

If you're 60 or over, call your local legal aid office:

Eastern CT	800-413-7796	Western CT	800-413-7797
Hartford Area	860-541-5000	Bridgeport Area	800-809-4434
Stamford Area	800-541-8909	New Haven Area	203-946-4811

If you're under 60, call SLS for help:



Statewide Legal Services
1-800-453-3320
860-344-0380

Search our website for help:



www.ctlawhelp.org

HOUSING

LEGAL SERVICES

SELF-HELP SERIES

Tenants' Rights: Rent Increases and Fair Rent Commissions

January 2023



We offer free legal help in many areas, including

- welfare,
- SNAP (food stamps),
- divorce,
- child support,
- domestic violence,
- bankruptcy,
- special education,
- nursing home care,
- health insurance,
- eviction,
- foreclosure,
- and more.

See the reverse side for more about legal services.

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Statewide Legal Services
1-800-453-3320 or 860-344-0380

Search our website for help:



www.ctlawhelp.org

If you're over 60, call your local legal aid office.

Connecticut Legal Services

www.ctlegal.org

Bridgeport

1000 Lafayette Blvd 203-336-3851
Suite 950

New Britain

16 Main Street 860-225-8678

New London

125 Eugene O'Neill Dr.
Suite 120 860-447-0323

Stamford

1177 Summer Street 203-348-9216

Waterbury

85 Central Avenue 203-756-8074

Willimantic

1125 Main Street 860-456-1761

Greater Hartford Legal Aid

www.ghla.org

999 Asylum Avenue
Hartford, CT 06105
860-541-5000

New Haven Legal Assistance Association

www.nhlegal.org

205 Orange Street
New Haven, CT 06510
203-946-4811

Consumer Law Project for Elders

Free legal assistance to people 60 and over throughout Connecticut who have money/debt problems.

1-800-296-1467

Tenants' Rights: Rent Increases and Fair Rent Commissions

Can the landlord raise my rent?	3
What can I do about a rent increase?	4
Can I be evicted for not paying a rent increase?	4
What is a fair rent commission?	4
Who can file a complaint with a fair rent commission?	5
What happens after I file a complaint?.....	6
What happens at a fair rent commission hearing?	7
Towns with Fair Rent Commissions	9

This booklet was produced by Connecticut Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services of Connecticut.

The information in this booklet is based on laws in Connecticut as of 1/2023. We hope that the information is helpful. It is not intended as legal advice. For advice on your situation, call Statewide Legal Services or contact a lawyer.

Simsbury: Call the Simsbury town hall at 860-658-3200.

Stamford: Social Services Commission, 888 Washington Blvd.
9th Floor, Stamford

Westbrook: 866 Boston Post Road, Westbrook, 860-399-3040

West Hartford: 50 South Main St., West Hartford,
860-561-7500

West Haven: Call the West Haven city hall at 203-937-3500.

Wethersfield: Call the Wethersfield town hall at 860-721-2800.

Windsor: 275 Broad Street, Windsor, 860-285-1985

Can the landlord raise my rent?

If you have a written lease that has not expired, your landlord is **not** allowed to raise the rent during the lease unless the lease says so.

If you don't have a written lease, your landlord can propose to raise the rent at any time. For example, if you are a month-to-month tenant, the landlord can ask you to pay more rent the following month without giving you advance notice.

Whether you have a written lease or not, your landlord is not allowed to raise your rent or take away services such as utilities if, in the last 6 months:

- You joined a tenants' union.
- You made a good faith complaint to the health department, housing code office, or the Fair Rent Commission.
- You asked your landlord to make major repairs in your apartment or you filed court papers because your landlord wasn't making necessary repairs. These repairs must be about things that make the apartment unlivable, such as serious insect infestation, lack of heat, or doors that won't lock. Even if your apartment needs repairs, **you must pay your rent on time or your landlord can start an eviction against you.** See the legal aid booklet: *Tenants' Rights: Repairs.*

What if I am a senior or I have a disability?

If you are a senior or you have a physical or mental disability and you live in a building, complex, or mobile home park with 5 or more units, your landlord must **not** raise the rent unless the amount is rea-sonable. If the rent increase does not seem reasonable to you:

- If your town has a fair rent commission, you can file a complaint with that commission. If you don't know if your town has a commission, call town hall and ask.
- If your town does not have a fair rent commission and you are a senior or you have a physical or mental disability, you can sue your landlord to stop the rent increase. If you want to sue, you should talk to a lawyer.

What can I do about a rent increase?

There are ways to fight a rent increase. First, try asking the landlord not to raise your rent, or ask if they can make it a smaller increase. If the landlord agrees, ask them to put your agreement in writing. This will be your new written lease.

If the landlord still wants to raise your rent and your town has a fair rent commission, you can file a complaint with the commission. Fair Rent Commissions have the power to decide if the rent increase is too high.

Whether or not there is a Fair Rent Commission in your town, you should send the landlord a letter saying that you don't agree with the new amount. Continue paying the old rent amount, or pay an increase that you think is reasonable. Always pay on time, and pay by check or money order. Write "Rent in full for the month of _____" on your check or money order.

Can I be evicted for not paying a rent increase?

If you and the landlord can't agree on the rent increase, the landlord can try to force you to move by starting an eviction against you.

What is a fair rent commission?

A Fair Rent Commission can investigate rent complaints from tenants and hold hearings on those complaints. A Fair Rent Commission can then order the landlord to:

- lower the rent,
- phase in a rent increase over time, or
- delay a rent increase until the landlord makes repairs.

If the landlord is ignoring housing code enforcement orders, the Fair Rent Commission can also order the tenant to pay rent to the Commission instead of to the landlord.

Not all towns have a Fair Rent Commission. See the end of this booklet for a list of commissions or call your town hall for information.

Towns with Fair Rent Commission ordinances

Note: Some commissions are currently inactive.

Bloomfield: 800 Bloomfield Avenue, Bloomfield, 860-769-3599

Bridgeport: Call the city hall at 203-576-1311.

Clinton: 54 East Main Street, Clinton, 860-669-9333

Colchester: 127 Norwich Avenue, Colchester, 860-537-7200

Danbury: Call the city hall at 203-797-4500.

Enfield: Call the city hall at 860-253-6300.

Farmington: 1 Monteith Drive, Farmington, 860-675-2390

Glastonbury: Contact the town manager's office at 860-652-7500.

Groton: 134 Groton Long Point Road, Groton, 860-446-5990

Hamden: 11 Pine Street, Hamden, 203-562-5129 ext. 1110

Hartford: 250 Constitution Plaza, 4th Floor, Hartford, 860-757-9049

Killingworth: Contact the town hall at 860-663-1765.

Manchester: 41 Center Street, Manchester, 860-647-3132

New Britain: Contact the New Britain city hall at 860-826-0000.

New Haven: 165 Church Street, 1st Floor, New Haven, 203-946-8156

Newington: 200 Garfield Street, Newington, 860-665-8590

Norwalk: 125 East Avenue, Room 202, Norwalk, 203-854-7989

Rocky Hill: Call the Rocky Hill town hall at 860-258-2700.

- ▶ Delay a rent increase until repairs are made. The Commission has the power to order you to pay rent each month to the Fair Rent Commission instead of to the landlord, but it usually does not make such an order. You should continue to pay your landlord the old rent or the amount that you think is fair.

3. The commission may also give your complaint to other city agencies, such as the Health Department or Housing Code Office. These agencies must then make sure that your landlord repairs the unsafe and unhealthy conditions in your apartment.

Can I listen to the Commission discuss my case?

Yes. The Commission's meetings must be held in public. They usually take place at the same meeting where you testified. You can listen to the meeting, but you may not speak while the Commission discusses your complaint.

What if my landlord retaliates against me for filing a complaint?

If the Fair Rent Commission decides that a landlord has tried to get back at (or retaliated against) a tenant for complaining to the Commission, it can order the landlord to stop the retaliation.

What if my landlord doesn't follow the Fair Rent Commission's orders?

If your landlord does not follow any order of the Fair Rent Commission, you should tell the Commission right away.

What if I do not agree with the Fair Rent Commission's decision?

You have a right to appeal the Fair Rent Commission's decision. An appeal is a court case that must be taken to the housing session in the area in which you live. If you want to appeal a Fair Rent Commission decision, call Statewide Legal Services at 1-800-453-3320.

Who can file a complaint with a fair rent commission?

If you live in a town with a Fair Rent Commission, you can file a complaint. You do not need to have a written lease or a lawyer to file a complaint.

Note: Seasonal renters who rent 120 days per year or fewer cannot file a complaint with a Fair Rent Commission.

When should I file a complaint?

You can file a complaint with the Fair Rent Commission if:

- The rent increase seems too high.
- Your landlord wants to start charging you for utilities that used to be included in your rent.
- You think the amount you pay for rent is unfair because your apartment is unsafe, unhealthy, or violates the housing code.
- You complained about the conditions in your apartment and the landlord raised the rent in response to your complaint.

How do I file a complaint with the Fair Rent Commission?

- Dial 2-1-1 or go to <http://uwc.211ct.org/fair-rent-commissions-connecticut> to find a Fair Rent Commission office. Not all towns have a Commission. A list of towns that have commissions is also at the end of this booklet.
- Ask for a complaint form and fill it out.
- Make two copies of your complaint and keep one for yourself.
- File your complaint with the Commission.

Remember: Your landlord cannot evict you just because you filed a complaint with the Fair Rent Commission, but **you can be evicted if you do not pay rent each month.** If you have paid your rent and your landlord tries to evict you after you filed a complaint with the Commission, tell the Commission right away and call Statewide Legal Services at 1-800-453-3320.

What happens after I file a complaint?

The Commission will investigate your complaint and schedule a hearing. But they may first meet with you and your landlord to see if you can make an agreement.

You don't have to make an agreement with your landlord, but you can if the agreement seems fair. If you can't make an agreement, tell the Commission you want a hearing.

Each month when your rent is due, offer to pay the old rent amount or a higher rent amount that you think is fair. Keep offering this rent until the Commission has ruled on your complaint.

How can I get ready for my hearing with the Fair Rent Commission?

- ▶ Before the hearing, tell the Commission if you want copies of city or town documents such as code enforcement or health department reports about your property.
- ▶ If you would like a witness, such as a repair person, a code inspector, or a town employee, to speak at the hearing, tell the Commission. If a witness refuses to go to the hearing, ask the Commission to order (or *subpoena*) the witness to go to the hearing and to bring the documents you need to help your case.
- ▶ Make two copies of these papers:
 - Proof of your income, such as paycheck stubs.
 - Copies of your utility bills if you pay utilities and they are high.
 - The Housing Code Office's report or Health Department report, if there is one.
- ▶ Practice what you want to say, and write notes to help you remember. If you get nervous, you can read from your notes.
- ▶ Describe any unsafe, unhealthy, or unlawful conditions in your apartment such as pests, leaks, or no water. Bring photos that show these problems.
- ▶ You have the right to have a lawyer speak for you at the hearing.

What will happen at the hearing?

- You, the landlord, and any witnesses must take an oath to tell the truth.
- You and the landlord will each get a chance to speak, show important papers and photos, and call witnesses.
- You have the right to ask questions of the landlord and the landlord's witnesses.
- The Commission will record the hearing and decide your case either after the hearing or at a later date.

How does the Commission make its decision?

The Commission considers many things, especially:

- The amount of the increase and any other recent rent increases.
- The rent for similar units in your area.
- Your income and your ability to pay the higher rent.
- If your unit is in good condition or if it needs repairs.
- The landlord's costs and how the rent increase will be used.
- Damage to the apartment beyond normal wear and tear.
- If the unit is furnished or includes utilities.

What will the Commission do after the hearing?

After the hearing, the Fair Rent Commission considers the testimony and documents. It can decide a number of things:

1. It can decide that the rent increase is fair and order you to pay it.
2. It can decide that the rent increase is unfair and do one of these things:
 - ▶ Set the rent at a fair amount and order the landlord to accept that amount as rent. It may decide that the rent has to be increased gradually so you don't have a large increase all at once.