participants if the PBHP is a business entity. It also limits the definition of controlling participant to individuals, rather than both individuals and entities. The act extends this requirement to nonresident owners in addition to PBHPs. Starting October 1, 2023, the act also makes the reports given to a tax assessor under these identification requirements confidential and exempt from disclosure under the state's Freedom of Information Act (FOIA) ([PA 23-207](#), § 16, effective October 1, 2023).

Pre-Occupancy Walk-Throughs

Beginning January 1, 2024, a new law requires landlords to give tenants the opportunity to request and complete a pre-occupancy “walk-through” of a dwelling unit after or at the time of entering into a rental agreement. A walk-through is a joint, in-person inspection of a dwelling unit by the landlord and tenant or their designees to note and list the unit's existing conditions, defects, or damages

using a DOH checklist. The act requires the DOH commissioner to prepare this standardized, pre-occupancy walkthrough checklist and make it available on DOH's website by December 1, 2023.

When a tenant vacates the dwelling unit, the act prohibits the landlord from keeping any portion of the tenant's security deposit or seeking payment for a condition, defect, or damage noted in the preoccupancy walk-through checklist ([PA 23-207](#), §§ 4 & 5, effective October 1, 2023).

Rental Property Income and Expense Statements

By law, municipal assessors may require rental property owners to file annual income and operating expense statements to assist in their property valuations. This session, the legislature passed a law that (1) extends, from May 1 to June 1, the deadline for taxpayers to request a filing extension; (2) allows filings and extension requests that are postmarked on or by the due date to qualify as timely even if the municipality receives them after the due date, and; (3) for late filings, sets time limits for municipalities to mail or deliver new bills incorporating the penalty and for bill payments to become due ([PA 23-152](#), effective July 1, 2023).

Return of Security Deposits

A new law generally shortens the deadline for landlords to return a tenant's security deposit and interest on deposits. Under prior law, after a tenancy terminated, landlords were required to return the tenant's security deposit, or the deposit balance if any, plus accrued interest, within the greater of (1) 30 days or (2) 15 days after receiving written notification of the tenant's forwarding address. The act reduces this 30-day deadline to 21 days. It also makes a similar change to a statutory provision requiring landlords to pay interest annually on tenants' security deposits ([PA 23-207](#), §§ 38 & 39, effective October 1, 2023).

Standardized Rental Agreement

This year, the legislature enacted a law that requires the DOH commissioner to develop standardized rental agreement forms that landlords and tenants may use. The forms must (1) contain the essential terms of a rental agreement; (2) be easily readable; and (3) include plain-language explanations of all the terms and conditions, including rent, fees, deposits, and other charges. DOH must post the forms on its website by July 1, 2024, and make them available in both English and Spanish.

Additionally, the act requires the department, by December 1, 2028, to (1) translate these forms into the five most commonly spoken languages in the state, as determined by the housing commissioner, and (2) post the translations on its website ([PA 23-207](#), § 13, effective October 1, 2023).

Violations of Rent Reduction or Suspension Orders

This session, the legislature removed from the list of violations handled by the Superior Court's Centralized Infractions Bureau a violation related to an order of rent reduction or suspension, which is subject to a fine. This includes the following actions: (1) demanding, accepting, or receiving an excess amount of rent while the order is in effect and no appeal is pending; (2) refusing to obey a rent commission's subpoena, order, or decision; or (3) violating any other statutory provision on fair rent and retaliatory actions by landlords.

Under prior law, the violator could mail the fine to the bureau without making a court appearance. Under the act, fines can no longer be mailed in, so a court appearance is required ([PA 23-47](#), § 7, effective October 1, 2023).

Land Use, Planning and Zoning, and Permitting

Group and Family Child Care Homes

Legislation enacted this session modifies laws related to family and group child care homes. Among other things, the new law prohibits zoning regulations from requiring special permits or exceptions for operating these child care homes. It also extends to licensed group child care homes located in a residence, existing law's prohibition against municipal zoning regulations treating licensed family child care homes differently than single- or multi-family dwellings.

Starting by December 1, 2023, the act requires each municipality's chief executive officer to annually submit to OPM a sworn statement (1) confirming that the municipality's zoning ordinances comply with the zoning requirements discussed above or (2) identifying the specific timeframe within which the municipality will bring its zoning ordinances into compliance ([PA 23-142](#), effective October 1, 2023).

Online Building Permit Applications

New legislation explicitly authorizes municipalities to accept electronically submitted building permit applications from contractors, aligning the law's building permit signature requirements with existing practice ([PA 23-114](#), effective October 1, 2023).

OPM Office of Responsible Growth

A new law statutorily establishes the Office of Responsible Growth within OPM's Intergovernmental Policy Division and makes it the successor agency to the office of the same name established by executive order in 2006. It assigns the office various responsibilities, for which OPM is generally responsible under existing law, such as (1) assisting in the ongoing development of responsible

growth goals for the state, regional agencies, local governments, and the public; (2) developing and implementing the state plan of conservation and development; (3) facilitating coordination on development and conservation between the state, planning regions, and municipalities; and (4) administering certain grant programs ([PA 23-207](#), § 17, effective October 1, 2023).

Task Force on Online Land Records and Maps

A new law establishes a task force to study the processes, associated costs, and benefits of creating and maintaining a publicly accessible online database for recording, indexing, and searching land records and maps. The task force must submit a report to the legislature by February 1, 2024 ([SA 23-9](#), effective upon passage).

Training for Certain Land Use Officials

Prior law required each member of a local planning commission, zoning commission, planning and zoning commission, or zoning board of appeals to complete at least four hours of training every other year. A new law exempts from this requirement (1) land use enforcement officers and (2) Connecticut-licensed attorneys who served at least four years on one of these boards or commissions. The act also eliminates the requirement that members complete training biennially, instead requiring them to do so once every four years or once per term, if their term is longer than four years ([PA 23-173](#), § 3, effective October 1, 2023).

Mobile Manufactured Home Parks

Mobile Home Ownership

A new law creates a working group that must study and report to the Banking and Housing committees by January 1, 2024, on ways to increase access to loans for buying mobile manufactured homes ([PA 23-45](#), § 10, effective upon passage).

Mobile Home Park Sales

New legislation expands the types of transactions for which a mobile manufactured home park owner must give the park's residents notice and an opportunity to purchase the park before completing the transaction. With certain exceptions, the act's requirements apply to all sales, leases, or transfers, other than those already covered by existing law. (Existing law, unchanged by the act, applies when the owner intends to discontinue using the property as a mobile home park or sell it to a person who intends to do so.) The act exempts specified types of transactions from its requirements, including those where the other party is an immediate family member of the owner.

Among other things, the new law exempts park owners from state or municipal conveyance tax if they sell, lease, or transfer the park to its residents in accordance with state law. It also allows resident associations to assign purchase rights to the municipality where the park is located or to a housing authority in that municipality, among other entities, to continue using the property as a mobile home park ([PA 23-125](#), effective October 1, 2023).

Real Estate Professionals and Transactions

Acknowledgement of Interpreter Services

This session, the legislature enacted a law that requires parties to a real estate transaction or negotiation to sign a form that specifically acknowledges that a language interpreter's services were used (whether the interpreter is a third party or the real estate agent). It also specifies the form's contents ([PA 23-84](#), § 5, effective April 1, 2024).

Disclosures to Other Party and Prospective Parties

A new law (1) simplifies requirements for real estate licensees' disclosure of their clients' identity by generally requiring disclosure to be made upon request and (2) requires additional disclosures to prospective parties such as those concerning agency relationships and fair housing discrimination ([PA 23-84](#), § 29, effective April 1, 2024).

Enforcement of Real Estate Laws

A new law clarifies that the Department of Consumer Protection (DCP) has broad authority to investigate real estate licensees and others engaged in the real estate business. It allows the department or the Real Estate Commission to impose fines of up to \$5,000 per violation, rather than \$2,000, as was generally the case before. The new law similarly raises the cap, from \$1,000 to \$5,000 on fines imposed by the Real Estate Commission on people engaging in real estate business without the required license. It also sets fines for licensees who fail to complete required continuing education coursework on time ([PA 23-84](#), §§ 9, 15 & 17-18, effective April 1, 2024).

Leasing Agents' Scope of Work and Employment

Legislation enacted this session outlines residential real estate activities a leasing agent is permitted to engage in, which include collecting security deposits, offering or negotiating a rental, or collecting rent. It also specifies under whose affiliation these agents may work ([PA 23-84](#), §§ 7 & 33, effective April 1, 2024).

Prospective Parties' Confidential Information

Existing law, with limited exceptions, prohibits real estate licensees from (1) revealing confidential information about a person whom they represented as an agent, designated buyer agent, or a designated seller agent; (2) using confidential information about that person to the person's disadvantage; or (3) using confidential information about that person for the licensee's advantage or the advantage of a third party. A new law expands these prohibitions to include confidential information about prospective parties (i.e., those communicating with a licensee when contemplating potential representation in a real estate transaction) ([PA 23-84](#), § 31, effective April 1, 2024).

Real Estate Education Programs

This session, the legislature created a statutory scheme setting requirements for schools that offer real estate prelicensing or continuing education courses, which are generally similar to current regulatory requirements related to (1) DCP registration; (2) course offering approvals; and (3) instructor qualifications ([PA 23-84](#), §§ 3-4, 12 & 17, effective April 1, 2024).

Real Estate License Renewals and Reinstatements

A new law (1) requires real estate brokers and salespeople to renew their licenses biennially rather than annually and adjusts fees accordingly; (2) modifies the deadlines and process for seeking license reinstatement; and (3) clarifies the appeals process for license denials ([PA 23-84](#), §§ 11 & 15, effective April 1, 2024).

Reciprocal Licensing for Real Estate Licensees

This session, the legislature eliminated a requirement in the real estate license reciprocity law granting reciprocity to out-of-state credentialed applicants only if the other state grants reciprocity to Connecticut licensees ([PA 23-84](#), § 14, effective April 1, 2024).

Referral Compensation

Legislation enacted this session allows a Connecticut-licensed broker or salesperson to compensate an out-of-state broker or salesperson for referring a prospective party to a real estate transaction in Connecticut ([PA 23-84](#), §§ 27 & 32, effective April 1, 2024).

Wrapping Up or Transitioning Brokerage Business

A new law establishes a process for a brokerage business to wrap up or transition under the oversight of a custodial broker in the event of a broker's death or incapacitation. Under the new law, if either occurs, the executor of his or her estate (or another legally authorized person) may

apply to DCP requesting the appointment of a custodial broker ([PA 23-84](#), § 6, effective April 1, 2024).

Seniors, Veterans, and Individuals With Disabilities

DDS Community-Based Group Homes Plan

A new law requires the Department of Developmental Services (DDS) commissioner, within available appropriations and in collaboration with the housing and correction commissioners, to create a plan for a comprehensive program for community-based group homes for people with intellectual disabilities reentering society from the correctional system. Under the act, the program must provide them supportive services (e.g., assistance with daily living tasks and transportation, medical care, and job training). The commissioner must submit the plan to the legislature by January 1, 2024 ([PA 23-137](#), § 54, effective October 1, 2023).

Group Homes

This session, the legislature made several changes in laws governing where certain community and child-care residential facilities (i.e., certain group homes for adults or children, respectively, who have disabilities) may be located. Among other things, these changes:

1. increase the size, from those housing six people to those housing eight people, of these residences (and certain hospice residences) that are protected from zoning regulations treating them differently than single family homes; and
2. exempt certain community and child-care residences from prohibitions on their locating within 1,000 feet from one another ([PA 23-137](#), §§ 65-68, effective October 1, 2023, as amended by [PA 23-204](#), § 172, effective upon passage).

Homeless and Housing Insecure Veterans

A new law requires the Department of Veterans Affairs, within available appropriations, to convert, rehabilitate, and renovate vacant, underused, or otherwise available properties for housing homeless or housing insecure veterans. The department must build, improve, or remediate infrastructure as needed to support the residential use of these properties ([PA 23-207](#), § 22, effective July 1, 2023).

Municipal Affordable Housing Plans

New legislation expands the existing municipal affordable housing planning requirement by requiring plans submitted to OPM after October 1, 2023, to specify how the municipality will

improve affordable housing unit accessibility for people with an intellectual disability or other developmental disabilities.

Existing law requires all municipalities to adopt an affordable housing plan and submit a copy to OPM at least once every five years. The plan must detail how the municipality will increase its number of affordable housing developments, as defined under CGS § 8-30g ([PA 23-137](#), § 55, effective October 1, 2023).

Required Notice of Protected Tenant Status

State law provides more protections against evictions and rent increases to certain “protected tenants” (i.e., generally those at least age 62 or with a disability) residing in a (1) building or complex consisting of five or more separate dwelling units, (2) mobile manufactured home park (including certain conversion tenants), or (3) dwelling unit in a common interest community where the landlord owns five or more units.

A new law requires landlords, beginning January 1, 2024, to give a written notice summarizing these protections to any tenant that rents, or enters or renews an agreement to rent, one of the units described above. The housing commissioner must create this one-page, plain-language notice summarizing protected tenants’ rights and post it on the department’s website by December 1, 2023. The notice must be available in both English and Spanish ([PA 23-207](#), § 10, effective October 1, 2023).

Supportive Housing Grants for Nonprofits

A new law requires the DDS commissioner to establish a program to provide grants to qualifying private nonprofits for supportive housing for people with intellectual and developmental disabilities, including autism spectrum disorder. It also requires the commissioner to prioritize nonprofits that reserve at least 50% of a housing site’s initial residential capacity for people with these disabilities who are on a supportive housing waiting list DDS or DSS maintains.

Under the act, the DDS commissioner must (1) develop and publish guidelines for awarding program grants and a uniform application form and (2) post these materials on the DDS website by July 1, 2024. Beginning January 1, 2025, he must annually report to the Housing, Human Services, and Public Health committees on how the program’s grant funds were awarded and spent ([PA 23-137](#), § 53, effective July 1, 2023).

Temporary Housing Pilot Program

New legislation requires DOH, within available appropriations, to establish a pilot program to provide temporary housing to people experiencing homelessness and veterans who need respite care. Under the act, the program must (1) be implemented in at least three municipalities with populations of 75,000 or more and (2) provide at least 20 housing units for eligible people in need of respite care due to injury or illness. The act requires the DOH commissioner to establish program eligibility criteria and allows the department to contract with nonprofit organizations to administer it. The pilot program terminates on January 1, 2025, by which time DOH must report on it to the Housing Committee ([PA 23-207](#), § 43, effective October 1, 2023).

Taxes

Historic Homes Rehabilitation Tax Credit

The FY 24-25 budget and implementer act changes the taxes against which historic homes rehabilitation tax credits may be claimed, thereby allowing people and nonprofits receiving the credits to apply them against their own state tax liability, rather than allocating them to a business with sufficient tax liability to claim them. For credits issued on or after January 1, 2024, the act allows (1) nonprofit corporations to claim the credits against the unrelated business income tax and (2) all other taxpayers to claim them against the personal income tax. Credits applied against the income tax are refundable, while those applied against the unrelated business income tax may be carried forward for up to four income years, as existing law allows for business taxpayers claiming the credits ([PA 23-204](#), § 357, effective January 1, 2024, and applicable to tax years starting on or after that date).

Hartford Tax Agreements

Existing law allows Hartford to negotiate and fix assessments on improvements for retail, commercial, and residential uses that are either (1) located within the Adriaen's Landing site, including on-site related private developments, or (2) are qualifying projects (i.e., "capital city projects," which include the construction or rehabilitation of up to 3,000 downtown housing units). A new law extends the maximum term of these fixed assessments from 15 to 20 years and eliminates the requirement that a qualifying project have received at least \$5 million in funding from the Capital Region Development Authority in order to qualify for the fixed assessment ([PA 23-205](#), § 152, effective upon passage).

Real Estate Conveyance Tax Exemptions and Transfers

Legislation enacted this session exempts from the real estate conveyance tax any deeds of property with dwelling units where all of the units are deed-restricted as affordable housing. For

property in which only some of the units are deed-restricted affordable housing, the exemption must be proportionately reduced based on the number of unrestricted units.

Starting in FY 26, the new law requires the comptroller to transfer, from the General Fund to the Housing Trust Fund, any conveyance tax revenue the state receives each fiscal year exceeding \$300 million. It requires the threshold amount for this transfer to be adjusted annually for inflation beginning with FY 27 ([PA 23-207](#), §§ 24 & 25, effective July 1, 2023, except the provisions on the transfer of conveyance tax revenue to the Housing Trust Fund are effective October 1, 2023).

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