

LEGAL NOTICE

CITY OF TORRINGTON

ESTABLISHING A FAIR RENT COMMISSION ORDINANCE

Be it Ordained by the Board of Councilmen of the City of Torrington that the following Chapter 24 has been established in the Code of Ordinances:

CHAPTER 24 FAIR RENT COMMISSION

There shall be a Fair Rent Commission comprised of seven residents of the City. The Fair Rent Commission shall have the authority, powers, responsibilities, and duties vested in such Commission pursuant to Connecticut General Statutes (CGS) §7-148b et seq.

§ 24 - 1 Appointments; terms of office; chair; quorum; compensation.

- (A) *Generally.* The Mayor, with the approval of the City Council, shall appoint seven members of the Fair Rent Commission, who shall undertake studies, conduct hearings and receive complaints relative to rental charges on housing accommodations, except those accommodations rented on a seasonal basis, within their jurisdiction, which term shall include mobile manufactured homes and mobile manufactured home park lots, in order to control and eliminate excessive rental charges on such accommodations, and to carry out the provisions of CGS §7-148b – 7-148f, inclusive, §47a-20 and 47a-23c(b). The Fair Rent Commission shall not investigate complaints submitted to commission members but shall designate this power to complaint investigators.
- (B) *Appointment of members/ex-officio.* The Mayor, with the approval of the City Council, shall appoint as members to the Fair Rent Commission, two persons who are tenants, two persons who are landlords, and three persons who are neither landlords nor tenants. The Commission may invite to any hearing or investigation as resource personnel any City Building, Fire, Zoning, Blight, and /or other officials who will serve ex-officio without voting privileges.
- (C) *Terms; vacancies.* Members of the Fair Rent Commission shall be appointed for overlapping terms of two years. In order to establish such staggered terms, the initial appointments shall be as follows:
 - a. The Mayor shall appoint four (4) persons, one who is a tenant, one who is a landlord, and two who are neither a tenant or landlord, who shall serve an initial term of one (1) year;
 - b. at the same time the Mayor shall appoint three (3) persons, one who is a tenant, one who is a landlord, and one who is neither a tenant or landlord who shall serve an initial term of two years.
 - c. Thereafter each member shall serve a term of two years.

Vacancies on the fair rent commission shall be filled in the manner of the original appointment for the unexpired portion of the term. Any member of

the Fair Rent Commission may be reappointed for an additional term in the manner of the original appointment.

- (D) *Chair*. The Fair Rent Commission shall annually designate one member to serve as chair.
- (E) *Quorum*. A quorum for voting purposes shall consist of four members.
- (F) *Compensation*. Members of the Fair Rent Commission shall receive no compensation as such for their services as members.

§ 24 - 2 Complaint Investigators.

- (A) Within 14 days after the establishment of the Fair Rent Commission, the Mayor shall appoint up to three persons to serve as complaint investigators. The investigators shall serve for a term of one year and may be reappointed by the Mayor. An investigator may be a City employee, or a contractor hired by the City.
- (B) At no time shall any investigator privately report any matter relative to any investigation to any hearing officer or any other person. Investigation reports shall be submitted in writing to each hearing officer before a fair rent commission hearing or orally at the commission meeting.

§ 24 - 3 Complaint and hearing procedure.

- (A) Upon receipt of a complaint by any Fair Rent Commission member, the chair shall order one or more investigators to investigate the complaint. Each complaint shall be investigated within 30 days from its receipt by the Fair Rent Commission member. In their investigations, investigators shall consider the criteria for determining excessive rents established by CGS §7-148c. During the investigation, the rent in question shall be continued until a final decision by the Commission.
- (B) The Fair Rent Commission chair shall cause a hearing to be held on each such complaint not later than 45 days from its receipt by a commission member.
- (C) A memorandum of decision shall be filed by the Fair Rent Commission not later than 21 days from the date of the hearing. Should the Commission fail to file a memorandum of decision within the 21-day period, the complaint shall fail and any action taken by the Fair Rent Commission with respect to the particular case involved shall be null and void. The memorandum shall state the reasons for the Fair Rent Commission's decision. The decision must be ratified or rejected at the next meeting of the Fair Rent Commission in accordance with the procedure established by the Fair Rent Commission. Each memorandum of decision shall be kept on file by the Fair Rent Commission in the office of the Town Clerk and from the moment of filing shall be open to the public.
- (D) Each complainant and each respondent may be represented by one or more attorneys of his/her choice or by any persons so authorized in writing by him/her.
- (E) Testimony before the Fair Rent Commission shall be under oath and a verbatim tape (audio/video) recording of each hearing be preserved in accordance with state statutes. Minutes of each Fair Rent Commission meeting shall also be taken and preserved as a public record.

(F) The Fair Rent Commission shall provide the services of an interpreter, whenever requested. The cost of any such interpreter shall be paid by the person requesting.

§ 24 – 4 Holding rents in escrow.

The Fair Rent Commission may hold rents in escrow in accordance with the provisions of CGS §7-148d, but only upon recommendation of the Building Official and upon submission by him/her to the Commission of a report to the effect that the housing accommodation in question fails to comply with chapter, article or any state statute or regulation relating to health and safety.

§ 24 – 5 Appeals.

Any person aggrieved by any order of the Fair Rent Commission may appeal to the Superior Court for the judicial district in which the town is located. Any such appeal shall be considered a privileged matter with respect to the order of trial.

Copies of the Ordinance are available on the City’s website and in the Office of the City Clerk.

Passed: June 5, 2023

Elinor Carbone

Mayor

Published: June 7, 2023

Carol L. Anderson, MMC

City Clerk

Effective: July 7, 2023