

Borough of Naugatuck

Fair Rent Commission Handbook

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About the Handbook.....	3
Introduction	3
Purpose of the Fair Rent Commission.....	3
Responsibilities of the Fair Rent Commission	3
Commission Roles and Responsibilities	3
Complaint Process.....	4
Hearings	4
Frequently Asked Questions (FAQ)	6
What is a Fair Rent Commission?.....	6
Who can file a complaint?.....	6
Under what circumstances may a tenant file a rent complaint with the Commission?	6
How does a tenant file a complaint?	6
How does the Commission process complaints?.....	6
How does the Commission determine if a rent is excessive?	7
What amount of rent should a tenant pay while a complaint is pending?.....	7
When will the Commission be unable to accept a rent complaint?	8
What happens after a hearing?	8
What is the remedy for a proven claim of retaliation?	8
Can Hearings be cancelled or changed?	8
Can a decision be appealed?.....	8
Contact and Location	9
References and Forms.....	9
Borough of Naugatuck Fair Rent Commission Ordinance	9
Hearing Agenda and Minutes Form	9
Complaint Form	9
Hearing Decision Form.....	9

About the Handbook

Introduction

In 2022 the Connecticut legislature passed Public Act 22-30, which requires each town with a population greater than 25,000 to adopt a fair rent commission ordinance in accordance with the Fair Rent Commission Act. To comply with the legislation, Naugatuck adopted a town ordinance to create a Fair Rent Commission for the borough. The scope, purpose and responsibilities of the borough’s Fair Rent Commission are documented in Ordinance #136.

The purpose of this handbook is to provide additional information on the Commission’s operating practices and policies. This document will be updated as needed and will be available at Naugatuck-ct.gov web site under Government/Boards and Commissions.

Purpose of the Fair Rent Commission

The Fair Rent Commission was formed to control and eliminate excessive rental charges for housing accommodations within the town, and to carry out the purposes, duties, responsibilities and all provisions of the Connecticut and town ordinances as currently published and as they may be amended.

Responsibilities of the Fair Rent Commission

The Commission will receive complaints, inquiries, and other communications concerning alleged excessive rental charges and alleged violations, including retaliation in housing accommodation (as defined in the Connecticut General Statutes 7-148b to 7-148-f, 47a-20, and 21-80a). Seasonal housing accommodations (rented less than 120 days a year) are excluded from the Connecticut and town ordinances.

Commission Roles and Responsibilities

Commission Member Roles and Responsibilities	Commission	Staff	Recording Secretary
Create Agenda for Public Hearings		✓	
Determine if multiple complaints for the same Landlord, Building, Housing Complex can be consolidated		✓	
Schedule/Facilitate Informal Conciliation meetings		✓	
Schedule/Facilitate Public Hearings	✓	✓	
Follow responsibilities documented in Town of Naugatuck Ordinance	✓	✓	✓
Notify municipal /agency offices of cases concerning potential health, safety or statute violations		✓	

Notify Tenants/Landlords of scheduled Public Hearing, Cancellation or Reschedule		✓	
Notify Tenants/Landlords of receipt of complaint		✓	
Notify Tenants/Landlords of written decision		✓	
Participate in public Hearings and collaborate with all members to reach a fair decision	✓	✓	
Publish Minutes and Decisions from Public Hearings on Naugatuck-ct.gov			✓

Complaint Process

1. The tenant completes a complaint form and submits it to the Fair Rent Commission;
2. The complaint form is dated and assigned a case number (NA -town, yy-year, mm-month, XXX- three-digit number example: NA2306001);
3. A notice is sent to the tenant and the landlord that the complaint has been received and the initial steps taken by the Fair Rent Commission;
4. If the tenant and landlord agree on an informal conciliation meeting, the Fair Rent Commission will schedule and facilitate the meeting;
5. If an agreement is reached during the informal conciliation meeting, a decision document is completed and the case is closed;
6. If an agreement cannot be reached or the tenant and landlord do not want an informal conciliation meeting, a public hearing will be scheduled to resolve the complaint.
7. If a public hearing is scheduled, the tenant and landlord must submit all supporting documentation for their case to the Naugatuck Fair Rent Commission Office no later than seven (7) days prior to the scheduled hearing date.

Hearings

1. Hearings will be held on the 4th Thursday of each month at 6:30 p.m. in Commissioner's Corner, 4th Floor, Naugatuck Town Hall.
2. The hearings are open to the public.
3. People may attend the hearings via teleconference (Zoom) or in person. Teleconference information will be available in the Public Hearing Agenda document.
4. Hearings must have a quorum of 3 commissioners to proceed.
5. Minutes from each hearing will be published within 7 calendar days on the Naugatuck-ct.gov web site (see References section).
6. A completed complaint form may be mailed, emailed or delivered to the Naugatuck Fair Rent Housing office in Town Hall. (see Contact and Location section).

7. All hearing cancellations and changes will be posted on the Naugatuck-ct.gov site. Tenants and Landlords should check the site for updates.
 - a. During inclement weather, hearings will follow the Naugatuck Public School schedule. If a hearing is scheduled on the same day that the Naugatuck Public Schools are closed for inclement weather, the hearing will also be cancelled.
 - b. If a hearing must be cancelled for any other reason, the scheduled Tenants and Landlords will be notified by phone and if possible by email.

Frequently Asked Questions (FAQ)

What is a Fair Rent Commission?

The Fair Rent Commission receives complaints from tenants about increased rent charges that the tenant considers to be unduly excessive. The Commission staff works with the other town departments, to investigate housing code violations.

The Commission will mediate problems between a landlord and a tenant. If the problem cannot be resolved, a public hearing will be held.

Who can file a complaint?

Only tenants in Naugatuck may file a complaint with the Commission. A written lease is not required. The tenant does not need a lawyer to file a complaint.

Under what circumstances may a tenant file a rent complaint with the Commission?

A tenant may file a complaint if:

1. the tenant has been notified of an increase in rent which the tenant believes is excessive, unfair, or unreasonable;
2. a service which the landlord had previously supplied has been transferred to the tenant without a comparable decrease in the rent;
3. there are failures of maintenance, including but not limited to failure to comply with housing, health, or safety codes, that have the effect of decreasing the value of the apartment; or it appears that the landlord has requested the rent increase in retaliation for the tenant's having made a request for repairs; a health, safety or housing code inquiry or complaint to the Town; or taking some other action which the landlord perceives as adverse.

How does a tenant file a complaint?

To file a complaint a tenant must complete a Fair Rent Housing Complaint Form (see Reference section) and submit it to the Fair Rent Housing Commission.

How does the Commission process complaints?

Once a tenant has filed a complaint, a copy of the complaint is sent to the tenant and the landlord along with a letter actions to be taken by the Fair Rent Commission. There are three types of actions:

1. initiate a request with the appropriate municipal / agency offices to assess the housing conditions specified in the complaint;
2. Determine from initial contact with the landlord and the tenant, with or without a meeting whether conciliation might be a viable option and, if so, recommend an Informal Conciliation Meeting with the tenant and the landlord to reach a solution on the complaint;
3. schedule a Public Hearing within the next 30 days and receipt of a report from the appropriate municipal / agency offices (if necessary).

The standard excessive rent investigation includes an on-site inspection of the apartment by Naugatuck housing code enforcement staff; research into Naugatuck records to verify legal ownership of, and the amount of taxes levied against, the building in question; and, if practicable, preparation of a rent survey showing amounts charged to existing occupants of other apartments of similar size, age, condition and services. If violations of the housing, health or fire safety codes are found during the inspection, appropriate orders will issued.

How does the Commission determine if a rent is excessive?

In determining whether a rental charge or a proposed increase in a rental charge is so excessive, with due regard to all the circumstances, as to be harsh and unconscionable, Connecticut law instructs Commissions to consider such of the following circumstances as are applicable to the type of accommodation:

1. The rents charged for the same number of rooms in other housing accommodations in the same and in other areas of the municipality;
2. The sanitary conditions existing in the housing accommodations in question;
3. The number of bathtubs or showers, flush water closets, kitchen sinks and lavatory basins available to the occupants thereof;
4. Services, furniture, furnishings and equipment supplied therein;
5. The size and number of bedrooms contained therein;
6. Repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein;
7. The amount of taxes and overhead expenses, including debt service, thereof;
8. Whether the accommodations are in compliance with the ordinances of the municipality and the general statutes relating to health and safety;
9. The income of the petitioner and the availability of accommodations;
10. The availability of utilities;
11. Damages done to the premises by the tenant, caused by other than ordinary wear and tear;
12. The amount and frequency of increases in rental charges;
13. Whether, and the extent to which, the income from an increase in rental charges has been or will be reinvested in improvements to the accommodations.

What amount of rent should a tenant pay while a complaint is pending?

The filing of a complaint by the tenant does not relieve the tenant from the duty to pay rent on time and in the amount of the last rent prior to the increase complained of or, if there is no such increase, the last agreed-upon rent . If a landlord refuses to accept rent because the tenant has filed a complaint, arrangements can be made for the tenant to pay the rent into the Commission's escrow account.

When will the Commission be unable to accept a rent complaint?

Almost never. The only circumstances explicitly excluded by the state statute are short-term rentals of 120 days or less. A complaint should be accepted, even if:

1. The tenant is behind in the rent;
2. The landlord has started an eviction against the tenant;
3. The tenant's lease is an oral month-to-month lease;
4. The tenant has already signed a lease;

What happens after a hearing?

1. The Commission can decide that the rent increase is fair and order the tenant to pay it.
2. The Commission can decide that the rent increase is unfair and:
 - a. Set the rent at a fair level and order the landlord to accept that amount;
 - b. Decide that the rent increase must be phased-in gradually;
 - c. Delay a rent increase until and housing violations are repaired.

What is the remedy for a proven claim of retaliation?

If a claim of retaliation cannot be resolved by mutual agreement, it will be investigated and subjected to the hearing process. Thereafter, if the Commission concludes that the landlord's requested increase was in retaliation for the tenant's request of repairs, the tenant's filing of a complaint with the commission, or some other action on its part, the Commission has the power to order the landlord to "cease and desist" from such retaliatory action. If the retaliation is the bringing or the continuation of an eviction proceeding in court, the commission can order the landlord to discontinue or withdraw the eviction. The commission cannot, however, issue an order to a court; it's order must be directed to the landlord.

Can Hearings be cancelled or changed?

Yes. All hearing cancellations and changes will be posted on the Naugatuck-ct.gov site. Tenants and Landlords should check the site for updates.

1. During inclement weather, hearings will follow the Naugatuck Public School schedule. If a hearing is scheduled on the same day that the Naugatuck Public Schools are closed for inclement weather, the hearing will also be cancelled.
2. If a hearing must be cancelled for any other reason, the scheduled Claimants and Landlords will be notified by phone and email.

Can a decision be appealed?

Any person aggrieved by any order or decision of the Commission may appeal to the Superior Court within thirty (30) days of the issuance of the written notice of the decision to the parties.

Contact and Location

Lori Rotella
Naugatuck Town Hall
229 Church Street
Naugatuck, CT. 06770

Phone: 203-720-7042

Email: lrotella@naugatuck-ct.gov

References and Forms

Borough of Naugatuck Fair Rent Commission Ordinance
[Fair Rent Commission - Naugatuck, CT \(naugatuck-ct.gov\)](#)

Hearing Agenda and Minutes Form
[Fair Rent Commission - Naugatuck, CT \(naugatuck-ct.gov\)](#)

Complaint Form
[Documents & Forms - Naugatuck, CT \(naugatuck-ct.gov\)](#)

Hearing Decision Form
[Documents & Forms - Naugatuck, CT \(naugatuck-ct.gov\)](#)