

FAIR RENT COMMISSION  
Organizational Meeting  
Thursday, January 18, 2024 @ 5:00 p.m.  
Room 215

1. Call to order
2. Attendance
3. Oath of Office
4. Elect officers
5. Overview of Fair Rent Commission purpose, powers, procedures
6. Review proposed procedural manual & Complaint Form
7. Discussion regarding Investigation procedures/responsible parties
  - a. Appoint complaint investigators by Mayor (3)
8. Discuss complaints received
9. Adopt meeting schedule

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Attorney Magistrali called the meeting to order on January 18, 2024.

Attendance was taken and the following individuals were present at the opening of the meeting: Mayor Carbone, Atty Magistrali, Kevin Gillette, Heather Abraham, Donna Isley, Scott Matava, Travis Lipinski and Connie Quinn.

Atty Magistrali administered the Oath of Office to the Board members in attendance.

Kevin Hayes joined the meeting, and was administered the Oath of Office. Keith Farrell then joined the meeting online, and was administered the Oath of Office.

Ms. Quinn volunteered to serve as interim secretary, and Mr. Hayes volunteered to serve as Chairman of the Board. Mr. Lipinski nominated Mr. Hayes and made the first motion, Ms. Isley seconded it; the vote was unanimous.

Mr. Hayes nominated Ms. Quinn to serve as Secretary, and made the first motion. Ms. Isley seconded the motion; the vote was unanimous.

Discussion took place about how and where complaints would be filed. It was determined that a complaint form modeled after a form from the City of Naugatuck would be made available on the City of Torrington website and paper copies provided in the City Clerk's Office. Complaints were to be filed with the City Clerk via mail, email or in person.

Discussion about the complaint form and procedures took place. Mr. Hayes questioned the need for a renter to include their income on the complaint form. Atty Magistrali explained that information may be necessary for the Board to determine if the rent was "harsh or unconscionable." Mr. Hayes questioned if a hearing would need to take place if the eviction process had been started. Mr. Lipinski asked if it mattered, and Atty Magistrali said eviction proceedings would not prevent a hearing by the Commission from taking place. It would be two separate issues-one being the complaint filed with the Fair Rent Commission, and one with the eviction notice filed in Superior Court.

Ms. Quinn presented a draft proposal for a written form for Board decisions. The form included the thirteen items listed in the CT Statutes regarding circumstances for Fair Rent decisions. The proposed draft would be emailed to all members of the Board for their input.

Discussion took place about investigation procedures, and who would be responsible for conducting the investigations. The burden of proof would be on the renter to gather and present information, while the landlord would be responsible for rebutting the evidence. Mayor Carbone asked Mr. Gillette from the Building Department how investigations were handled by his department. It was determined that the City would use City employees to perform any investigations that needed to be done. Mr. Gillette explained the following departments would be responsible for conducting investigations for specific complaints:

Building Department - building code violations

Torrington Area Health Department – sanitary, bugs, heat, sewer issues

Fire Department – safety issues for three family dwellings and larger, as well as commercial units

Zoning Department – illegal use of a building or blight issues

Assessors Office – deal with the issue of comparable rents

The issue of a timeline for handling complaints was discussed. It was determined that complaints filed with the City Clerk would be forwarded on to the City Attorney and members of the Fair Rent Commission (FRC) Board. If an investigation was required, it would take place within 30 days of the complaint being filed, and the public hearing before the FRC Board within 45 days. A motion was made that the two complaints filed with the City, one on December 18, 2023 and the second on January 10, 2024 would begin the process on January 18. Mr. Matava made the first motion and Ms. Isley seconded it. The vote was unanimous.

Questions were posed about what information was for public knowledge, whether or not private executive sessions were allowed, what information would be made available to the public in accordance with FOI, how complaints would be assigned case numbers and if they could be cross referenced according to renter's name and address, and where the hard copies of the complaints and decisions would be deposited. Atty Magistrali said he would contact Mr. Podolsky to clarify policies about privacy, executive sessions and FOI. Ms. Abraham informed the board it was possible to make an Excel file so case numbers could be searched by name and address.

Mayor Carbone discussed how COVID had an effect on the sale of properties in Torrington by buyers from outside the area, and the effect on the housing situation causing an increase in homelessness. Mr. Hayes added that many property owners were not paid thousands of dollars rent that was due them during the COVID pandemic.

It was determined meetings would be held on the third Thursday of each month at 5:00 PM to hear complaints. It would be the Secretary's responsibility to notify the members of the Board of the meeting. If there were no complaints to hear, the meeting for that month would not be held. All meetings would have an option to attend via Zoom.

Mr. Hayes made a motion to close the meeting and Mr. Matava seconded it. The vote was unanimous.