

“Supporting Housing Providers”
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Proposed Fair Housing Recommendations

- 1) **Attorney’s fees – push to adopt the Federal rule regarding the recovery of Attorney’s fees in Civil Rights cases** – currently Connecticut General Statutes 52-251(b) and 46a-86(c), among others, provide that only the Plaintiff/tenant can recover fees. The Federal rule is that the “prevailing party” may recover – that would give landlords an incentive to fighting baseless claims if there were a mechanism for recovering at least their legal fees and expenses.
- 2) **C.H.R.O. should not request inappropriate information in their “Schedule A” documents** that are attached to each complaint. They should not ask landlords to identify their tenants by race/color if that has not been their practice. When landlords assemble such a list, at the request of CHRO it can later be used against them.
- 3) **The C.H.R.O. should screen complaints before serving them on landlords.** At least screen out the facially ridiculous ones that H.U.D. refuses to proceed upon.
- 4) **Make the automatic extension of time 30 days** to respond to complaints – from the current 15 day extension.
- 5) **The standard of proof – switch it from “reasonable cause” to “preponderance”** – it should be more likely than unlikely that discrimination occurred before the State formally goes after the landlord
- 6) **Reconsideration process – (Appeals)**
 - a) Extend the right to request reconsideration to landlords/Respondents not just tenants/Complainants
 - b) Limit the number of times that a tenant can request reconsideration – there is no limit currently
 - c) Limit reconsideration to when there have been “Mistakes of law and/or fact” or “new information has become available” – remove the language referencing “other good cause”
 - d) Take the reconsiderations away from the C.H.R.O. Staff attorneys – they are not unbiased they are advocates, they have an incentive to reconsider the case as HUD pays CHRO more money for finding discrimination has occurred than for finding it has-not occurred.
- 7) **Companion animals – require C.H.R.O. to adopt the new standards** put forward in the changes to the A.D.A. concerning licensing companion animals, limiting the number of companion animals, requiring a note from a ‘Doctor’ – not the anything goes approach that is currently going on
- 8) **Reasonable accommodation** – adopt the federal definition of disabled and not the state.

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