

PA 11-203

HB6461

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Calendar Number 482, Substitute for House Bill Number
6461, AN ACT CONCERNING THE SELECTION OF TENANT
COMMISSIONERS, as amended by House Amendment Schedule
"A," LCO Number 5944. There are several amendments
with this bill.

THE CHAIR:

Senator Gomes, good afternoon, sir.

SENATOR GOMES:

Thank you, Madam Chairman -- Madam President.

I -- in concurrence with that House, I moved
joint -- I move to a joint favorable report and urge
passage of the bill.

THE CHAIR:

Thank you, Senator.

Approval on passage of the bill, but can I put
the -- ask you to hold for a moment, sir, and have a
seat, to give a point of personal privilege to another
Senator. Thank you very much.

Senator LeBeau.

SENATOR LEBEAU:

Thank you, Madam President. Good afternoon.

And thank you -- thank you, Senator Gomes, for
taking a moment here.

I'd like to introduce a few people to the Senate.

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THE CHAIR:

Please proceed then, sir.

SENATOR SUZIO:

Thank you.

I'd like to introduce a couple of my constituents who are here attending today as my guests. To the back of me is Anna Newman and Kathy Horsky, both have been very active in our community and are very civically minded individuals, and I'm pleased to have them here today as my guests.

THE CHAIR:

Welcome to the circle.

Please everybody rise and welcome Senator Suzio's constituents.

Thank you.

Any other points of personal privilege?

If not, Senator Gomes, I will continue. You will be remarking further on the bill now.

SENATOR GOMES:

Yes, yes, Madam President.

HB 6461 will allow residents in certain circumstances to choose a tenant commissioner who is suppose to represent them on a Housing Authority Board of Commissioners. If a sufficient number of

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residents, petition, then residents would be able to have an election to select their tenant commissioner. Or if residents choose to get -- join together and elect a tenant counsel that meets federal standards, the tenant counsel may call for an election or directly select a tenant commissioner.

The residents of public housing are actively involved in making their communities better places to live. And current law already requires that they be at least one public housing tenant on every Housing Authority Board. And I moved -- I urge movement on this bill.

THE CHAIR:

Will you remark further?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

I rise in support of the bill. I thank my colleague and friend from Bridgeport as chair of the Housing Committee. This bill at first -- I think I first heard about this bill a couple years ago. I was a member of the Housing Committee. We passed it by a large margin in the Senate and House last year. It was vetoed by Governor Rell. But I think there's been

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some misinformation about this bill so I just wanted to explain why I support it, and, obviously, the district I represent does not have, you know, the amount of public housing as, say, Senator Gomes and others do. And for the last couple of years, tenants, people who live in public housing, have come up saying, look, we have a tenant commissioner, but it's someone who's usually appointed by a mayor, a first selectman or a town council or common council. We'd like that person to be elected by us. It's one of us, why don't you let us choose?

And it just seems so commonsensical that we should do that and to actually encourage people to participate in electoral process to get more active in their public housing seem to be the right thing to do.

There is another small change in this and that regards a difference between federal law and state law. Under federal law, you are allowed to vote on matters before the commission that might involve rents or expenditures of money. You can't vote on, like, a rent schedule which would impact as a -- as a tenant what your rent is. State law prohibits you to vote on many of those things. So since we have a tenant commissioner already on the commission, in any of

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these commissions, we have a tenant who's been violating either federal or state law. It's a -- it's a position they can't win. And quite frankly, what they've been doing is violating federal law because of our state law. This makes -- marries the two laws.

Obviously, we can't marry federal law with state law because we're the state of Connecticut not the United States Congress. So this has our state law conform with our federal law. It is a good measure.

Again, I -- I don't have the amount of public housing authorities, but I do respect and -- the people who've come up year after year as -- as tenants who've said that, you know, look, we -- we -- and it's -- remember it's usually one of five commissioners. We're not talking about a majority of the commission being tenants. It's one of five commissioners. We want the right to -- to pick our own commissioner. And I think that's just good policy, and I want to thank Senator Gomes for bringing it forward.

THE CHAIR:

Thank you, Senator McKinney.

Will you remark further? Will you remark further?

Senator Welch.

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SENATOR WELCH:

Thank you, Madam President.

I do have a few questions for the proponent of the bill, if I may?

Through you, Madam President.

THE CHAIR:

Please proceed, sir.

SENATOR WELCH:

Through you, Madam President.

How are the elections to be conducted?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

Well, elections -- hold on a minute. Elections really will be conducted by an impartial party. Sometimes it will be the League of -- League of Women Voters or the PHRN, which is a group of tenants that -- that have a group that move in an impartial manner.

SENATOR WELCH:

And, through you, Madam President, are they a secret ballot election?

Through you, Madam President.

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Senator Gomes.

SENATOR GOMES:

Through -- through the President to Mr. Welch,
yes, it will be.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

And -- and who incurs the cost for conducting
that election?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

There are provisions with HUD that -- that would
cost within HUD that -- that it would -- won't be of
no -- well, I'll say it this way, would be of -- of a
no cost to the -- to the authorities. Each -- each
city authority will not bear the cost because of --
there is some provisions through HUD that would
recover.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

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So -- so I understand it, HUD will actually pick up the cost?

Through you, Madam President.

SENATOR GOMES:

If you'll hold on a minute --

THE CHAIR:

Senator Gomes.

Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

The Senate come -- Senate will come back to order.

Senator Gomes.

SENATOR GOMES:

Through -- through you, Madam President, to Senator Welch, the municipality will not bear a new cost burden for tenant election, resident elections are an eligible costs to HUD funding and to all federal public housing. Third party, such as the League of Women Voters and a public housing resident network are available to conduct elections without charge.

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THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

And my final question for the Senator is -- is there a appeal process to contest the election?

Through you, Madam -- and if so what is that process?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

What happens if the election is challenged, you're speaking of?

Through the -- through the President.

The amendment states that the third party administering elections, such as the League of Women Voters, will provide for the dispute resolution.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

Those are all the questions I have.

THE CHAIR:

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Thank you very much.

Will you remark further? Will you remark
further?

Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President.

I just have a brief question or two for the
proponent, if I may?

Thank you.

Through you, Madam President.

Just quickly Senator McKinney was explaining a
little while ago there was a conflict, I guess,
between state law and federal law. And I -- I didn't
quite pick it up. Could you just explain how this
corrects the -- that conflict?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

Through -- through you, Madam President, to
Senator Suzio.

Are you saying, do tenant commissions have equal
status with other commissioners? Is that what you're
saying?

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THE CHAIR:

No. Would you repeat your question again,
Senator Suzio, please.

SENATOR SUZIO:

Sure.

My question was I -- I thought I heard Senator
McKinney, who's supporting the bill, explain there's
some kind of a conflict between what state law has
been and federal law. And I was just wondering -- I
didn't quite pick it up totally, and I was wondering
if Senator Gomes could just quickly explain that.

Thank you, Madam President.

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

Could you hold on a minute, please.

THE CHAIR:

The Senate will stand at ease, sir.

(Chamber at ease.)

SENATOR GOMES:

In -- it says here, In Connecticut, the Housing

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Authority is governed by a board of commission, typically composed of five members all appointed by the municipality but both state and federal law requires one commissioner be a tenant of the Housing Authority. This -- the selection process -- federal law already provides an option for tenants to be -- to elect a tenant commissioner. And this bill would allow this process in Connecticut and specify when an election would be required. If a sufficient number of residents petition, 10 percent or -- of the tenants or 75 tenants, whichever is less, then the resident would be able to have a law.

It's dated -- I'm not sure I can find that. I know I read it a little while ago. They exist in Connecticut -- through the Chair.

THE CHAIR:

Please proceed.

SENATOR GOMES:

-- to Senator Suzio.

The existing Connecticut statute prevents the tenant commission from voting on renting increases in direct conflict with federal law. Thus, Housing Authority must now choose between violating federal law or state law.

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This HB 6461 assures that the tenant commission has equal voting rights. This does not create a conflict of interest. HUD regulations define a conduct -- a conflict of interest for which a tenant commission would abstain from voting as a matter that is clearly applicable to the resident board member only in a personal capacity implies uniquely to that member and not generally to residents or to its subcategory of residents. And that's on 24cf -- CFR 964.430(c).

Thus, a tenant commission may vote on general rate -- schedules just as legislative vote on taxes on fees that they also played. Nonetheless, all commissioners including tenant commission must adhere to the ethics code, and, for example, could not vote on a contract for a landscaping business in which the commission has a financial history. So there is no conflict between the two. And I had a hard time finding it.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And through you, Madam President, one final question.

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Are there any circumstances that would disqualify a tenant from being eligible to be voted, such as their -- if they were in the process of being evicted or seriously delinquent on rent or anything like that?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

Through -- through Madam President, to Mr. Suzio -- Senator Suzio.

They could not be -- if they were in the process of being evicted, but if they no longer become a tenant, they could not vote.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

So then the only circumstance which would disqualify them as being a nontenant no matter what their status was.

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

Because the law on the HUD and the state provides

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that you cannot discriminate against them as long as they are a tenant.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President.

That's all my questions.

Thank you, Senator.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

If not -- oh, Senator Gomes.

SENATOR GOMES:

Could we have a roll call vote on this?

THE CHAIR:

It is a bill. Yes, we will, sir.

Mr. Clerk, will you please call for a roll call vote? And the machines will be opened.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the

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Chamber.

THE CHAIR:

Have all members voted? If all members have voted, the machine will be locked.

Mr. Clerk, will you call a tally please?

THE CLERK:

Madam President, the motion is on the adoption of House Bill 6461.

Total Number Voting	34
Those voting Yea	23
Those voting Nay	11
Those absent and not voting	2

THE CHAIR:

The bill has passed.

Mr. -- Mr. Majority Leader.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, some additional items to mark as "go" at this time. Madam President, the next item to call would be Calendar page 13, Calendar 562, House Bill 6238.

And the next item after that, Madam President, is Calendar page 11, Calendar 520, House Bill 6472; and then the third item is Calendar page 17, Calendar 612,

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THE CLERK:

House Bill 6333 as amended by House "A."

Total Number voting 144

Necessary for adoption 73

Those voting Yea 100

Those voting Nay 44

Those absent and not voting 7

SPEAKER DONOVAN:

The bill as amended is passed.

Will the Clerk please call Calendar Number 159.

THE CLERK:

On page 38, Calendar 159, Substitute for House
Bill Number 6461, AN ACT CONCERNING THE SELECTION OF
TENANT COMMISSIONERS, favorable report of the
Committee on Planning and Development.

SPEAKER DONOVAN:

The Chair of the Housing Committee Representative
Butler, you have the floor, sir.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

I move for acceptance of the joint committee's
favorable report and passage of the bill.

SPEAKER DONOVAN:

The question is acceptance of the joint

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committee's favorable report and passage of the bill.

Will you remark?

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Mr. Speaker, the Clerk has an amendment, LCO Number 5944. I would ask that the Clerk, to please call the amendment and that I be granted leave of the Chamber to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO 5944, which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 5944, House "A," offered by
Representative Butler and Senator Gomes.

SPEAKER DONOVAN:

The Representative seeks leave of the Chamber to summarize the amendment. Is there objection? Hearing none, representative Butler, you may proceed with summarization.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

This bill is about public housing tenants serving on local housing authorities. More specifically, it's about resident tenants being elected to serve on

housing authority commissions.

The bill establishes a process of recognizing public housing authority tenant organizations that can elect or designate a tenant commissioner to the authority's board of commissioners. It establishes procedures under which a tenant organization may elect or designate a tenant commissioner.

It provides a mechanism for tenants to petition for election if no recognize tenant organizations exist. The bill expands the definition of tenants who are eligible to participate in the selection and serve on the board. And it authorizes housing authority board in towns and other municipalities with 3,000 or fewer units to have two additional members, up to seven on a board under certain circumstances.

And finally, but not the least of importance, this will remove the prohibition against tenant commissioners voting to establish or revise rents.

I move adoption.

SPEAKER DONOVAN:

The question before the chamber is adoption of House Amendment Schedule "A." Will you remark on the amendment? Remark on the amendment?

Representative Miller.

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Thank you, Representative.

Remark further on the amendment? Remark further on the amendment? If not, let me try your minds. All those in favor of the amendment, please signify by saying, aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

All those opposed, nay.

The ayes have it. The amendment is adopted.

Remark further on the bill as amended?

Representative Miller.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

I have some questions to the proponent of the bill.

(Deputy Speaker Ryan in the Chair.)

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. L. MILLER (122nd):

My first question is, is this a mandate?

Through you, Mr. Speaker.

REP. BUTLER (72nd):

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This is a new law if passed today that will allow tenant commissioners to be elected from tenant councils to serve on local housing commissions.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker we have 112 housing authorities in the state of Connecticut. Will this apply to 112 Housing Authorities?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

I'm sorry. I didn't hear the question. Could the gentleman please repeat that?

REP. L. MILLER (122nd):

Certainly.

DEPUTY SPEAKER RYAN:

Representative Miller, would you repeat the question?

REP. L. MILLER (122nd):

I will. We have 112 housing authorities in the state of Connecticut. Will they all be subject to this

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legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

REP. L. MILLER (122nd):

So then, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

This is a mandate. The fiscal note said there's no impact for the State or for the municipality. So if we're going to have a special election for a tenant commissioner, what will they use for ballots?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

It's actually up to the third-party administrator.

Through you, Mr. Speaker.

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DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker.

Who is the third-party administrator?

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Currently there's a public housing resident network that already convenes elections for local resident councils. And most recently, the League of Women Voters also has been participating in that. So they pretty much are in the operation of running elections and this is nothing new to them. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

So any, through you, Mr. Speaker, any financial costs will be picked up by the League of Women Voters and this other organization. Is that correct?]

DEPUTY SPEAKER RYAN:

Representative Butler.

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REP. BUTLER (72nd):

Through you, Mr. Speaker, yes.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker.

Are we going to need a moderator to overlook the voting procedures?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

I'm sorry. Could you repeat that? There were some conversations here in the back.

DEPUTY SPEAKER RYAN:

Once again we'd ask folks to be quiet so that the chairman of the Housing Committee can hear the questions from Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker.

We have -- will we have a moderator overseeing the election process? And will that person be a volunteer or somebody from the League of Women Voters?

Through you, Mr. Speaker.

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DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Yes, these third-party administrators will
conduct the whole election process.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

Through you, Mr. Speaker.

The bill is a little unclear in that area so that's
why I'm asking the question.

The minority representation on the Housing
Committee, through you, Mr. Speaker, could there ever
be a problem with a tie with the Democrats and the
Republicans? If it's going to be an eight-member
board, could it end up at four and four? And could that
be something that could happen or would the
municipality be on top of that to make sure that there
is minority representation?

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

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Through you, Mr. Speaker.

No. There's already state statutes that governs the minimums and maximums of a given party that can serve. Currently in the bill they are going to either the five members on this commission or seven.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker.

If I am receiving a Section 8 voucher from the state of Connecticut and I don't live in a housing authority project, could I be elected? If I'm a populist in town, could I be elected to the housing authority as a tenant commissioner?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And that individual, according to the amendment, he would not be able to vote on any rent increase or decrease. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

They will be able to vote on rent.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

Yeah. Thank you. Thank you, Mr. Speaker.

I thought the amendment precluded anybody, a tenant commissioner from voting on any rent increase or decrease.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

No. The amendment clears up the issue on rent. And it specifically actually addressed that in lines 42 through 40 -- through 50. It speaks to the -- specifically, about rent.

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Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And in those lines, through you, Mr. Speaker, a tenant commissioner could vote for a rent increase or decrease.

REP. BUTLER (72nd):

Through you, Mr. Speaker, yes.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

I have other questions.

One moment, please.

In, through you, Mr. Speaker, in the town of Stratford we have always had tenant commissioners and often they serve as chairmen of our housing authority and we've had no trouble in any way.

Could you please tell me now how would this bill got to be where it is today? If there's 112 housing authorities in the state of Connecticut, how many of them are in favor of this legislation?

Through you, Mr. Speaker.

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DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

I could tell you that -- I don't -- can't tell you the exact number, but I know there is a number of tenants that, in various housing, that came before us and testified in favor of this.

I can't tell you the exact number of housing authorities, but I can tell you what the basic premise of this bill is. The basic premise is the same premise of elections that actually gave us the opportunity to sit in these seats. Okay. We actually serve our constituents back home. Okay. And they elect us to come here and vote on their issues.

Well, it's the same case for those tenant residents. They live in public housing and they want an opportunity to actually elect somebody that will represent their interests on these housing commissions.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

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And through you, Mr. Speaker.

The tenants that are on the housing authority now, what is their position as far as what they should be, who they should be representing?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

I haven't polled every tenant commissioner but, their responsibility is the same responsibility as every other commissioner that serves, to represent their interests and policy on public housing.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker.

So they're advocates for the tenants. Is that correct?

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

They are advocating for policy and public housing

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that makes sense to all that are served by the process.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

So are you saying they are advocates for the tenets
that live in these projects?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

That would be one aspect of their
responsibilities. I don't think that it's contained
to that one area. Any policy that affects public
housing, I'm sure that they can weigh in on.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker.

It's my understanding that these individuals that
sit on the housing board that are tenants usually report
back to maybe a subcommittee of the tenants in different

locations as to what's been going on and how they're affected by decisions made by the housing authority.

Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Yes. Very much like every representative here may go back to our districts and have office hours to connect with the constituents that we represent, the same is true with them. They may choose to go back to public housing and bring back issues or solicit information or ideas that they may want presented at the housing commission.

Through you, Mr. Chairman.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. BUTLER (72nd):

Mr. Speaker. Excuse me.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

And let's go back to the voting operation. We have five locations of senior citizen housing. How

would we conduct an election? It would be all the same day and we'd have to have five moderators to oversee the selection process.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

We will leave that to a third-party administrator to figure out the logistics on how to actually run the election. They have experience in doing this already.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker.

They have had experience doing this already.

Some communities have done this.

Through you, Mr. Speaker Representative Butler.

REP. BUTLER (72nd):

Well, I could tell you that they hand do elections at tenant councils all over the state currently, not to the extent that we're asking them to here in this bill, but they're capable.

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Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. L. MILLER (122nd):

Miller.

DEPUTY SPEAKER RYAN:

I'm sorry, Representative Miller. Thank you,
sir.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

I forgot what I was going to ask.

There. Bear with me. I forgot what I was going
to ask when I got (inaudible).

Will this legislation impede -- or not impede, but
have any conflicts with state or federal statutes,
mainly with federal statutes, particularly anything
with HUD?

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

There are no conflicts with the federal
guidelines. As a matter of fact, what the bill intends
is to fix a misalignment of state and federal guidelines
in these areas.

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Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Larry Miller of the 122nd.

REP. L. MILLER (122nd):

Through you, Mr. Speaker.

Connecticut NHARO was opposed to this bill. Are they still opposed to this bill? I know they didn't testify against it, but last time they were opposed to it.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Excuse me. I couldn't hear that. Who was opposed it is? Mr. Speaker, I couldn't hear who.

REP. L. MILLER (122nd):

Conn NHARO.

DEPUTY SPEAKER RYAN:

Representative Miller, say it one more time please.

REP. L. MILLER (122nd):

Connecticut NHARO.

REP. BUTLER (72nd):

Okay.

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DEPUTY SPEAKER RYAN:

Representative Butler.

REP. L. MILLER (122nd):

They're always at our meetings. Through you.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

I believe it's Conn NHARO you're talking about. To tell you the truth, in the beginning they had reservations about certain areas in this bill. And I can tell you that myself and representatives of housing as well as other people got in the same room for hours on end to address many of their concerns. We weren't able to address all their concerns, but we did address some of their concerns, some of which are in this amendment today.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

And through you again, Mr. Speaker. Having sat through numerous public hearings regarding this issue, I think I heard from, like, six or eight housing authorities that really were not doing their job. And

I would think that a better bill here would be to disband those six or eight housing authorities and put new people in place so that the tenants will get a fair hearing on their grievances and complaints.

When I hear some tenant talking about mold growing in their bedroom and it's about three foot, an area of three by three, and they've contacted their housing authority and nothing is done, that's the time that we should take that housing authority and disband it and hire -- and get six, five or six new members to make sure that tenants who have complaints and grievances are taken care of. That's the main problem I think that's happening here between six or eight communities.

Now we're going to penalize 112 housing authorities with a mandate and eventually this thing is probably going to start costing us money. If the League of Women Voters or whoever the third-party is going to be, if they aren't available for an election we will have to hire somebody, moderators and so forth to make sure that the election is on the up and up. But that's just my opinion.

Again, I can only remember six or eight housing authorities that were for this bill out of 112. And I think the chairman of the housing authority from

Milford was opposed to this bill, as far as I know.

And so I have some very serious concerns about this bill. We could be putting a populist on there who will do nothing but to make the committee kind of insignificant with his populist views and I don't think that's the way to go.

Our housing authorities in Connecticut are very good operating bodies of volunteers. And I can tell you that nobody from my end of the state has had any problems. It's always up in this end of the state that we have problems. And maybe we ought to look into it disbanding these housing authorities up here and replacing these people with volunteers who really care about the seniors in their housing projects.

So again, let me finish up by saying that this is a mandate, even though you won't say it. It is a mandate on 112 housing authorities. That's one thing we do up here, mandates. Remember when we were all campaigning, no unfunded mandates. But this thing is going to cost us money at some point in time.

And I don't think this is something that we ought to be doing. The housing authority, 112 housing authorities, the majority of them are doing a super job and they care about the seniors in their care. Now to

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put another person in there who may be a populist, who may live in a Section 8 building five miles from any senior housing project, he could be the guy that's disrupting the volunteers who sit on these housing authority boards.

So I would advise this body not to vote for this. We don't need it. Again, it's a mandate. Does everybody know what a mandate is? Because Connecticut is certainly one of the states that has the most mandates, and this is one of them. And it's not going to do any good as far as I'm concerned.

I know in my community, if you want to know how a housing authority is run come down and attend some of our meetings where you can see the interest and concern that we have for the seniors in our community.

My last question is, it talks about 3,000 or fewer units. If we have 3,010 units, does that mean we can't -- the municipal leader can or cannot appoint two more individuals to that board?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Excuse me. Was there a question there?

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REP. L. MILLER (122nd):

Certainly. I'll repeat it.

DEPUTY SPEAKER RYAN:

I think you need to repeat your question.

REP. L. MILLER (122nd):

Okay. The bill calls for 3,000 or fewer units. If we have 3,010 units in our community, does that mean the municipal leader of the town cannot appoint two additional members to the board?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

They can if they'd like to.

REP. L. MILLER (122nd):

Well, through you, Mr. Speaker.

It doesn't say that. It says 3,000 or fewer units. The municipal leader can appoint two additional members to the board. If we have 3,010, does that preclude him from naming two people to the board?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

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Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

If it's 3,000 or more they can petition to change the number of the board from five members to seven members.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

The way I, through you, Mr. Speaker, the way I read the bill it says, 3,000 or fewer.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

That's only if they're not in compliance.

DEPUTY SPEAKER RYAN:

Representative Miller.

REP. L. MILLER (122nd):

Well again, through you, Mr. Speaker, that's a little unclear as well.

I'll finish up by just saying that I hope the body

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does not vote for this bill. It's not needed. Six or eight housing authorities that aren't doing their job are now going to mandate that 112 have to abide by this legislation.

And again, at some point in time we're going to have some costs with this. So here's a mandate, guys. Vote for it.

Thank you.

DEPUTY SPEAKER RYAN:

Thank you, Representative Miller of the 122nd.
Representative Williams of the 68th.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker and good afternoon.

If I may, a few questions through you to the proponent of the bill?

DEPUTY SPEAKER RYAN:

Please proceed.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And through you to Representative Butler, there are a variety of terms used in this legislation which may be defined elsewhere in our statutes. And you has the chair of the Housing Committee, I'm sure can enlighten the Chamber as to the meaning.

But there is some terminology here: tenant organizations, jurisdiction wide tenant organizations. There is one called, a jurisdiction wide election. Can you explain what the difference is between a tenant organization and a jurisdiction wide tenant organization, please?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Yes. Through you, Mr. Speaker.

One is the local building itself and the jurisdiction wide is -- could be multiple organizations throughout the city or town.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And through you, so that means if I live in one particular project within the community and you live within another, then you and I could have separate tenant organizations or be members of separate tenant organizations. And then there is one governing body that governs all of those.

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Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And through you, so do these organizations -- how are they designated? Are they designated by the jurisdiction wide tenant organization? Or do they form themselves and have their own charter? Or -- because they're given some powers here, I guess, is my point and I'm trying to figure out how those organizations are recognized under our law.

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

I mean, the regulations pretty much define that but they talk a little bit about the process. Tenant

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councils and organizations, that's no new concept.
The public housing over the state, they have elections
to elect their various officers and then there's a
jurisdiction wide organization in this bill.

It's up to the housing authority to make sure
that -- to select a valid jurisdiction wide
organization which will actually select an elected
Representative.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you.

And through you, so are you suggesting that the
jurisdiction wide tenant organization is the entity
responsible for determining what tenant organizations
are able to send members to the jurisdiction wide tenant
organization?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

No.]

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DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Through you, Mr. Speaker.

Then who makes that determination?

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Actually this is regulation recognized by HUD.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Okay. Through you, Mr. Speaker.

So the -- so HUD has regulations that set out who and what a tenant organization is and then additionally how those organizations are represented to the entire jurisdiction wide organization. Is that correct?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

That's correct, Mr. Speaker. And a lot of that is addressed in lines 16 through 26 in the amendment.

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Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

Moving on. Through you to Representative Butler, it was stated earlier, I believe in the interaction between Representative Miller and Representative Butler, that in the vicinity of section -- of line 155 through 162 that -- and I believe I heard this correctly -- that the League of Women Voters would be conducting these elections. Did I hear that correctly?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Any third-party administrator. The League of Women Voters certainly could serve in that capacity.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

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Thank you, Mr. Speaker.

And in the event that the League of Women Voters or any other third party is unable or unwilling to administer these elections, what would happen?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

In the dire case where that may be a possibility, I would imagine that the housing authority could do this. Keep in mind that these elections are held every five years.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

So in the -- I just want to be clear. In the event that a third party is unable or unwilling to participate here, then the housing authority -- it would fall to the housing authority to take over and administer this election. Is that correct?

Through you.

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DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And through what regulations or procedures or policies would the rules of such an election be set up?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

These third-party administrators have experience in running this exact kind of operation. So they have experience. So I would default to their experience in running these type of elections.

Through you, Mr. Chair.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

So again, in that hypothetical that I said earlier, in the event that no one is available or willing to step up to the plate and run it, I don't imagine -- and I could be wrong -- that a housing authority has explicit experience in managing these types of elections of which if there is 3,000 units there could be potentially thousands of votes cast. And so it would appear to me that that is not a small engagement.

And is the event that a third-party is not available or not willing to participate or run this election, how would that work? I mean, would the housing authority run it? And you talked about the experience that these third-party administrators have with this. I mean, how do we know that this will be a fair and properly run election?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

The housing authority, I believe to date already have experience in monitoring the local tenant council

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elections or --

So I imagine that they could -- are familiar with the makeup of the tenant councils within their jurisdiction. So I don't see it as a big rocket-science project. Elections are elections.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

I guess I would disagree. I mean, we just had an hours-long debate here about provisional ballots. We see issues arise throughout this county that related to election fraud, voter fraud. People who are being denied access to vote, et cetera, et cetera, et cetera. So to say it's not rocket science I think would be a little bit of a stretch.

These are very important issues here and I'm not sure that volunteer housing authorities have the ability to conduct such an election. So to say, it's not rocket science, I think is beyond the pale with regard to this debate.

And through you, lastly, the issue of -- actually a few other questions not related to the question

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itself. Section 8 housing, it's my understanding that in our current law some Section 8 housing falls under the jurisdiction of housing authorities and some Section 8 housing does not. Is that correct?

Through you.

DEPUTY SPEAKER RYAN:

Mr. -- Representative Butler. Excuse me.

REP. BUTLER (72nd):

Could you repeat your question, please?

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

My understanding is that in our current law, under our current housing laws, some Section 8 housing falls under the jurisdiction of housing authorities and some Section 8 housing does not. Is that correct?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER RYAN:

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Representative Butler.

Representative Williams, I guess, then.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

So if that is correct then, would those residents of Section 8 housing that is not in -- under the jurisdiction of housing authority, would those tenants be eligible to vote in a particular election?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Could you repeat your question?

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

So you just told me that some Section 8 housing is under the jurisdiction of a housing authority and some Section 8 housing is not under the jurisdiction of a housing authority. My question to you is, if I live in Section 8 housing that is not under the jurisdiction of a housing authority can I vote in this particular election?

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Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Some. Some. There's a distinction a RAP and Section 8, and the Section 8 can. So there's, you know, a fine line that's state certificates versus federal Section 8.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And it is my understanding through the previous debate that the tenant commissioner will now be able to vote on matters such as rent increases or decreases which they previously were not able to do. Is that correct?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

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Yes. Federal regulations say that that's permissible. And as a matter of fact, there was -- in the court case New Haven versus Dorsey, it has been found that that should be the case, that tenant commissioner should be able to vote on rent.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

So you're saying that they could be able to, under our law, vote on rent. That was not a -- was a law stricken down that the court then held that they should be able to. I'm assuming you mean that they could. That it would be permissible for them to be able to vote on rent. Is that correct?

Through you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Under federal regulation you can't discriminate and differentiate between one commissioner and the next. So under federal guidelines, so you

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cannot -- regulations, you cannot discriminate. And I'd like to just say a little bit further on this issue, because there's been a lot made of this particular issue about a commissioner being able to vote on the rent.

Well, we here in this body vote on taxes that everyone has to pay. I don't find it unconstitutional for us to sit here and set the tax parameters for income if we can't expect a tenant commissioner to actually vote on rent increases that affects everyone. We do it here on a biannual basis.

Also just look at other local boards. Your board of aldermen or councils, they set mill rates which is the -- it sets the tax rate for municipalities. Certainly if they can set mill rates which, you know, this formula in taxes, certainly we should be okay with the concept that a tenant commissioner could set a rent rate for all of housing, public housing.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker and I thank the gentleman for his answers.

I'm certainly very uncomfortable with the

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structure as it has been laid out here. You know, again I don't know that housing authorities have the experience and the wherewithal to be conducting an election like this, especially given --

And you know, whether you agree or disagree with the idea of tenant commissioners being involved in the rent process, it is very clear that they, under this proposal, are now becoming one of the people who will be voting on this, on a rent increase. And I don't know that by what we have laid out here saying, well, maybe a third-party administrator can run the election, or maybe the League of Women Voters. And if they don't do it, well, maybe the housing authority will do it. This is very critical stuff, folks. This is very important.

This is a major program that we have available to citizens here in the state of Connecticut. And what we're saying is, well, we'll figure it out down the road. Our tax dollars are affected by this and so I'm not so sure that I'm very comfortable ceding that authority to a maybe or a possibly, or we'll see what happens. So I would urge rejection.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

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Thank you, Representative.

Representative Hoydick of the 120th.

REP. HOYDICK (120th):

Thank you, Mr. Speaker.

Some questions to the proponent of the bill
through you.

DEPUTY SPEAKER RYAN:

Please proceed, ma'am.

REP. HOYDICK (120th):

Representative Butler, what is exactly the
definition of the public housing authority tenant
organization? Because I didn't see it in the bill and
I'm remiss. If you could point that out to me I'd
appreciate it.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, that's something that's
probably defined under federal regulations.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Hoydick.

REP. HOYDICK (120th):

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Thank you, Mr. Speaker.

If the kind of gentleman would enlighten me, because I'm not as well versed as he is. I'm not on the Housing Committee. I would appreciate it.

Thank you.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Well, there's a Statute 964.105, role of jurisdiction wide resident council. And under that it reads jurisdiction wide resident council: resident councils may come together to form an organization which can represent interests of residents residing in units under a housing authority's jurisdiction.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Mr. Speaker.

And through you, so I understand the intent of the bill, the overall goal is to allow those residents who live in -- or housing authority residents to elect a board or an organization to represent them who will then make recommendations to -- through their municipality,

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who can serve on the housing authority board. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Just for the tenant commissioner.

DEPUTY SPEAKER RYAN:

Representative Hoydick.

REP. HOYDICK (120th):

For the tenant commissioner. I understand.

Thank you very much, sir.

So can anyone -- what are the qualifications in order to be selected to be representative as a tenant commissioner?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

That's spelled out in probably lines 5 through 8 of the amendment, right up front.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

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Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Mr. Speaker.

I apologize. We ran out of copies of the amendment here. So I am -- literally we did run out of copies of the amendment. Thank you very much.

And I'll try to look at this quickly as I ask my next question.

So does the tenant who is selected by the authorizing tenant commission board, if I've got this correct, have to be at least compliant?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Excuse me. Do they have to be what? I couldn't hear the question. It kind of trailed in -- off in there.

DEPUTY SPEAKER RYAN:

Representative Hoydick.

REP. HOYDICK (120th):

Lease compliant. Lease compliant.

DEPUTY SPEAKER RYAN:

Representative Butler.

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REP. BUTLER (72nd):

Through you, Mr. Speaker.

Federal regulation -- no. Federal regulations say, you can't discriminate in that area.

DEPUTY SPEAKER RYAN:

Representative Hoydick.

REP. HOYDICK (120th):

So a recommended representative from the public housing authority tenant -- recognized tenant organization, who is delinquent on their rent can serve on the housing authority board.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER RYAN:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Mr. Speaker.

Also as I quickly scan lines 5 through 8, a representative does not have any age requirement or length of term living in the housing authority. So is

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it fair to say that a 16 year old, if selected to be a representative, would be able to serve on the housing authority board?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker. I think that's similar to the current regs. And you have to be at least 18.

Through you, Mr. Speaker.

(Deputy Speaker Godfrey in the Chair.)

DEPUTY SPEAKER GODFREY:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Mr. Speaker.

There were several questions or concerns, as Representative Miller had indicated, that the Connecticut Chapter of the National Housing and Redevelopment Officials had. Could you explain a little bit?

And you mentioned that you had worked to negotiate some of these -- a compromise with them. Could you

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explain to us a little bit about the process and what were their major concerns and how you alleviated some of those concerns?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

A couple of the areas that was on their concern was actually specifying your last question about, you know, qualifications of a person, various qualifications that they must meet, other areas were about the election process. Other areas -- was about -- they're concerned about the rent and there were a couple other issues that I can't remember off the top of my head.

But certainly, we tried to spell out in terms of direct definitions for some of the areas of concerns that they had.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Mr. Speaker.

And through you, I do appreciate the intent of the bill and I think representation, fair representation is always important. I am concerned about how this bill is written. I was concerned about it last year and voted against it. And I'm especially knowledgeable about the process that exists in our municipality about selecting tenant commissioners.

And to echo Representative Miller's comments before, there are more than a majority of housing authorities that are operating in a good way and where their tenants are happy and they are fulfilled and their representation is good. And I caution any legislation that we would enact that sections out a few communities when we should be acting and writing law that benefits the entire state.

So I thank the kind gentleman for his answers and I will be opposing this bill.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

The gentlewoman from Somers, Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you, Mr. Speaker.

Through you, a question or two to the proponent

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of the bill, please.

DEPUTY SPEAKER GODFREY:

Please proceed, madam.

REP. BACCHIOCHI (52nd):

Thank you.

Just to be clear, I wanted to make sure that I understand and the other members understand, tenant commissioners are currently required to serve on the board. So in no way is this about whether or not a tenant commissioner should serve on a board. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler, do you care to respond?

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, that is correct.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Great. And I totally agree with that concept. We should have tenants serving on the housing authority board's as tenant commissioners. What I have concerns with is the process that is outlined in this bill

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regarding the selection of the tenant commissioners.

Through you, Mr. Speaker, in towns that have federally subsidized housing projects that are not managed by the town's housing authority, would those projects be included in the terms of this bill?

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker, could you repeat that question, please?

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Yes. Yes. It's my understanding that this bill would only cover tenants who are living in subsidized housing that is managed by the housing authority and would not cover tenants who live in federally subsidized housing that is independently managed, not managed by the housing authority. I'm are trying to clarify that there are two separate entities.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

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Through you, Mr. Speaker.

No. They wouldn't be included. There's public and, I guess, private, for lack of a better word.

Through you, as long as they are receiving federal subsidies through the housing authority, they qualify.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Mr. Speaker, I'm not sure I heard the Speaker correctly. Did you say they would be included in this bill or they would not be included?

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

They would be included as long as they're receiving federal subsidies.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Yes. Thank you, Mr. Speaker.

I think there's an important clarification and I

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am definitely confused right now. For example, in my town we have the housing authority which manages all of the public housing, the state public housing.

The housing authority also manages the Section 8 voucher tenants that are spread throughout the region, but the housing authority does not manage multiple federally subsidized housing projects. Those projects are independently managed outside of the housing authority. And I'm trying to determine if those tenants in those federally subsidized projects would fall under the jurisdiction of this bill as it is written.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Those would not be included. That falls outside the realm of public housing.

REP. BACCHIOCHI (52nd):

Okay. Thank you for that clarification. I appreciate it.

And I'd also like to talk about the tenants in a given town holding a Section 8 voucher. Now as you

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know, that is a tenant-based subsidy and they could live in a federally subsidized project. They could live in an individual home or they could live in a public housing. But am I clear that anyone holding a Section 8 voucher would be a tenant falling under this bill, they would have the rights to run for tenant commissioner under this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you.

And I'd also like to clarify, for example, we have a tenant holding a Section 8 voucher who lives in a single-family residence far away from the public housing. They could run to be the tenant commissioner, even though they're one person that doesn't live in the hundred-unit complex.

Through you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Under federal regulations, yes.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Yes. And I'm assuming that a party has to be on the lease even -- we frequently find tenants living in public housing that are not on the lease. So the tenant who would like to be considered for a tenant commissioner would have to be on the lease.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you, Mr. Speaker.

And should that, should a tenant be serving on the

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tenants commissioner board and they are evicted from public housing or they loose their Section 8 voucher, would they be allowed to remain on the board?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Could you have the --

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi, could you repeat the question, please?

REP. BACCHIOCHI (52nd):

Yes. If a tenant is serving on the housing authority as a tenant commissioner and in the course of time they are evicted, or for whatever reason, they loose their Section 8 voucher, would they be allowed to remain on as a tenant commissioner?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

No.

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DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you.

And could the proponent of the bill please explain the removal process? I understand the removal process for commissioners who are not tenants. Because the first selectman or the legislative body appointed them, I would believe they reserve the right to remove them.

Would the governing body of a town, a municipality's governing body be able to remove the tenant commissioner, for example, because he's been evicted or lost his Section 8 voucher?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

This bill as amended doesn't supersede any of those areas when it comes to removal. That will be what's currently in municipal law.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

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REP. BACCHIOCHI (52nd):

Thank you.

Further along in the bill there are a couple places where it talks about notifications to the tenants, which obviously is very important. If there's an opening and there's tenants throughout a community, they should all be notified. It simply states that the notification should be in writing. Would that be, you know, something that's taped on a person's door in writing? Could it be hand delivered in U.S. mail?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

It is my understanding that currently that the housing authorities are in communication, written communication with the various tenants already on a monthly basis, if not for anything else, through a monthly rental notice.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

I'm sure -- thank you, Mr. Speaker.

And through you, I'm sure that's the case with many housing authorities, but in small towns like mine and, you know, small towns across Connecticut and possibly in cities too, tenants go months and months and months without any correspondence from the housing authority. Sometimes it's simply when it's a lease renewal or a person is in violation of a lease.

So I did just want to determine for legislative intent here, would the notification to the tenants have to be served by U.S. mail? Or could they just tape it to the door? Or could it be e-mailed? I'm not sure if e-mail is considered written notification.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

That's left up to the housing authority.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you, Mr. Speaker.

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And I wanted to go back and touch on something one of my colleagues brought up earlier, which is the election process of the tenant commissioners. I know you did answer that question and I respectfully say, I think you answered it more than once, but I'm still a little bit confused about the process.

If you have multiple locations of public housing I understand that each location would be allowed, under this bill, to hold its own election process to make a recommendation of a tenant commissioner. There is a cost involved in that and I'm just still not sure who's actually in charge of running that election and who pays for it.

And I respectfully say, if you did answer this I just didn't understand the answer.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Yes. As I had alluded to a couple of times before, there are actual organizations that volunteer to actually run these elections in very much the manner that you just described.

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And one of them is the League of Women Voters and there's another Connecticut statewide network organization that does that currently on the tenant council level.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you, Mr. Speaker.

I do agree with the goal that this bill is putting forward because I do believe that tenants should be allowed and encouraged to serve on boards, but what has become clear to me is what happens in small towns, I think, is very different than what happens in the cities.

We don't have an organized League of Women Voters that has a presence in our town. I don't think we have any of the entities that you brought forward that would be willing to serve as moderators for this election. And I feel that in many small towns you really wouldn't be able to implement the intent of this legislation.

So through you, Mr. Speaker, the Clerk has in his possession LCO Number 5967. May the Clerk call and I please be allowed to summarize.

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REP. BUTLER (72nd):

And if I hear one more person that whistles --

DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO Number 5967,
which will be designated House Amendment Schedule "B."

Will the Clerk please call the amendment.

THE CLERK:

LCO Number 5967, House "B," offered by
Representatives Bacchiochi and Aman.

DEPUTY SPEAKER GODFREY:

Representative Bacchiochi, what's your pleasure?

REP. BACCHIOCHI (52nd):

Thank you.

The intent of this bill is to exempt housing
authorities with fewer than 400 units. And I move
adoption.

DEPUTY SPEAKER GODFREY:

The question is on adoption of House Amendment
Schedule "B."

Will you remark, ma'am?

REP. BACCHIOCHI (52nd):

Thank you, Mr. Speaker.

I think what has been become very clear to me is
that the small towns and the small housing authorities

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are simply not going to be able to perform to the extent that this bill would require them. So I'm asking for exemptions for small towns.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

Representative Butler.

REP. BUTLER (72nd):

Yes. Thank you, Mr. Speaker.

In terms of this amendment, I could tell you that it doesn't matter what the size of the municipality or town, or the housing authority or the, you know, a tenant council. Whether it's 300 or 3,000, everyone -- everyone deserves representation and the ability to elect the people that represent them.

So in that regard I don't see any difference between the smallest town or the largest cities. It's about the process. In this process people deserve to elect their representation. So I would urge this side of the aisle to reject this amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Will you remark further on House Amendment Schedule "B?"

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Now there are a lot of people who are in line for the bill before the amendment was called. If you -- could you give me a hint whether you want to speak on "B" or not? Okay. Thank you.

Representative Aman.

REP. AMAN (14th):

Yes, Mr. Speaker. I will probably be speaking later on the bill as a whole, but I would like to speak of the amendment as presented.

But before doing that, I would request a roll call on this amendment when the vote is called.

DEPUTY SPEAKER GODFREY:

The question is on a roll call. All those in favor signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

When a vote is taken it will be taken by roll call.

Representative Aman, you still have the floor.

REP. AMAN (14th):

Thank you very much.

I do have to disagree with the proponent of the bill as a whole about exempting the small groups. I'm looking at some of our housing authorities' projects

and we are talking very few people.

And if you look at this bill, it calls for 10 percent of the tenants or 75. I don't have a problem with the 75 number. I do have a major problem with the ten.

In one of our units I believe we have 17 units. That's less than two people that would be able to call for an election. In one of our other projects I believe we have a total of 40 of these units. I do not know how many Section 8 units that we have that would be eligible to vote, but it would take very, very few people to tell our senior citizens. I probably think -- at our one project the average age is well over 80. It would only take a couple of people who are maybe in the Section 8 housing to have a tremendous influence on what's going on.

We currently do have tenant representation in all of our boards. They are very, very active. Hopefully they would be the ones being elected. But I don't know if that would be the case mainly because of the age and the effort of those people. I don't know how many of them would really come out to vote.

I also have a problem if you go to the end of the bill itself where they talk about voting. And in the

fact that we, the housing authority must do it's best efforts to come up with an impartial entity to run this vote. It appears that if their best efforts are not successful they can use a non-impartial entity to run the vote and I don't think that is a very good idea.

Again, in a large complex I don't think that will be a problem because you're going to have a lot of people interested, a lot of people involved. In the very small complexes I believe this could be a major problem of trying to find someone who actually comes out and would be an impartial entity.

So for those of us who are from a smaller towns, from the smaller housing authorities who are doing a very good job of taking care of their senior residents, I would encourage them to vote for this amendment and let the bill address the problems of the major cities where there is a whole different set of circumstances.

Thank you very much, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Kupchick, did you want to speak on House "B?" Or were you waiting?

REP. KUPCHICK (132nd):

On the bill.

DEPUTY SPEAKER GODFREY:

I'm trying to sort this out.

No. Okay. Very good.

Representative Miner, you had waved your hand.
The gentleman from Litchfield, Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the amendment, not because I'm opposed to fair elections, but because I'm concerned about the way this bill is drafted.

It's going to adversely impact what has gone on in the town of Litchfield for many years successfully, I might add. In the town of Litchfield we have Litchfield Housing Trust and the Litchfield Housing Authority, both of whom work independently, provide affordable housing for seniors, for non-seniors. Some of it is owner-occupied. Some of it is multifamily dwellings.

My concern, Mr. Speaker, is that the underlying bill is somehow going to impact the way this community that I live in has been able to positively provide housing for people in the community. It's something that we set out to do decades ago -- decades ago because we recognized a need for affordable housing in the town of Litchfield.

I don't have anybody telling me that it's not functioning the right way. No one has called me. No one has written to me. No one has said, I can't get on the board. What we have had is have people say, boy, can we do more of this?

And my fear in the underlying bill, Mr. Speaker, is that we're going to try this one-size-fits-all and it's going to create a problem. So I'm not against fair elections. I'm not against elections.

What I am concerned about is the way the bill is drafted. I couldn't tell my housing authority or my housing trust whether they're in charge after this or whether someone else is in charge, whether someone who is on there has to be taken off.

I heard the gentleman as he describe the bill say that someone who is 16 can't run for election. I understood. Then I heard the gentleman say that someone had to be on the lease. Does that mean that every housing authority has the name of every individual that lives in that house on the lease? I don't think so.

And so for purposes of clarity for this evening, I would urge people to adopt the amendment, allow the municipalities, the large municipalities that clearly

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seem to be having a problem to operate under the bill as it would be left after this amendment gets adopted and then we can move on.

By my fear is that we're going to be subjected to something here based on what has been explained that may actually have a very different impact. So I would urge adoption.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The gentleman from Stratford, Representative Miller.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

I rise in strong support of the amendment. But I also want to take strong exception to the chairman of the housing authority's remarks about tenants who need representation. What the heck do you think the housing authority does? They don't go down there every month to play pinochle.

DEPUTY SPEAKER GODFREY:

Excuse me, Representative Miller. Could we stay on House Amendment Schedule "B" for right now? Could we stay on House Amendment Schedule "B" right now

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please, not the underlying bill. We're On House "B", which is Representative Bacchiochi's amendment.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

Well, I think this mandate needs to be adjusted. And I think this amendment will at least give the smaller communities an opportunity to opt out of this mandate.

We have 169 towns in the state of Connecticut. Not all of them have housing authorities. There's only 112 and many of them are so small that they don't need a housing authority because they don't have the money or the opportunity to build senior housing in their communities that are that small.

So those that are, as Representative Bacchiochi said, her community is small and they deserve to opt out of this so there won't be any additional costs to them in the future if things happen to turn around and we have to start hiring people to moderate an election. So again, I urge support of this amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you.

The gentleman from Norwalk, Representative

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Morris.

REP. MORRIS (140th):

Thank you, Mr. Speaker.

I rise to oppose this amendment specifically because if we begin to differentiate between who should be able to vote and who shouldn't be able to vote, it defies the very premise of the underlying bill, an underlying bill that's rooted in our Constitution. It's rooted in -- when we had our very Independence Day we talked about no taxation without representation.

Regardless of whether we're seniors in a smaller amount of units or whether we're in larger cities, I don't think it should matter. This bill has nothing to do with the criteria for tenants because it doesn't change that. It's specifically the selection.

And in this country we decided that this is a democracy and that all eligible people should be able to vote. So for those reasons, I rise to oppose this amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Will you remark further on House Amendment Schedule "B?" Will you remark further on House

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Amendment Schedule "B?" If not, staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting House Amendment Schedule "B" by roll call. Members to the Chamber, please.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted? If so the machine will be locked. The Clerk will take a tally. And Mr. Clerk, if you would please announce the tally.

REP. COOK (65th):

On House Amendment Schedule "B."	
Total Number voting	142
Necessary for adoption	72
Those voting Yea	49
Those voting Nay	93
Those absent and not voting	9

DEPUTY SPEAKER GODFREY:

The amendment is rejected.

Will you remark further on the bill as amended?

The gentlewoman from Fairfield, Representative

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Kupchick.

REP. KUPCHICK (132nd):

Thank you, Mr. Speaker.

I rise in support of the bill. I serve on the housing committee and I also worked as a constituent services representative for a congressman for a period of seven years and I handled housing in that capacity.

I have a lot of experience with the Bridgeport Housing Authority and the Stamford Housing Authority, and spend a great deal of time with tenants who actually weren't feeling represented by their tenant commissioner who was picked by a mayor or first selectman.

I don't really -- I feel like this is sort of much ado about nothing. It's an election of a tenant commissioner, someone who represents the other tenants. If you were a tenant in public housing I would think you would want someone who that you chose yourself to represent you.

There's been times where, you know, a mayor will pick a tenant commissioner they like who doesn't really represent those tenants. And they don't really -- tenants don't really feel represented by somebody who is picked by a mayor or first selectman.

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They feel like there's some kind of, you know, behind-the-scenes deal.

So I really -- I understand there's some issues with it, but at the end of the day we're talking about a tenant commissioner who, yes, could vote rent. And as the chairman said before, you know, we're voting on taxes. We're voting on all kinds of things that affect our lives. I served on a board of education where other members voted on educational services that affect their children.

I don't think this is a controversial as it's being made -- seems to be. And I really hope that we could do this for the people who do live in public housing because they have a right to be represented about -- by somebody they actually choose.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

The gentleman from Waterbury, Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

Through you, a couple of questions to the proponent of the bill, please.

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DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

Representative Butler, you and I both serve the same community of Waterbury and I'm really just trying to make sure I'm doing the right thing here. Now as you know, we have a housing commission in the city of Waterbury. And are all of those appointments made to that housing commission -- authority, excuse me, made by the mayor of the City of Waterbury?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

REP. D'AMELIO (71st):

And how many members serve on the housing authority in the city of Waterbury?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

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Through you, Mr. Speaker.

I believe it's five.

REP. D'AMELIO (71st):

Are any of those members of that authority a tenant of the housing -- of any of the housing projects that we have in the city of Waterbury?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

I believe there is. I'm not exactly sure right now, but I know over probably the last 20 years I could think of many that have been tenant commissioners. There's been representation.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

And the way this bill is written, would Waterbury increase the seats on the housing authority from five to seven?

Through you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

I don't know if we have more than 3,000 units. I don't believe we do, but that would be up to the housing authority to decide at that point.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

And the way this legislation is written we would actually take one appointment away from the mayor of the City of Waterbury. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

This, the appointment of the tenant commissioner will be made by the election of the citywide jurisdiction of tenant councils.

Through you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

And getting to the election because I'm a little -- I think you explained it well. I just want to make sure I have it right. As you know, we have a few different housing projects in the city of Waterbury that are -- that fall under our housing authority.

Now each one of those housing projects would choose one person that is from either -- from any of those housing projects to serve on the housing authority commission.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

The process would be, there would be one selected from citywide.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative D'Amelio.

REP. D'AMELIO (71st):

Right now, like, who would, like, in the city of

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Waterbury -- I'm just truly trying to get my hands around this. Who would organize that? Like, who would seek out the volunteers that would want to serve? You know, who would go out into the housing projects and talk to the tenants on what the responsibility would be to be on the housing authority? And how would that person become known to all the other housing authorities in the city?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

It's, they would campaign. I'm sure you're familiar with that. They would campaign. That's how they would become known.

DEPUTY SPEAKER GODFREY:

Representative D'Amelio.

REP. D'AMELIO (71st):

I certainly could appreciate that. But how would the word get out, though? How would we -- how can we make sure that we put our best foot forward when we -- what this is passed into law to make sure that we have enough interest from the, you know, the people

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that this affects? That, you know, to recruit people to want to get involved, is what I'm saying.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

And forgive me, I didn't answer the first part of your other question, which I'll address now. And it's about notification. And the notification will come from the housing authority.

And you ask about the process, but there's something reverent about self-determination and self, you know, in selecting your representation. And I think those concepts will prevail in terms of having good representation.

And then you know what? Just like any other election, if people aren't happy with that they get to choose again, and again. So that's why this process is so important.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

In this, the housing authority, the rules really don't change by adopting this, this piece of legislation. I mean, the housing commissioner that oversees the entire operation is picked by the mayor, I believe. I think the board votes on the commissioner, but it would only be one-vote the mayor still appoints. Like, in Waterbury, he would appoint four and one would be at large that would come from within the community.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

That's pretty much the process. The appointing authority in our case, the mayor, could be a first selectman, some towns and, I believe, have even a board of aldermen, or a city council that actually is the appointing authority. They will, in the case of five members, they will actually choose four more of those.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative D'Amelio.

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REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

I think there's a problem with the sound system here today because I really -- there's not a lot of noise in the Chamber, but it's very difficult. And I can understand why Representative Butler keeps asking to repeat a question because I really didn't hear that answer at all. And I know there's not a lot of noise around me. I think there's something wrong with this PA system.

So could you just kind of repeat that one more time? And I apologize for that.

DEPUTY SPEAKER GODFREY:

Representative Butler, could you repeat your answer, please?

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Yes. And I concur with you. For some reason I'm having the same difficulty. I'm glad that somebody else mentioned that in terms of hearing.

But the answer was the appointing authority, and that could be the mayor, first selectman, board of aldermen, city council, whomever it might be still get to select -- in the case of a five-member commission,

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they get to select the other four members.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

And I thank my colleague from Waterbury for those answers. It was important that I ask those questions because I'm really trying to figure out what this legislation does.

And you know, to give someone a voice in the community that is living whatever problems they may face within, you know, the projects in the city of Waterbury, for example, I think it's important that the commission knows what's going on in those communities.

You know, I'm still trying to figure out what I'm going to do on the legislation because I think the mandate issue is one that I really want to sort out to make sure that we're not sending any unfunded mandates down to our cities.

So I thank you again for your answers and I thank you for my indulgence, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

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The gentleman from Litchfield, Representative
Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

If I might, a few questions to the proponent of
the bill, please?

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, in line 124 there is some language
that talks about a fair election of tenants. If the
gentleman could explain to me whether fair election is
somehow in statute? Or is that a term of art just for
this language, please?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

A fair election -- I don't know. We have to
debate what's fair in terms of election. I'm not sure
if we can consider an actual regulation to define fair,
but certainly we can recognize when things aren't fair,

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but I think the general concept is universal.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

I didn't intend it to actually be humorous. Mr. Speaker, this piece of legislation is serious and my question is serious.

If I could, through you, does this require a machine vote, Mr. Speaker?

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

No.]

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so if it doesn't require a machine vote, could it be done by hand vote at a meeting called?

Through you.

DEPUTY SPEAKER GODFREY:

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Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Certainly.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And in terms of such a meeting, who would convene that meeting?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

The third-party administrator.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And in terms of the third-party administrator, who is it that would hire or engage that third-party administrator? Would it be tenants or would it be some other entity?

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Through you, please.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

The housing authority.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so the housing authority could convene a meeting and in so doing, would that be done through a public advertisement? Or would there be individual letters sent out to, I guess, it's tenants?

Through you, please.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

It will be done by notices. The housing authority will send out notices to that effect.

Mr. Speaker, through you.

DEPUTY SPEAKER GODFREY:

Representative Miner.

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REP. MINER (66th):

Thank you, Mr. Speaker.

So the housing authority would send the notice out to everyone at each address of people who would be eligible to serve after being elected. Is that correct?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

The housing authorities, it is my understanding that they currently send out notices monthly to communicate with various tenants and at the very least, many of them sent out notices for monthly rental notices. So this would just be an expansion of that. Just a couple of sentences added to that notice would do the trick.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so the notice for fair election would be just

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a couple of sentences at the end of some of the notice
that might go out.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And I thank the gentleman
for his answers.

If I could, would those eligible include those
that may occupy owner-occupied affordable housing in
a community?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

If it was Section 8, yes.

DEPUTY SPEAKER GODFREY:

Representative Miner.

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REP. MINER (66th):

Thank you, Mr. Speaker.

And so if an individual actually owns the home and the housing -- in the case of the town of Litchfield, the housing partnership owns the land underneath it.

The good gentleman is still sure that the owner of the home can run for office.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

It actually has to be the person who has the actual voucher, the Section 8 voucher that would be eligible.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so I guess I'll show my ignorance. I've read through the two statutes that seem to pertain to this piece of legislation. And I couldn't find any reference to Section 8 housing. If the gentleman could tell me, does this pertain to anyone who is not

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somehow affected by Section 8 housing?

Through you, please.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Excuse me. I didn't hear that question. Could you repeat it?

DEPUTY SPEAKER GODFREY:

Representative Miner, could we try it again?

REP. MINER (66th):

Sure. Thank you, Mr. Speaker.

I have looked at the two statutes that this legislation is drafted to, it references, and in neither -- in this, I don't find any reference to Section 8 housing. And I can tell you in the town of Litchfield, to the best of my knowledge, not all of them are subject to Section 8 housing. So through you, how do I know who would come under this and who wouldn't?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

And I just want to paint a little picture for those

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who may not get it, that really, this bill as amended, really there's many parts of this bill that are already current regulations. Okay. Okay. No change, especially in terms of eligibility.

And again, I would point you to lines 5 through 8 in terms of the eligibility.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

If you just give me one second to just review those lines I would appreciate it.

That's enough time.

Thank you, Mr. Speaker.

I've looked at the lines that the gentleman refers to. And honestly, the reason I asked for support in the last amendment was I think this is actually going to conflict with what currently goes on in the town of Litchfield.

Now the gentleman can shake his head and say, no. That's his right. But my concern is that we have privately held affordable housing I suspect that may be subject to Section 8. We have some that's owner

occupied. We have some that's not. We have multifamily housing. We have single-family housing.

We have a Litchfield Housing Partnership. We have a Litchfield Housing Authority. In some cases they work together. In some cases they work on their own.

My fear continues to be, Mr. Speaker, is that this piece of legislation in the town that I live in is going to be so confusing because some people won't know whether they're eligible to run or they're not. Others are going to think that they should be eligible and they can't.

Now it may be easy to have the gentleman paint me a picture of the housing authority that he's familiar with, but I know where Bantam Falls is, and I know where Wells Run is in Litchfield and I know where the scattered site housing is in the community. And as much as I do know about this, I am very fearful that in an effort to do what the gentleman thinks is right we're going to create a huge problem.

If the gentleman could help me, for a community that currently appoints people to the authority, would this require that person to be elected?

Through you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Could you repeat that please?

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Earlier I heard the gentleman say that this would not supersede local ordinance. Is it my understanding that this statute would require people in the town of Litchfield who serve, at least the tenant, to be elected if it's passed?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

It's only the case if in a tenant's petition for an election. Because if there's no petition process, the default is after 90 days that the current appointing authority still gets to select, make the selection.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

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Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Could the gentleman refer me to the line in which
someone would petition?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Lines 124 through 129.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

So the appointee as a tenant commissioner shall
be selected. So in the case of a -- of the board of
selectmen choosing someone to serve on the housing
authority in this case, the housing authority then
would have to notify all the tenants covered under the
housing authority and they would then petition,
presumably if they weren't satisfied with the
appointee.

Through you.

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DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes. Once every five years.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

And if I could, through you, Mr. Speaker, once the tenants have decided that they want to have this done by election, after that five years is it then by appointment? Or is it always by election?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

If there's another petition.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

So as I understand the gentleman's answer, if the

board of selectmen in the Town of Litchfield were to appoint a tenant to the Litchfield Housing Authority to serve in this capacity and there was no petition, there is no election.

If there was a petition filed there would be election. And then five years after that, when that individual's position was then going to be opened -- if they reappointed that person, the tenants could decide again to petition and that would be done by election if they chose.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes. Once every five years.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

And to the -- there was a question asked earlier with regard to which of these -- I want to make sure I get this right. Lines 94 and on, I'll say just for a little while, there are -- well, in line 94 it says, the authority shall designate a tenant organization.

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Could that be the authority?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

The authority here is the housing authority.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so in that case could the housing authority designate themselves as the tenant organization?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

I don't think they make -- meet the definition of a tenant. No.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so in the case where the housing authority is made up of individuals other than tenants, they would not qualify as the tenant organization. Is that correct?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

I'm sorry.

Could you repeat your question, please?

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

I understood the gentleman's answer to be that they couldn't because they weren't tenants. And so in the case where the housing authority was made up of individuals who were not technically living in housing controlled by the housing authority, under that scenario just as a clarification they would not be able -- they could not designate themselves as the tenant organization.

Through you.

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DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

No.]

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so through you, if the organization, the housing authority was made up solely of individuals who in one way or the other lived in housing that was controlled by the housing authority, could they then be the tenant organization?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

That sounds like a situation that doesn't exist.

I would say, no.]

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

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Thank you, Mr. Speaker.

So assuming that the situation did exist, could they designate themselves, the housing authority as the tenant organization? Through you, under some federal law, would they be told they couldn't do that?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

No.]

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And then on the line 95 when it talks about jurisdiction wide tenant organization, is that jurisdiction wide meaning the town? So in the case of the town of Litchfield it would be the whole town of Litchfield?

Through you, please.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

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The jurisdiction wide tenant organization is, in this case, it would be the whole town that the housing authority has jurisdiction over.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And as I understand it, multiple towns can enter into agreements and have housing authorities. And in those cases if they are multijurisdictional the elected person could come from either municipality.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Could you repeat your question? Now I want to understand exactly the structure of the housing authorities that you posed in your question.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

As I understand it in statute currently, municipalities can jointly create a housing authority. So in that case, would the elected individual -- could the elected individual come from either town?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

I believe that the answer to that question is, yes.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And if the gentleman could look at line 98, there's some language there that talks about jurisdiction wide resident council. Could the gentleman tell me what that body would be?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

That's the overall jurisdiction wide organization

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that is a combination of tenants from maybe many multiple tenant councils from any municipality.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so again, I'm not expecting you to know about these places in the town of Litchfield. So in the case of Wells Run, and let's say there's about 40 residents there, is it anticipated that they would have a member on the housing authority in addition to Bantam Falls that might have another 50 units or so? So is that how this would work?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

As I understand it, it sounds like you're mentioning the scenario that you talked about earlier where multiple municipalities, towns are consolidated under one housing authority. And in that case there, the jurisdiction wide organization would be the entity that represents a cross of those municipalities that

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feed into that one housing authority. So they would have to hold elections to see who would represent them on the housing authority commission.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

So it sounds like the jurisdiction wide resident council is jurisdiction wide of that complex. Is that correct? Through you, and they would make a recommendation for the election?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, jurisdiction wide is within the jurisdiction of the housing authority, if that helps you to see, you know, the far-reaching concept of jurisdiction wide, whatever is in the jurisdiction of a given housing authority.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

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Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so again, I hate go back to the town of Litchfield, but where there are two different entities that operate affordable housing underneath, let's say, the umbrella of the Town of Litchfield, would each of them have a tenant member if the petition were filed?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Under a jurisdiction wide organization, only one representative will be the tenant council representative.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

So the jurisdiction doesn't mean the town. It means --

Maybe I should ask that. Does jurisdiction in this sense mean the town?

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Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

It's through the jurisdiction of the housing authority.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

And so for those residences that the housing authority has control over, they would go through this process, but the Litchfield Housing Partnership would not have to go through this process.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

I didn't quite hear your scenario, but let me just put it in these terms. Whatever housing authority is the appointing -- is the administrator in Litchfield, they -- there will be a jurisdiction wide organization through whatever eligible members in that

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jurisdiction. They will elect one member to represent them on the housing commission.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so when the gentleman says, housing commission, does that mean housing authority?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

Housing authority commission is how I believe it's most commonly referred to.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so if the -- I'll say the real estate comes under the authority of the Litchfield Housing Partnership, which is not the Litchfield Housing

Authority commission, then those tenants would have no standing under this piece of legislation once adopted.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Thank you, Mr. Speaker.

I would refer you back to lines 5 through 8. We're talking about people under the jurisdiction of the housing authority. And I believe it's pretty defined in lines 5 through 8.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And I thank the gentleman for that.

And what I'm trying to be sure of is that in Litchfield, for instance, if half of the real estate is controlled by the Litchfield Housing Partnership, they would not come under this piece of legislation because it says nothing about partnership in lines 5 through 8. Is that correct?

Through you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

We're only talking about what's under the jurisdiction of the housing authority in this bill as amended.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I thank the gentleman for his answers.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

My good friend from Stratford, Representative Miller.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

Mr. Speaker, I have a few comments. And I mean no disrespect to anybody in the Chamber, but I don't know what you people think the housing authorities do. They don't buy beer. They don't eat lasagna and they don't play pinochle at their meetings. The people on

our housing authority are generally seniors and they have a genuine concern for the people who live in the senior housing. And they're there to protect them. They give them representation.

So when people talk about representation, what is the housing authority there for? Representation. This is not some kind of a club they go to. That's why we have one of the best housing authorities in the state.

Now there's six or eight housing authorities in this state that aren't doing their job and now we're going to pass a mandate to force every housing authority, 112 of them to adhere to this law. And as far as the League of Women Voters, there's one in Bridgeport and they cover about six or seven towns. How in heck are they going to cover elections for 112 housing authorities in the state of Connecticut? Somebody is going to have to help them and eventually we're going to have to hire people to moderate and to run these elections and that's a fact.

With our economy, we don't need to spend more money. And we don't have to put in mandates anymore. This is a mandate. For heaven sakes, why don't we do what we said what we were going to do during the

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election. No more unfunded mandates, and here we've got a mandate that eventually is going to cost us money.

So I urge this assembly to vote this thing down. Again, it's a mandate.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The gentleman from Bethel, Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Chairman -- a few questions through -- I'm sorry, Mr. Speaker. Sorry about that.

A few questions through you for the proponent of the bill.

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. CARTER (2nd):

You know, I know democracy is really important as we've spoken about here numerous times today. Does anything in this current law that we have before this prohibit a town or a municipality from adopting these procedures on their own?

REP. BUTLER (72nd):

Through you, Mr. Speaker.

No.

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DEPUTY SPEAKER GODFREY:

Representative Carter.

REP. CARTER (2nd):

Through you, Mr. Speaker, have any towns adopted these in Connecticut as far as you know?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

To tell you the truth I haven't polled all the cities and towns in the state of Connecticut.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Carter.

REP. CARTER (2nd):

So what are the most, through you, Mr. Speaker, what of the most important duties of a commissioner on the housing authority?

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

I am very glad you asked that question. Because

I believe that it is the duty of those commissioners to represent the people of the housing authority, the people that make policy for the people in housing authorities.

And contrary to, you know, some comments here we are in no way trying to tell housing authorities how they should be run. We're not here to comment on if it's being run well or not. We are here talking about giving individuals a chance to have their concerns being represented through elections in the housing, public housing that they live in. That's what this bill is about.

We're not here to tell -- to make commentary on housing authorities and how they run. We're here to give people an opportunity to elect their representation on this board to do exactly what your question asks from the, is to represent public housing in their jurisdictions.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

You know, obviously I understand the implications

of having the housing authority and what it does in the community. But through you, Mr. Speaker, specifically do these commissioners have an effect on spending community money? Or at least diverting community money?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

As I said, this is one of those areas that they already currently do. So we're not changing anything in the areas that doesn't exist currently.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

Through you, then since these decisions of a member of the housing authority can have far-reaching implications to the community, basically spending the community's money, then doesn't having a small number of tenants in a housing organization actually undermine the voting rights of the community as a whole?

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Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Carter, I think you're moving into the realm of opinion as opposed to fact. Questions have to be kept strictly to factual information regarding specifically the bill that's before us. Maybe if you rephrased it or moved onto something else, sir.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

I will rephrase that.

Through you, Mr. Speaker, since the tenant commissioner can make decisions that involve the expenditure of funds in a community, then can tenant organizations actually have somebody who's not registered to vote electing a public official?

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Excuse me. I'm sorry. Could you repeat your question?

DEPUTY SPEAKER GODFREY:

One more time, Representative Carter.

REP. CARTER (2nd):

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Right. Since a tenant commissioner can affect spending money of the community, then is there some requirement here that those in that tenant organization are at least registered voters of that community that are electing this person who will serve as a public official?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Currently this is -- what you're talking about is another one of those areas that is in current practice. So we're not changing anything in that area.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

Now I'll have to figure out how to phrase this as a question. In the current system right now the elected official, meaning the mayor or the first selectman actually makes a decision who they appoint as a tenant representative.

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Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. CARTER (2nd):

Is that -- I guess, is that true, Mr. Speaker?

REP. BUTLER (72nd):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER GODFREY:

Representative Carter.

REP. CARTER (2nd):

Okay. So then I'll wrap up.

I will not support the bill because I believe we need to have an elected official making the appointment of somebody who is going to affect the expenditure of funds in a community. And unless we have registered voters making that decision then I think it undermines everybody's voting rights and I won't support the bill.

Thank you, Mr. Speaker and thank you for your questions.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The gentlewoman from Wallingford, Representative Mushinsky.

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REP. MUSHINSKY (85th):

Thank you, Mr. Speaker.

First I'd like to thank Representative Butler and his committee for their work on this bill, for several years actually.

As my colleague Representative Larson of East Hartford likes to say, people live in public housing not because they want to, but because of their economic situation. They deserve the same rights the rest of us have to choose their own voice. We know the tenant representative is always outnumbered on the board by the non-tenant representatives. There's only one person on there who is there specifically to give the voice of the tenants.

So it's -- they cannot dominate the board and they cannot outvote the other members of the board, but they should be a pure expression of the tenants' concerns. This is the person representing the tenants who will be advocating for quicker repairs or lower prices or right to know for tenants and other matters that might be in conflict with other board members of the housing authority.

I come from Wallingford where we have had many problems with the tenant representative. And our

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tenants have said they would have a bolder voice if their tenant representative was not beholden to a appointing of public officials. In the history of our housing authority decisions were made to sell off affordable units over the strenuous objections of people who lived there -- they didn't even know about it; to ban public question-and-answer opportunities at meetings of the housing authority and to limit the ability of a newly formed tenant's organization to recommend their own tenant representative. The tenants were kept in the dark about big decisions that affected them and they were discouraged from speaking or asking questions.

Recently in my town of Wallingford the tenants chose their own preferred representative but the town council selected a different person who then failed to attend the authority meetings. I can assure you that had the democratically chosen tenant been present they would have been there at every meeting and they would have been vocal.

This bill would use a democratic process, a tenant election if the tenants request it, or a tenant council that meets federal standards to ensure that the tenants' representative is truly the choice of the

tenants. And after all, that is why that slot is there, to be their voice when decisions are made.

A Section 8 tenant is eligible only if the housing program is directly ministered by the housing authority, otherwise not eligible. This process can be supervised by a civic organization or other third-party. I know that federal HUD funds can be used and we've already had an offer by a statewide housing organization for our election in Wallingford. So there is no cost to the municipality.

But this change provides for the first time a democratic process for the tenants whose lives are effected by these votes. I hope you folks here will agree that these tenants deserve a voice just as all of us do and I hope you will support this bill.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

The gentlewoman from Greenwich, Representative Floren.

REP. FLOREN (149th):

Thank you, Mr. Speaker.

Well, I rise in support of this proposal. In our town I have witnessed firsthand the effectiveness of tenant organizations and resident councils. And in my

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opinion self-determination truly, truly improves the
governance process to the benefit of all the
stakeholders.

Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

The gentleman from Watertown, Representative
Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker. For the second time.

Just two additional questions through you to the
proponent of the bill, please.

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And through you to Representative Butler, do the
people who compete for these spots on the housing
authority, are those people required under either
current law or under this bill to be electors, to be
voters in the city or town in which they reside?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

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REP. BUTLER (72nd):

Through you, Mr. Speaker .

I don't believe that's a requirement under current law. And so we haven't spelled it out in this bill as well.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And through you to Representative Butler, in the event that there's a challenge to an election that takes place, in other words, a legal challenge. Someone feels wronged. They either were denied their right to vote, et cetera, who would pay the legal bills on behalf of the housing authority? Who would be responsible for those bills?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Actually through you, Mr. Speaker, I believe that the housing authority would be the party.

Through you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

So the housing authority is a creation essentially of the city or a function of the city or town. So would it be fair to say that the city would pick up the legal bills for that? Or the housing authority has a separate account with which to do that?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

I believe that's the case.

DEPUTY SPEAKER GODFREY:

Representative Williams.

REP. WILLIAMS (68th):

Number 1 or Number 2?

REP. BUTLER (72nd):

The latter. Number 2.

DEPUTY SPEAKER GODFREY:

The latter.

REP. WILLIAMS (68th):

The -- so through you, the housing authority has a separate account, is a separate creation and would pay out of their own funds any legal bills that would result from a challenge to an election.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Butler.

REP. BUTLER (72nd):

Through you, Mr. Speaker.

It's to my understanding that that's the case.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker. And I thank the gentleman for his answers.

REP. BUTLER (72nd):

Thank you, sir.

Will you remark further on the bill as amended?
Will you remark further on the bill as amended? If not,
staff and guests please come to the well of the House.
Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is taking a roll call. Members to the Chamber, please.

(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure your vote has been properly cast. If all the members have voted the machine will be locked. The Clerk will please take a tally. The Clerk, please announce the tally.

THE CLERK:

House Bill 6461 as amended by House A.

Total Number voting	141
Necessary for adoption	71
Those voting Yea	104
Those voting Nay	37
Those absent and not voting	10

DEPUTY SPEAKER GODFREY:

The bill as amended is passed.

The Clerk please call Calendar Number 39.

THE CLERK:

On page 4, Calendar 39, House Bill Number 5468,
AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS'
RECOMMENDATIONS FOR TECHNICAL CORRECTIONS TO LABOR
STATUTES, favorable report of the Committee on Labor.

**JOINT
STANDING
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HEARINGS**

**HOUSING
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REP. MILLER: Do you work with TEAM and all?

DAVID B. RICH: Yes. Um hum. They're a great organization.

REP. MILLER: Thank you.

Thank you, Mr. Chairman.

REP. BUTLER: Are there any other questions?

All right. Thank you, Mr. Rich.

REP. MILLER: Okay. Thank you. Thank you, very much, for your time.

REP. BUTLER: Next we have James White, which will be followed by Representative Tim O'Brien.

JAMES WHITE: Good morning.

Hello. My name is James White. I'm a resident of Meriden, Connecticut. I live at 22 Lourdes Court in Meriden. I'm also President of the Public Housing Resident Network, and I'm also a Resident Commissioner of Meriden Housing Authority.

The Public Housing Resident Network is a statewide organization made up of residents, both state and federal -- both state and federal public housing who works -- who works together to -- to find out the problems of the -- that -- that we have in public housing and more importantly on solutions to those problems. We seek to work with housing authorities to address concerns and understanding that working together, we both win.

So first let me say, as the President of PHRN,

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SB 1076

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I'd like to thank this Housing Committee for their support. In the years that we've been coming up here, you guys have continuously given us support and made residents feel that we are no longer a second -- second-class citizen, and that that's the way that you helped to have us viewed here in the state. So we thank you for that.

Having that said, the bills that I'm here today -- there's three bills that I'm here to give testimony and ask for your support on. Bill 6461, Bill 1067 -- I mean, excuse me -- Bill 1076, and Bill 1075.

First of all, I'd like to start off with Bill 6461, the resident commission legislation. This is a -- just a bill that we're asking that we have the same rights as everyone else has, and that is to have someone represent, to be able to elect someone that represents you. And -- and to do otherwise would be kind of a dictatorship system that we -- we don't feel is helping out residents in a housing authority.

This legislation regarding resident's participating in a revitalization of public housing speaks to -- more directly to the fears and concerns that residents have when committees are under redevelopment. Those are (1) what will the committee look like; (2) will I still have a place to raise my family; (3) will I be able to afford to live there; and (4) most importantly, will I be displaced through this, no fault of my own and forced to leave this community that has been my home for so long? So without being a part of a process and not having a seat at the decision-making table and not having a voice in a decision that impacts me or my family, again, I'm left with to accept whatever housing authority and developers choose to do, whom, by the way, do

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not live in that community.

The third bill is the bill that actually gives the basic right that -- that federal public housing has, and that is the grievance, 1075. This legislation gives a grievance to all residents in the state. And we're asking that the same protection for those who are in federal, are that people in state receive the same type of protection, to be able to grieve such problems to try to work out with the housing authority.

(Inaudible) of these bills that are brought to you today are at no cost to the state, but I -- so I -- I do sincerely thank you for your time, your effort, and I hope to continue to work diligently with this Housing Committee.

Thank you.

Any question?

REP. BUTLER: Thank you.

Are there any questions?

Senator?

SENATOR MCKINNEY: No. I just wanted to comment with respect to the bill on tenant commissioners. And it's something that I was happy to support last year. We sent a bill to the Senate, and --

HB 6461

JAMES WHITE: Thank you.

SENATOR MCKINNEY: I know we had the votes to pass it in the Senate and House, and hopefully with -- with a lot of bipartisan support, we'll finally get that done this year. I've talked to people about it and it only makes sense.

And I'm a little bit surprised at what the fear is over it, and I'm sure you're surprised about it too --

JAMES WHITE: I'm definitely --

SENATOR MCKINNEY: -- with that.

JAMES WHITE: -- surprised.

SENATOR MCKINNEY: Hopefully, this will be the year we get it done.

JAMES WHITE: Well, I will appreciate it. And, once again, we with PHRN would like to give our thanks out to you guys and your support. And please keep up the good work.

SENATOR MCKINNEY: Senator Gomes.

SENATOR GOMES: I want to commend you too, James, because if it wasn't for PHRN in -- in the forefront of this fight, and it's the guys like you in front of it, it'd be a little bit hard.

But we won't -- we won't even elude to the comment I made about this bill at that last -- that last damn thing, but -- but we -- it -- that was a comment that won't be made here, but it's a comment that let you know we intend to be successful.

JAMES WHITE: And I do appreciate --

SENATOR GOMES: Because it's --

JAMES WHITE: -- it.

SENATOR GOMES: -- ridiculous that this bill doesn't pass. We passed it. It got -- it got vetoed. And the worst part about it is we had the votes

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to overcome the veto, and they didn't do it.

JAMES WHITE: Well, hopefully we'll get it right this time, like we said.

SENATOR GOMES: Yeah, take some of that extra effort you always have.

JAMES WHITE: I will. And thank you, guys.

REP. BUTLER: Any other questions?

Well, I'd just like to thank you for coming and bringing your testimony today, actually bringing these issues out to the forefront. It helps to have people who actually come here to testify and advocate for these issues.

I'd like to also thank you for coming up on the previous meetings to actually work on some of the opposition views on the tenant council. And hopefully over the next few days we'll work all that out and have a quality bill that comes out that we could all pass and live with, going forward. So, again, thank you for your testimony.

JAMES WHITE: I appreciate your time. Thank you, very much.

REP. BUTLER: Representative Tim O'Brien, followed by Amy Morrill.

REP. O'BRIEN: Thank you, very much. I appreciate, very much, that -- that you've raised Senate Bill 1076, and I've -- like to -- to speak in favor of it.

This is legislation that arises out of a process that -- that was taking place in New Britain regarding the revitalization of -- of public housing. And the purpose of this is to

SENATOR GOMES: Thank you.

REP. BUTLER: Are there any other questions?

Representative Rowe.

REP. ROWE: Not a question but a comment. I --

AMY MORRILL: Uh-huh.

REP. ROWE: I thank you for your -- your testimony and for -- for coming up here. And I'm glad that you were able to make progress on the -- on your grievance, because it certainly was -- was just that -- that you needed to pursue this. And I'm glad it's -- it's -- you've had some success on it.

But thanks, very much, for coming up here, and good luck with everything.

AMY MORRILL: Thank you.

REP. BUTLER: Thank you.

The next speaker is Representative Mary Mushinsky. I don't see her.

So we'll move on to the next speaker, Betsy Crum, followed by Daisy Franklin.

BETSY CRUM: Good morning. Thank you for the opportunity today.

My name is Betsy Crum, and I'm the Executive Director of the Connecticut Housing Coalition. We represent a vibrant, broad network of community based, affordable housing activity all across the state, to more than 250 member organizations that include nonprofit developers, human service agencies, and

SB1075
SB1076
HB6461

resident associations.

I'm here today to express my strong support for the three bills that have been advanced by the Public Housing Resident Network, which are S.B. 1075, 1076, and House

Bill 6461. While I'll speak to each bill individually, please know that they're all bound by a common vision, and that vision is to assure the rights of public housing residents to have a seat at the table in the governance of their housing and a voice in matters that concern their tenancy and their homes.

House Bill 6461, AN ACT CONCERNING THE SELECTION OF TENANT COMMISSIONERS, each housing authority, as you know, in the state is governed by a board of commissioners that's usually comprised of five members, although in some of the largest housing authorities, they can go up to seven-member boards. Connecticut General Statute, Section 8-41 requires one commissioner of the five-member board be a tenant of the housing authority, and in the case of seven-member boards, that there be two commissioners.

All across Connecticut, residents of public housing are actively involved in making their communities a better place to live, and you've heard from some of them today. They care deeply and they work hard to improve their conditions. They want their children to live in a safe, decent environment and expect that the tenant who is serving on their board of commissioners will truly represent their voice and offer their perspective in the deliberations of the housing authority.

They deserve the right to elect their tenant commissioners who are supposed to represent them. This bill provides an option for the

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election of tenant commissioners by residents, if they've joined together in a tenant council. If there is not an authority-wide resident council but a sufficient number of residents petition for the election, then they, too, should be able to hold an election.

We do expect that in most housing authorities tenant commissioners will continue to be appointed through the current procedures, but this bill would give them a right where tenants seek to participate to choose the person who will represent them. And they should have that right to that election. As we've seen in recent develops in Egypt and throughout the -- the world, really, there's little more important than the freedom to be represented by one's own voice and vote.

Included in the testimony is proposed substitute language that's intended to clarify the process and conform state statutes to -- closer to federal requirements and really address some of the concerns that have been raised in our earlier conversations this year with housing authorities.

Senate Bill 1075 concerning public housing grievances deals with Section 8-68f of the Connecticut General Statute, which states that the Commissioner of Economic and Community Development shall adopt regulations in accordance with provisions of Chapter 54 to establish uniform minimum standards for -- for this section, which basically include a tenant's written lease, a procedure for complaints and grievances, procedures for soliciting tenant comment, and for participation in housing authority operations.

This law has been on the books for over 20 years, and these uniform standards have not

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particularly for the -- I would -- and, you know, I'd have to go back and read the -- the -- I believe that the federal procedures are very strong and in many ways are a good default place if agreement can't be reached on various details.

REP. BUTLER: Okay. Well --

BETSY CRUM: I think that they're a good standard.

REP. BUTLER: All right. Well, thank you for your testimony.

BETSY CRUM: Thank you. Thank you.

REP. BUTLER: Next we have a Daisy Franklin, followed by Carol Martin.

DAISY FRANKLIN: Good morning to the Co-chairs, Senator Gomes and Representative Butler, and absence of Vice-chair Wright.

My name is Daisy Franklin. I'm a public housing resident and am a Section VIII Housing Choice Voucher resident, and I live in Norwalk, Connecticut, at 82 South Main, Apartment 2. And I'm also the Vice-chair, Vice-president of Connecticut Public Housing Resident Network, which is PHRN.

And I'm here to speak in support of the three bills that are before your committee, H.B.N. 6461, S.B.N. 1076, and S.B.N. 1075. Our support for all three bills represent our belief in ourselves, our desire for a strong voice in our community, and a greater respect for the importance of our rights.

PHRN supports H.B. No. 6461. It's very simple. We believe that public housing residents deserve the right to vote for their tenant

commissioner who will represent them in a housing authority board of commissioners as a matter of democratic principles. As many of -- our members have watched in frustration as appointed tenant commissions have made decisions in their commissioner capacity -- were for the tenant, for the resident were not in their best interests for the fellow residents because of their allegiance to their -- pledged to the appointed power. It -- it is time that we put the principle of representative -- representative democracy to work for our public housing community. We respectfully encourage this committee to lead the way in granting public housing residents a democratic right to vote for their tenant commissioner. It is the concept of red, white, and blue, American as good, old-fashioned apple pie.

PHRN all support the S.B.N. 1076. It is based on our strengths with the revitalization plan and process of five different public housing communities, in our five different Connecticut cities and towns, over the last five years, in both parts of Westbrook Village, in Hartford, Corbin Heights, Pinnacle Heights Extension, in New Britain, Chamber Heights, in Meriden, and Allen-O'Neill Homes in Darien.

Groups of thoughtful, committed, public housing residents attempted to participate in the planning process of revitalization of their communities. Where our members were able to achieve a guaranteed seat at the table, their -- their participation was welcomed, represented, and genuine. When efforts were rejected, our members were left out of the process. How unfair that some public housing residents in our state have an opportunity to participate in the redevelopment of their communities while other public housing

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residents do not have the same opportunities, through no fault of their own.

We believe that S.B. 1076 will put public housing families in the communities on an equal footing, regardless of their -- a right to participate in planning and -- and in their planning and implementation process to revitalizing their communities. It will establish a common standard by which residents, owners, and developers will be able to move forward together.

And, finally, PHRN supports the S.B. 1075. Section 8-68f of Connecticut General Statutes will establish a minimum standard of rights, tenant rights and a grievance process, the protection of commissioners of the Department of Economic Community Development, nearly 20 years ago, and a time to comply is overdue.

And we -- I thank you for hearing me. And we do -- we do want a place at the table and -- and we're just thankful that you're here and for your support that you've given us in the past. And we look forward to support in the future.

Thank you.

REP. BUTLER: Thank you.

Have any questions?

Senator Gomes.

SENATOR GOMES: Another one of our leaders, you know.

DAISY FRANKLIN: Thank you.

SENATOR GOMES: So I want to -- I want to especially

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thank you and some of the leaders that -- that came forth on this resident tenants' bill, for the representation that you need. And you were right there in the front lines. I just want to thank you for being there.

DAISY FRANKLIN: Thank you, Senator Gomes.

REP. BUTLER: Thank you.

I also like to thank you for coming and testifying. I love to see that passion for people who are actually coming here to actually advocate for whatever, you know, they like to see happen. So thank you for coming and sharing with us today.

DAISY FRANKLIN: Thank you.

REP. BUTLER: Next we have Carol Martin, followed by Alton Brooks.

CAROL MARTIN: Good morning.

My name is Carol Martin. I represent Konover. We are the for-profit, affordable housing developer, working on a project in New Britain known at "Corbin and Pinnacle Heights Extension." Much of my comments will echo Representative Tim O'Brien's comments as well as some of the other speakers this morning. But we at our shop have been actively involved with working with residents, and we have executed a tri-party agreement, much of the requirements that I think is the intent of the Proposed Bill 1076, which I would fully support, based on my experience in New Britain under Public Act 0306 which requires residents being active participants and at the table through every stage of the process.

Sometimes developers in these situations are

CAROL MARTIN: Sure.

SENATOR GOMES: I just wanted to mention that you mentioned some people just now that -- that's why things work very well up in New Britain. You got some very good people there, and I'm -- it's -- they seem to -- they gel together, even the -- even the Representatives up here and the Senators up here from New Britain. In New Britain, they work together; therefore, they get things done.

CAROL MARTIN: Thank you.

REP. BUTLER: Thank you for your testimony.

Okay. Speaking of New Britain, we have --

A VOICE: (Inaudible.)

REP. BUTLER: -- the elder statesman from New Britain, Mr. Alton Brooks, followed by Jeff Gentes.

ALTON BROOKS: Thank you, Representative, and to my good friend, Senator Gomes, and other Co-chair, and other members of the Housing Committee. It gives me pleasure to come and speak to you this morning on some issues and to thank you also for what you've been doing and doing in the past, and -- and what I hope you will do and get done this time around.

My name is Alton Brooks and I live in Interfaith Housing Development in New Britain. And I am Chair of the Housing Committee of the Human Resource Agencies of New Britain, that's the Community Action Agency. And we work with all of the tenant groups in the City of New Britain, many of those you've been hearing this morning. We were involved in some of the -- many of -- in many and mostly all of those

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issues.

I'm from the old school, and I heard my parents and people talk about your home, and I heard often that your home is your castle and that you should treat it as such, and that you should look to your home as being your castle.

Housing is very important to individuals and to families. It helps them to -- in establishing their self-esteem, the individuals, children, and the -- the parent. It also helps the family and children in their peace of mind. So our housing stock and how housing is handled throughout is very important to our citizenry of the State of Connecticut and this country.

So the -- I'm here today to talk about three -- to be supportive of three bills that will help this to happen to thousands of individuals and families throughout Connecticut, if we can get these bills through. One is bill, House Bill 6461 to elect the tenant commissioner. That is a no-brainer that everybody needs their own representation.

In New Britain, for years, the -- the tenant representative is selected by the mayor. The person there now is selected by the mayor. And these persons are not necessarily sensitive to the needs and to the wellbeing of the tenants. They're -- they are there to, you know, at the wishes of the mayor and -- and the housing authority in many ways. So I think that it is imperative that the tenants have their own representative that is sensitive to their need and that they can go to this person and they can have the ear of the board of commissions of the housing and the -- and the administrative staff.

The next bill is bill, Senate Bill 1076, their

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REP. BUTLER: Thank you, Mr. Brooks, for your testimony. And your reputation -- reputation for your civic involvement actually precedes you. So thank you for your continued support and civic involvement.

ALTON BROOKS: Thank you, Representative.

And I'm -- I'm pleased to continue trying to -- trying to help.

REP. BUTLER: Right.

ALTON BROOKS: And good to see young folks like you all pick up --

REP. BUTLER: Yeah.

ALTON BROOKS: -- and carrying on.

Thank you.

REP. BUTLER: All right. Next we have Representative Mary Mushinsky, the new Dean of the House of Representatives.

REP. MUSHINSKY: Thank you.

REP. BUTLER: Welcome.

REP. MUSHINSKY: Thank you, Mr. Chairman and Mr. Chairman. Me -- Martin (inaudible) and myself. I am here again in support of a -- a bill we worked on last year, Senator Gomes, AN ACT CONCERNING THE SELECTION OF TENANT COMMISSIONERS, new bill number 6461. I support this bill because it would create a democratic, and I spell that with a lower case d, a democratic process for selection of a commissioner representing tenants' interest on the local housing authority.

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SB1075

As we know, the tenant representative is always outnumbered, and therefore cannot dominate the housing authority's board. Yet it is important that the tenants' lone voice is a pure expression of the tenants' concerns. This is the voice that will advocate for quicker repairs, lower prices, the right to know for tenants, and other matters that might be in conflict with priorities of the housing authority.

In my town of Wallingford, local tenants have stated that the tenant representative could become a bolder voice if not beholden to the appointing power of the -- of the housing authority or the council for that matter. At various times in the history of our local housing authority, major decisions were made to sell off affordable units over the strenuous objection of the tenants who were living there, limit public question and answer opportunities at meetings, and limit the ability of a newly formed tenants' organization to recommend their own tenant representative.

In Wallingford, tenants were not asked or suggested names or even notified that there was a vacancy on the housing authority. So this Bill 6461, would use a democratic process, a tenant organization election, to ensure that the tenants' representative is truly the choice of the tenants. The process could be supervised by a local civic organization, for example, the League of Women Voters, and the small cost could be paid for by the membership fees of the tenant organization or federal HUD funds.

A similar bill passed -- with this committee support, a similar bill passed in 2010 but was vetoed. We now have a new Governor with a different point of view on the bill who has

said he will sign the bill. So I hope the Committee will support this change to provide a democratic process and a stronger tenant voice.

And while I'm up here, I -- I noticed there are two other bills on the agenda which would also help -- would've helped in or situation.

Senate Bill 1076, for THE RIGHT TO PARTICIPATE IN REVITALIZATION PLANNING. That certainly would've helped in this -- in this move to throw out the tenants and sell the properties.

And also THE RIGHT TO A GRIEVANCE PROCEDURE, Senate Bill 1075, which would've allowed a formal process of grievance for these people who were dislocated. So thank you for raising the bills, and thank you for your support of the bills.

REP. MUSHINSKY: Thank you, Mr. Chairman and Mr. Chairman. Me -- Martin (inaudible) and myself. I am here again in support of a -- a bill we worked on last year, Senator Gomes, AN ACT CONCERNING THE SELECTION OF TENANT COMMISSIONERS, new bill number 6461. I support this bill because it would create a democratic, and I spell that with a lower case d, a democratic process for selection of a commissioner representing tenants' interest on the local housing authority.

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REP. BUTLER: Thank you, Representative. Any questions? Senator Gomes.

SENATOR GOMES: I want to thank Representative Mushinsky. I remember last year, you couldn't have had a better advocate for this bill than you. I remember you spending as much time up in the Senate as I did. Every time I turned around, you were there. And then I was running downstairs, and we had a merry old time. We passed the bill.

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REP. MUSHINSKY: Yeah, we did.

SENATOR GOMES: And we -- it got vetoed, and we just couldn't muster up enough courage from some people to override the veto. But you did a yeoman's work. You all -- I want these people to know over here that they didn't have a better advocate of this bill than you.

REP. MUSHINSKY: Well, thank you.

SENATOR GOMES: Thank you very much.

REP. MUSHINSKY: And you were working with me, and I appreciate your good effort, and I know this year the patience will pay off.

SENATOR GOMES: And I thank you very much.

REP. MUSHINSKY: And I appreciate your calling me again. I -- I -- I'm in three hearings right now. And when you called my name before, I was

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in a different floor. So I'm sorry I was not here.

REP. BUTLER: All right. Well thank you for coming.

Next we have June Lape followed by Anita Mielert.

JUNE LAPE: Good morning.

REP. BUTLER: Good morning.

JUNE LAPE: Hello. My name is June Lape. I'm in -- I'm in the public housing resident in Wallingford, Connecticut. I am a member of the board of the Wallingford Tenant Council, an independent resident association affiliated with the Connecticut Public Housing Resident Network, Incorporated, representing all 317 families living in Wallingford's six housing communities.

I am here in -- to speak in favor of House Bill 6461 on behalf of the entire board and resident membership of our organization. In Wallingford, our town council appoints the resident commissioner who serves on the housing authority's board. In 2009 believing that a new resident commissioner should be a resident of our choice, we encouraged one of our resident leaders to step forward for consideration for the vacated resident commissioner position.

Five Democrats were town councilors at the time, four Republicans were town councilors. Pat Hogan, our resident leader, was able to win the resident commissioner appointment, but only after winning a vote from the 85-person Wallingford Democratic Town Committee and then a vote of the Wallingford Town Council.

We appreciated that the Wallingford Democrats allowed her an open process within their party structure. But please be aware that those public housing, excuse me, residents were members of the Wallingford Democratic Town Committee or the Wallingford Town Council at the time. Our candidate was elected because the Democratic party leaders were sensitive to the voice of the resident -- residents. Can we always count on that happening?

In 2010 when her term had expired, and believing that Section 8.41c of the Connecticut General Statutes gave our tenant council the right to recommend a candidate for the position and to have that candidate be seriously considered, we publicly presented our candidate to the town council. Our candidate was never vetted.

The Republican Town Committee decided in the proverbial smoke-filled back room who to recommend for the position, knowing that they controlled the majority of the votes on the town council and could win the appointment. Residents were completely excluded from the process. Ladies and gentlemen, despite stereotypes to the contrary, we public housing residents are active seniors, hard-working families trying to make ends meet, your fellow church members, volunteers for the local charities, your neighbors, and perhaps even your family members.

We want and deserve the right to elect the resident commissioner who represents us on our housing authority board of commissioners. The tenant commissioner is only one vote among five on a housing authority board. We are not seeking control, only a genuine voice offering residents (inaudible) about where we live. Thank you.

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REP. BUTLER: Thank you, Miss Lape. And excuse me for mispronouncing your name earlier.

JUNE LAPE: No one ever gets it right.

REP. BUTLER: But I'd like to thank you for coming and bringing your testimony. Senator Gomes.

SENATOR GOMES: I -- I have to get out of here, but before -- before I leave, I want to know you -- let you know your testimony is right on point. Nobody was trying to gain any control, and it's one vote -- vote that we get, and it doesn't change anything, but it's -- it's our voice if we want it. And you -- you articulated it well. I want to thank you, because you've been -- you've been there forever too.

JUNE LAPE: Thank you.

REP. BUTLER: Thank you. Also I -- if you don't mind, I'd just like to comment about your particular situation that you mentioned in Wallingford that actually one of the things that we like to see is that we take the partisan politics out of this situation and actually come up with something that actually works for the democratic, little d, process and actually give folks direct representation instead of having the partisan politics actually rear its ugly head.

Even though that some of the members, well, all of the members on this Committee actually -- actually rely on partisan politics to -- to arrive here. We want to take it out of policy when it comes to housing. Truly we hope to come up with a policy that gives residents direct representation. So thank you for your testimony.

JUNE LAPE: Thank you.

REP. BUTLER: Senator Kissel, did you --

SENATOR KISSEL: --

REP. BUTLER: Oh, okay.

Next, Anita Mielert.

A VOICE: --

REP. BUTLER: Mielert. Okay. Yes? No?

A VOICE: She's not here.

REP. BUTLER: She's not here. Okay. No. M-I-E-L-E-R-T. Okay. Well, we're going to move right along to James Brown and then Brian Anderson. Had to leave. Brian Anderson. Okay. This public hearing is moving right along.

Milagros Santana. Thank you. You can start.

MILAGROS SANTANA: Okay. Buenos días. Mi nombre Milagros --

ANA ESTRADA: Hi, my name is Ana Estrada, and I'm here to translate what she's going to say. I am a PHRM member and I'm also (inaudible) organizer. Okay?

REP. BUTLER: Thank you. Buenos días.

MILAGROS SANTANA: Okay. Good day. My name is Milagros Santana and I reside at 300 East Main Street in New Britain in Connecticut. I am a member of the PHRM. Today we come here to ask you to please -- to please pass the bill for the grievance procedure because that favors us, the residents of public housing.

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REP. BUTLER: Okay. Neil Griffin.

NEIL GRIFFIN: I guess I can say good afternoon now. Good afternoon, Representative Butler and members of the Housing Committee. My name is Neil Griffin, I'm the Senior Vice President of Connecticut NAHRO and the Executive Director of the Glastonbury Housing Authority. I -- we submitted written testimony on several of the bills that you're having a hearing today on. I would like to speak in particular about three of them.

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First House Bill 6461. I'd like to thank the Committee and the Speaker's Office for generating the opportunities to discuss the technical revisions to the bill. We look forward to help produce a successful bill for you to pass this year. My testimony was submitted based upon the bill as it was written. As we've been working, we've had some resolutions particularly on the how to define a bona fide tenant organization. I think we've come to some agreement to use the CFRs to try to develop that resolution.

We still are working out some of the other technical revisions we'd like to see to make this a successful bill, particularly the conflicts with the federal requirements where there is federal properties involved. The cost of elections and speedy results of elections, as Representative Mushinsky just mentioned, we would probably be in favor of some sort of ability for the tenant associations to pay for those costs, particularly if there is a contested election if the state is not receiving any subsidy into the state programs, we have some concerns about the fiscal liability that that exposure could create for the housing authorities or municipalities.

The conflict of interest, which we raised last year and discussed in bill, we still believe that there is a provision in there and that the ability to vote on state rents is a totally different animal from voting on federal rents, because the federal rents do have specific regulations set that define them and allow them to be declared under a regulation. There's minimum rents which can be waived under hardships and utility allowances that allow the rents to be paid -- to be even in the negative dollar amount where tenants receive utility reimbursements.

At the state level, however, the base rents are the minimum rents to be set, and those are the minimum dollars needed typically to keep the program fiscally solvent and put enough money into reserves to continue the repairs and replacements on the property. So we do believe there is -- still a conflict there that we'd like to see resolved.

We still support CCM's compromise of providing three names. We understand it wasn't determined to be a favorable compromise by the Committee, but we still support CCM's proposal. There is one provision within 6461 where it allows not for an election but for the tenant organization to appoint the tenant commissioner as opposed to holding an election amongst the entire tenants. We question that provision after hearing the desire to have the election to have that appointment provision in there, we also question that provision as well.

Overall we do look forward to in the coming days and weeks to work with Jeff Freiser and members of the Housing Committee and the members of the Speaker's Office to try to come up with resolutions so that we have a successful bill to put forward here. That's --

those are in 6461.

Senate Bill 1076 which is the revitalization bill, the concept as it stands we don't have any issues with the concept of involving tenants in participation. As a matter of fact, it's required under 8-64a in disposition for the state. We just have some again technical issues with the way the bill is crafted. We think there needs to be much more -- much greater detail.

We'd certainly like to take the opportunity to look at the process that was run in New Britain and try to learn from that to develop a sound process to put forward. We think it needs a little more study to develop a better bill that's going to be able to be manageable and successful in its implementation going forward.

6052, the bill regarding supporting housing, we had similar concerns to those raised by Representative Wright. We're really -- we do not believe -- we're strongly opposed to the requirement of a 10 percent set-aside for units that are revitalized. This could have the unintended effect of displacing existing residents from these properties out so that 10 percent of them could be set aside for supportive housing. And with the buzzer, I'll cut it off at that and leave it for any questions you may have.

REP. BUTLER: Thank you. Are there any questions?
Senator McKinney.

SENATOR MCKINNEY: Thank you. With respect to this -- the selection of tenant commissioners, what the -- what's the conflict of interest that you see?

NEIL GRIFFIN: The only part of it we see is in the

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voting on the state rents. It was a piece that the Legislature amended in the 70s to remove the conflict of interest from the Supreme Court decision regarding the New Haven Housing Authority. Because of the structure and the way rents are set at the -- on the state properties, we still see the conflict there as they're directly setting the rents that they're going to pay.

Where on the federal level there's a stronger regulations where the formulas create the rents. There's policies to set minimum rents, but they can be waived through hardships.

SENATOR MCKINNEY: But whether -- whether we allow tenants to elect a commissioner or maintain the current system where say a mayor (inaudible) or town council can appoint commissioners, that doesn't impact the issue of a conflict of interest, right? I mean --

NEIL GRIFFIN: Not in the election --

SENATOR MCKINNEY: A mayor -- a mayor can appoint a commission -- a tenant, right?

NEIL GRIFFIN: Correct. Correct. That's not the part that we were saying creates the conflict. It's more that specific provision --

SENATOR MCKINNEY: Okay. So the opposition is not to -- are you also opposed to allowing tenants to elect a commissioner?

NEIL GRIFFIN: Oh, no, sir.

SENATOR MCKINNEY: Okay. Thank you.

REP. BUTLER: Thank you. And I would like to thank you for your testimony. I'd also like to thank you for actually working with us, giving us

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enter the program. Usually those are time limited, often two to three years, that kind of thing, in my experience.

REP. WRIGHT: Thank you.

BILLY BROMAGE: You're welcome.

REP. BUTLER: Thank you for your testimony.

BILLY BROMAGE: Thank you.

REP. BUTLER: We're down to our last three speakers so -- that have signed up. Next we have Kim McLaughlin followed by Raphie Podolsky.

KIM MCLAUGHLIN: Good afternoon. My name is Kim McLaughlin, I'm an organizer with the Connecticut, boy -- you know, I was just about to thank you for how supportive you've been of all the speakers this morning. But I'm an organizer with the Connecticut Housing Coalition and the Connecticut Public Housing Resident Network. And I did want to begin by thanking you for being so supportive of the speakers and making it such -- a much easier thing to think about coming here and testifying because of the way -- your reception. So thank you very much.

You have heard testimony from many leaders in our two organizations about -- in support of three bills this morning, House Bill 6461, Senate Bill 1076, and Senate Bill 1075. I'm not here to repeat any of the testimony or the reasoning that they put before you this morning.

I am here to let you know that our organization's support of all three bills is firmly based in our experience, the experience of our members as they have pursued their

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rights and responsibilities as residents who really care very deeply about their community. So they have been very active in many areas, but three in particular are addressed by these three bills.

So I want you to know that, again, that the -- that our support for the bills is experience-based. And I want to tell you two very specific experiences in cities unnamed that I think relate why our support for these three bills is -- is based on our members experience.

In one city our members came forth with the name of a leader, another resident that they very much respected and wanted to put forth as a possible resident commissioner candidate. The process went forth and that woman was appointed. She attended essentially every single meeting of the commission through the year that she served.

After that, although our members put forth her name again when her position, you know her term was up, there was a -- a different person was vetted. Residents were not allowed to be part of the process. A new commissioner was appointed in November. And since that time, in the last four months, out of eight commissioner meetings, that commissioner has only been in attendance at three out of the eight meetings.

So as you can imagine, the residents in that -- in those communities in that city very much feel very disenfranchised from the process and feel that they have no voice and that their concerns are not taken seriously by the very commissioner that is -- is -- should be representing them. So that's one -- that's just one example of why the House Bill 6461 is so important to our members.

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also. We're looking to keep people who are in the program from being foreclosed upon actually while they're in a good-faith effort to go through the program.

Is that something that you think is -- what's your thoughts about going forward with this? I know the Banks Committee actually is looking at this. Is there something else that we should think about in terms of pursuing this or is?

RAPHIE PODOLSKI: I think you've identified two major things that would be very helpful changes. And I -- I would encourage you to -- the Committee to pursue them. I -- clearly the -- the Committee should be in touch with the Banks Committee since you each have -- you basically have overlapping bills. And so it certainly makes sense for there to be conversations between the two committees.

REP. BUTLER: Yes, well, I'm sure we will. In the past we -- we have -- we actually had a joint informational hearing last session about this and ultimately came up with language that we actually were able to put into a banking bill to go forward. So hopefully we could come up with something at this session as well.

And, I guess the last question -- the last question I have is for probably the most spoken of bill here today is the tenant commissioner's bill. In -- in your mind, what, you know, we've talked about some of the contentious areas here, how would you see, you know, going forward with this in terms of reconciling some of the issues that have been brought up? First of all, I'd like to ask you about this conflict of interest.

In -- in your mind, there was some conflict of interest whereas somebody would be voting for

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the minimum standards for rental housing and, I don't know, in my mind, I mean, we're talking about one out of five votes. I -- I don't see how that one vote is going to, you know, and -- and even there's -- I don't see how that's a real clear conflict if they're representing a -- a whole housing development or housing in that particular municipality.

RAPHIE PODOLSKY: Well, people use -- people toss around the term conflict of interest in different ways. And I guess you need to understand that there -- that -- that it can mean different things to different people. If you think about your own experience as a legislator or some of the people who may have been on city councils, you routinely vote on things that affect you.

I mean it's impossible to be in the situation where you're voting on things and not be affected by them. So for example, if you decide whether you're going to change the sales tax, well, every legislator who's voting on whether or not to -- to increase the sales tax is affected, has a personal interest at some level as to whether that is or is not done, because you all -- everybody is buying things.

If you change the income tax, you're affecting everybody. If you're a local legislator and you're setting the mill rate. If you own a piece of property, you're going to be paying more or less based on what you said. If you adopt a conflict of interest rule and say that those things constitute conflicts of interest, nobody is going to be able to vote on anything.

And the result is the more standard conflict of interest approach is something that is much more narrow and targeted. If you are voting on something that is about you, that you have a

contract with the state and the Legislature has to decide to put money in the budget in order to fund that contract, and you are uniquely a beneficiary of that contract, you're going to have to recuse yourself from that vote, because that's a conflict of interest.

It affects you in particular, not you as part of a category of other people that are equally affected. The federal rule -- the federal law requires that if you have federal public housing, you must have a tenant -- a tenant commissioner. Federal law also says that the commissioner cannot be discriminated against in their -- terms of their powers as a commissioner.

And then specifically goes on to say that the only time it is a conflict of interest is when it affects that tenant uniquely and not that tenant as a member of a class of tenants. For that reason, our statute has long, for some 30 years or more, has been out of compliance with federal law, because our statute says that a tenant commissioner cannot vote on the rents.

And so that's -- and that's because it's used - - it's in effect adopted the wrong kind of conflict of interest standard. A standard that they apply too generally would end up disqualifying everybody. And so what this bill does is it attempts to fix it and bring it into conformity with the federal requirements so that we are not in -- so that our housing authority boards are not out of compliance with federal law.

Now it is also true that the federal law does not govern purely state public housing. And so I suppose one could say you don't have to conform it, if it -- if the town has no state - - no federal public housing at all. But given

that we sort of want a certain amount of uniformity of the housing authorities, it seems to me that it's a -- it's a necessary fix in the statute for federal situations. And -- and there's no reason not to make the same accommodation where you have only state public housing. I don't know if that answers your question or not --

REP. BUTLER: Yes, well, and, well, you gave the -- the most likely views that I had in terms of seeing this as a conflict. You know, serving as an alderman, you know, prior to being here as a state representative, the first conflict that came to mind to me was the one you brought up. How can we affect people who live in a city to set a mill rate which everybody has to abide by. If -- if that were truly a conflict, we would never be able to vote on that.

And as you mentioned here, we would never be able to set the income tax or -- or the sales tax levels or any other policy of that nature, because that clearly represents what we do. But we would never be able to vote on that, we would all be in conflict. So I clearly don't see setting the minimum price for rental housing as a conflict because it's not your rent, it's everyone's rent that you're setting.

And we're only talking about one vote out of five, so I -- I clearly don't see that as a conflict even though it's been mentioned as one. So I'd like to thank you for your testimony. We have a question, Representative Larry Miller.

REP. LARRY MILLER: Thank you, Mr. Chairman. Good afternoon, Raphie.

RAPHIE PODOLSKI: Good afternoon.

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REP. LARRY MILLER: My town is against this bill.

RAPHIE PODOLSKI: We're talking -- I'm sorry --

REP. LARRY MILLER: -- against this bill.

RAPHIE PODOLSKI: The tenant commissioner --

REP. LARRY MILLER: Yeah, and we've had commissioners on our boards for years and we've put good people on there, decent people who are there to serve their tenants as well as the town. And I don't know how many boards have problems with their tenant commissioners, but I don't think it's very many.

Lately, you know, I don't know, if -- if there's some town that puts some people on there that aren't using their ability to be a board member to the best advantage of the -- of the tenant as well as the town, there's something wrong. Can you tell me how many towns have problems like that?

RAPHIE PODOLSKI: No, I can't. I can't give you a numerical answer.

REP. LARRY MILLER: It's a miniscule amount as far as I know.

RAPHIE PODOLSKI: Well, I think -- I -- I was not in the room when most of the witnesses had testified. And I think people who've had experience can better speak to their experiences. But what I can -- what I know is that there's a logic behind the requirement that you have a tenant commissioner. And -- and the existing method of choosing that commissioner does not carry out the logic. In other words, why would you even bother to say that you have to have a tenant as a member of the housing authority?

I mean, couldn't you just say, look, the mayor is going to appoint five good people, what do you need a tenant for? If he likes the tenant, he'll appoint a tenant. If he doesn't, he won't. The logic of -- of this mandate which grew initially at least out of a federal mandate is -- is that you want on the board to have somebody who will voice views of the tenants and will look at issues from a tenant perspective.

It doesn't mean they're going to vote differently than anybody else, they may or they may not, but it puts -- it feeds that perspective not just as an outside perspective kind of lobbying the -- the board, but an inside perspective. For that to work, the person has to be somebody who has some capacity to speak for tenants.

In some towns you may have a mayor or an appointing authority bending over backwards to look for someone who they see as a real tenant spokesperson, maybe an activist, maybe a person who they know goes to all the meeting -- all the tenant association meetings. I mean, they may, and that's fine. But there is every reason to believe that in a number of towns, that's simply not the way in which the appointing authority decides that that's who they're going to appoint.

They will typically appoint someone who has some connection with the political party, usually, of the majority political party. It's not out of -- unheard of to find somebody who does, you know, who -- who sits on election day, you know, sits in -- in the voting, you know, in the voting area and checks people in or other things that make them attractive.

It's also I think a problem in some towns where you have both senior and family housing. That I think there's a tendency, I don't want to say this always happens, but there's a tendency for the appointing authorities to draw in someone from the senior housing and not from the family housing. And often the issues are different, and it is possible that if you ask the tenant associations what they would like, they might well prefer somebody out of the family housing than out of the -- out of the senior housing.

What this bill does is it says where you have a city-wide resident council or you have a petition, they'll do an election. If not, then you just stick with the old system. Let's look for example in Stratford, I don't know if there would be an election or not, because --

REP. LARRY MILLER: But it's a mandate on the town.

RAPHIE PODOLSKY: No, no. It is a mandate if one of two conditions exist. Either there is a city-wide tenant organization that represents all of the developments, not just one single development but all of them. Or that there is a petition signed by, I forget the petition numbers that are in the bill, petitioning for election.

Yes, if either of those two things exist, then it -- then they must hold -- they must follow the procedure that goes with those, so -- which may or may not lead to an election. It may also -- it could -- it could also be done through the representative city-wide resident organization without an election. But otherwise the bill is very explicit, it says if that doesn't happen, then the existing procedure applies and the appointing authority appoints, basically the same way they appoint now.

So I don't think there's any expectation among those of us who are advocating for this bill that you're going to have an election in most cases. It's likely that you would have an election where you have a certain amount of tenant activism or a tenant organization, which is not the case in a lot of places. So -- so I think -- I think it's a much smaller issue than people are giving credit for being.

But at the same time where it is an issue, it becomes very, very important. And it becomes a means of assuring that the rationale for the statute can be carried out. That -- that you can have a system where the person who is the tenant on the -- on the housing authority board will be somebody who is in a position to speak with the tenants. I don't know, I mean --

REP. LARRY MILLER: -- with the appointing authority. You don't put a dope on the board. If that person is not going to attend meetings, and not vote for the -- the right way or just start trouble. You have to have people who are civil and will work with the commissioners. They do that in my town for years, you know, I don't know why you're going to penalize the towns that do the right thing and never have any troubles.

RAPHIE PODOLSKY: I just don't see this as penalizing. And I don't think there's any reason to believe that a tenant election is going to choose an incompetent person or a -- or a person who is incapable of working with others.

REP. LARRY MILLER: One person didn't go to a board meeting in about three months somebody said.

RAPHIE PODOLSKY: Right, but that was -- well, at

least I was here when someone referred to a change in -- in where, Kim McLaughlin referred to a change, but that wasn't a person chosen by the tenants, that was a person chosen by the appointing authority. And they replaced a person who -- who the appointing authority had chosen because that -- what happened there was, I believe the appointing authority changed.

The old appointing authority was interested in knowing who the tenants wanted, chose the person, got a really good person, term expired, the new appointing authority was -- was not interested in using that as the basis for the appointment, chose somebody else, I assume thinking they were choosing a good person. But that person, who did not have a degree of interest or commitment, you know, missed a lot of meetings or maybe, I don't know the circumstances, maybe their health wasn't good.

But whatever the reason was, it had the practical effect of disenfranchising the tenants. You know, there's always a risk. The tenants could elect somebody and it turns out they don't go to meetings either. But one would hope that that would be factored into anybody that the tenants were -- were choosing to put -- to put on the board.

I mean, I'm genuinely disappointed that the housing -- that housing authorities seem not to be supportive of the bill. I would expect them to be very supportive. And there are places in the country where elections are routine. A lot of places in New York State have elections. And I don't think they -- I don't think they consider it a big deal.

REP. LARRY MILLER: Our director has a problem with it. He's been running a good show for the last 20 years, and we treat the tenants in our

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housing authority, in our senior, in our public housing, with the greatest respect. And we always try to do the best for them from the standpoint of living in good, clean conditions, up-to-date services, we never have any trouble.

RAPHIE PODOLSKY: I don't think this bill --

REP. LARRY MILLER: I don't know why, you know, this thing is needed. I guess some towns in this state are really off the wall. I think that's fine --

RAPHIE PODOLSKY: I don't think this bill is going to hurt Stratford at all.

REP. LARRY MILLER: Thank you.

REP. BUTLER: Thank you. I would just like to comment. I -- I think the intent of this is the basic right of representation is what it boils down to. And if you showed -- if your particular town shows the greatest amount of respect, I think the greatest amount of respect you could pay to anyone is to give them a voice in their own determination.

So, I mean, so I -- I think that's, you know, what we're really trying to get to here. But not that I want to actually debate the issue. I just want to bring clarity that I don't think that anyone has a monopoly on actually selecting good candidates to serve or selected bad candidates to -- to -- the bill is just to give those tenants the right to select somebody to represent them.

That's how we all arrived at this Committee. Somebody selected us to represent them. So hopefully they all made the right choices. But thank you for your testimony, Raphie.

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homelessness. And part of his plan is collaboration and restructuring the (inaudible) to be more guaranteed towards putting these people in homes instead of just serving as a band-aid service. So we are hoping that he will support our efforts as well. All we have to do is prove that they are working here, so we need to implement them first.

REP. BUTLER: Okay.

AMANDA GIRARDIN: Thank you.

REP. BUTLER: Thank you. Thank you for your testimony. Okay. We have, I believe, Brian Anderson? Now before Brian speaks, is there anyone else who is signed up that we haven't called on? Okay. Well, Brian you will be our last speaker for today.

BRIAN ANDERSON: Thanks.

REP. BUTLER: But not the least of which. We have come to -- want to hear. Thank you.

BRIAN ANDERSON: Chairman Butler, members of the Committee. My name is Brian Anderson, I'm the lobbyist for Council 4 AFSCME, which is the union of 35 public and private employees. We represent hundreds of workers who work for public housing authorities. We're in strong support of the bill to grant an elected position for tenants on boards and to have that process be through elections.

We -- we think that this is just good democracy. Who knows more about the needs of the public housing authority than the people who actually live there? It -- it always makes sense to have the ultimate user of a service have some input into how that service is delivered. Our -- our workers look at this,

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they -- having attended -- someone who actually lives there will help them do their jobs better. It -- it will help expose needs and wants that sometimes might not be picked up on a board. And we think the most effective way to do it is -- is through election of those tenants.

In this country, we put democracy on a pedestal, and that's a good thing. Democracy cures a lot of problems, democracy can be messy. Every once in a while somebody gets elected who isn't perfect, but democracy straightens out that same problem. If that person is not good at what they do, they'll be unelected. That's the blessing of democracy.

This is not meant to be an affront. I don't think it's meant to be an attack or a criticism of -- of anyone or any authority. This legislation passed the Legislature last year, unfortunately Governor Rell vetoed it. It -- it's important because public housing authorities are instrumentalities of the federal, state and local governments. They are part of government, even though I know some of the structures vary.

I think having a tenant on -- and one of the things -- I think the reason for the original legislation that said a tenant had to be on, was to ensure some watchdog function. What makes more sense? To ensure that watchdog function and to have the election of the tenants rather than have the municipal power or the executive director of the authority or -- or the board at large be able to really strongly control who's on the board.

I -- I think it makes the board better. I think it makes the board stronger. I -- I have to say, one of the things that stunned me last

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year in trying to help -- help the tenants and pass this bill, were that, I counted at least five lobbying firms that were hired to oppose this bill. Now our workers can tell you how short on cash -- legitimately short on cash public housing authorities are. That there isn't enough money to -- to get the plumbing work done, and patch the holes in the walls, to replace the light bulbs.

That -- that these directors -- I -- I think it's a shame that they came up with the money to hire these firms and more firms got hired as this bill did better. I -- I just think that says worlds about how some of these executive directors view their tenants. I think it's unfortunate. I think this bill, as we've seen so many times in this country, brings democracy that's going to ensure a better outcome for the public at large and for the tenants. Thanks.

REP. BUTLER: Thank you. Are there any questions?
Representative Pat Miller.

REP. PAT MILLER: Good afternoon, Brian.

BRIAN ANDERSON: --

REP. PAT MILLER: I appreciate your testimony, your passionate testimony, and especially with the union coming in full support of this. The -- I've seen -- I worked in public housing for approximately 28 years, and so I know the importance of having a resident selected by the residents to -- to speak for them as their spokesperson. I have a question for you. What do you think happens in -- to the process if the resident is handpicked by the executive director?

BRIAN ANDERSON: I think that is an inferior way to pick someone. I -- I think that favoritism,

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even if favoritism is not there, it -- it's the appearance of favoritism. And, I mean, we have a whole code of ethics here that -- that you folks have put in place simply to show the public that things are on the up-and-up. And -- and I think that selection process leaves at -- at least some tenants feeling that things are not on the up-and-up, even if they are. But the election ensures people that things are on the up-and-up.

REP. PAT MILLER: Do you think that tenants would be more engaged in the process if they felt that they had someone that represented their interests?

BRIAN ANDERSON: That's -- that's a great point. I -- I definitely think it would engage the tenants more. I think if -- if you give folks a voice, more of a voice, you're giving them more of a stake, I think that would be a natural progression to -- to having folks feel empowered. When people feel empowered, they care about what they live -- where they live. They -- they feel ownership.

And -- and in the end that housing does belong to them. They're part of the public, it's public housing. And -- and anything we can do to strengthen their -- their concern over where they live and empower them and make them feel not like a cog in the wheel, I -- I think it's helpful.

REP. PAT MILLER: Okay. Thank you very much.

REP. BUTLER: Are there any other questions? All right. Well, thank you for your testimony, Brian.

BRIAN ANDERSON: Thank you.



Housing Committee
Public Hearing
March 1, 2011

Testimony of Betsy Crum,
Executive Director, Connecticut Housing Coalition

Support:
S.B. 1075 - AAC PUBLIC HOUSING GRIEVANCE PROCEDURES.
S.B. 1076 - AAC RESIDENT PARTICIPATION IN THE REVITALIZATION OF PUBLIC HOUSING.
H.B. 6461 - AAC THE SELECTION OF TENANT COMMISSIONERS.

Thank you for the opportunity to testify today. My name is Betsy Crum, and I am the Executive Director of the Connecticut Housing Coalition. The Connecticut Housing Coalition represents the broad, vibrant network of community-based affordable housing activity across the state. Our more than 250 member organizations include nonprofit developers, human service agencies, resident associations, and diverse other housing practitioners and advocates. Founded in 1981, the Coalition works to expand housing opportunity and to increase the quantity and quality of affordable housing in Connecticut.

I would like to express my strong support for the three bills before you that have been advanced by the Public Housing Residents' Network: S.B. 1075, S.B. 1076 and H.B. 6461. While I will speak to each bill individually, please know that they are all bound by a common vision: to assure the rights of public housing residents to have a seat at the table in the governance of their housing, and a voice in matters that concern their tenancy.

► H.B. 6461 – AAC The Selection of Tenant Commissioners

Each housing authority in the state is governed by a board of commissioners, usually comprised of five members, although the largest housing authorities (with more than 3000 units) may have seven-member boards. C.G.S. Section 8-41 requires that one commissioner of a five-member board be a tenant of the housing authority, and that two commissioners of a seven-member board be tenants.

All across Connecticut, residents of public housing are actively involved in making their communities better places to live. They care deeply and work hard to improve the conditions of public housing. They want their children to live in an environment that is safe and decent. And they expect that a tenant who is serving on the housing authority's board of commissioners will truly provide a tenant's voice, offering the tenants' perspective in the deliberations of the local

authority. Public housing tenants want and deserve the right to elect the tenant commissioner who is supposed to represent them.

H.B. 6461 provides an option for the election of tenant commissioners. If residents have joined together in a tenant council that encompasses all of the developments of a housing authority, they should be allowed to hold an election for tenant commissioner. If there is not an authority-wide resident council, but a sufficient number of residents petition for an election, then too residents should be able to hold an election.

We expect that, at most housing authorities, tenant commissioners will continue to be appointed through the current procedures. But where tenants seek to participate, and when they want to choose who will represent them, they should have a right to an election. As we have seen in the recent developments in Egypt and throughout the world, there is little more important than the freedom to be represented by one's vote.

Included with this testimony is proposed substitute language that is intended to clarify the election process and conform state statute to federal requirements.

► S.B. 1075 – AAC Public Housing Grievance Procedures

Section 8-68f of the Connecticut General Statutes addresses tenant rights in state subsidized housing developments. This Statute currently requires that "The Commissioner of Economic and Community Development shall adopt regulations in accordance with the provisions of chapter 54 to establish uniform minimum standards for the requirements in this section." While this has been on the books over 20 years, uniform minimum standards have not, to date, been promulgated.

The legislation proposed would establish a timeframe for publication and promulgation of required regulations. The minimum standards would address:

1. the tenant's written lease,
2. a procedure for hearing tenant complaints and grievances
3. procedures for soliciting tenant comment on proposed changes in housing authority policies and procedures, including changes to its lease and to its admission and occupancy policies, and
4. tenant participation in the housing authority's operation of state housing programs, including, where appropriate, the facilitation of tenant participation in the management of housing projects.

DECD staff has indicated their interest in seeing these regulations move forward, and we look forward to working together with them to forge standards that work for everyone.



TESTIMONY

of the

CONNECTICUT CONFERENCE OF MUNICIPALITIES

to the

HOUSING COMMITTEE

(HB 6461)

March 1, 2011

CCM is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 93% of Connecticut's population. We appreciate this opportunity to provide testimony to you on issues of concern to towns and cities.

Raised Bill 5890 "An Act Concerning the Election of Tenant Commissioners."

CCM urges you to **amend** this bill to provide that housing authority tenants submit a list of names to municipal chief executive officers for appointment as tenant commissioners. The municipal CEO would be required to choose a person from the list recommended by tenants.

H.B 5890 would allow housing authority tenants to form a tenant organization that would have the ability to designate tenants for appointment as tenant commissioners of the authority.

While CCM is sensitive to the intent behind this proposal, we are concerned that the bill removes a municipality's chief executive officer's (CEO) or governing body's ability to select members of the commission - - removing a core principal of the municipality's accountability.

Currently, housing authority commissioners are appointed by the CEO or governing body of the municipality. Each authority is overseen by five or seven commissioners depending on the number of units operated by the authority. State law requires that one member of a five-member board and two members of a seven-member board act as tenant commissioners. This mechanism balances the rights of the tenants with the need for municipal control.

Removing the appointing authority has implications that should be examined thoroughly. For example, federal law requires that tenant commissioners be residents of *federal* facilities. What happens if residents elect a tenant from a *state* facility? Or, what happens if there is no town-wide tenant association to assist with elections when multi-complex towns are involved?

CCM looks forward to being at the table during discussions about this proposal. We are happy to work with the Committee Chairs and proponents of the bill.

CCM urges the committee to ensure that all the details of the bill have been fully vetted before the bill moves forward in the legislative process.

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If you have any questions, please contact Donna Hamzy, Legislative Associate of CCM via email dhamzy@ccm-ct.org or via phone (203) 843-0705.

Testimony of Mr. James White before the Housing Committee in support of :

House Bill # 6461- An Act Concerning the Selection of Tenant Commissioners
Senate Bill # 1076- An Act Concerning Resident Participation in the Revitalization of Public Housing
Senate Bill # 1075- An Act Concerning Public Housing Grievance Procedures

March 1, 2011

Hello, my name is James White and I live at 22 Lourdes Court in Meriden CT. I am the President of the Public Housing Resident Network and I am the Resident Commissioner for the Meriden Housing Authority. The Public Housing Resident Network is a statewide organization made up of residents in both state and federal public housing who work together to not just talk about the problems in public housing but more importantly to work on the solutions to those problems. We seek to work with housing authorities to address mutual concerns.

First, let me say as the President of PHRN I would like to thank the Housing Committee for their support of our efforts over the years to insure that residents of public housing are no longer viewed as second class citizens and that as residents living in Connecticut we are as vital a part of the make-up of this state as everyone else is. So thank you.

Having said that, the three bills before you today speak specifically to ensuring that residents are indeed a part of the process and have a voice in those things that have such a strong impact on them and their families, as well as protection of those rights..

The resident commissioner's legislation (House Bill #6461) asks only that public housing residents are afforded the same right as everyone in this country has and that is you should elect who will represent you. To do otherwise would be nothing short of a dictatorship.

The legislation regarding resident participation in the revitalization of public housing (Senate Bill #1076) speaks directly to a very real fear and concern that residents have when their community is under redevelopment. Our fears and concerns are: 1) what will my community look like after revitalization, 2) will it still be a place I can raise my family, 3) will I be able to afford to live here after revitalization!, and 4) most importantly, will I be displaced through no fault of my own and be forced to leave a community that has been my home for so long. Without being a part of the process, not having a seat at the decision-making table, and not having a voice in the decisions that impact me and my family, my only choice is to accept whatever housing authorities and developers choose to do. By the way, the developers and housing authority administrators do not live in my community!

The legislation regarding the grievance procedure (Senate Bill #1075) is basically stating that whether you live in state or federal public housing you should be entitled to the same protection and enforcement of your rights and have the same basic rights as everyone.

I sincerely thank you for giving myself and PHRN members an opportunity to speak to you today.

Thank you

**Testimony of Mr. James Brown before the Housing Committee in
support of**

House Bill No. 6461

An Act Concerning the Selection of Tenant Commissioners

March 1, 2011

Hello. My name is James Brown and I live in the Franklin Apts at 12 Garden Street in Bridgeport, CT. I am a PHRN member and a former Tenant Council President, as well as a current Resident Commissioner for the Bridgeport Housing Authority. I am here to speak in support of House Bill #6461.

As a Resident Commissioner, it is very important to me to communicate with all residents and attend all resident meetings in order to hear resident concerns and to better represent residents. It is also important for me to develop strong relationships with the other commissioners as well as other community leaders and organizations. In other words, it is important for me to be the voice of the residents regarding all Bridgeport Housing Authority matters and to insure that resident concerns are addressed.

So if the Resident Commissioner is to be the voice of public housing residents, should not residents be the ones who determine who their commissioner should be? Residents should be able to elect a Resident Commissioner who they trust. They then would be an active part of the process. Is that not what the democratic process in this country was built on – 1 Voice, 1 VOTE!

Thank you

Housing Committee

Public Hearing on H.B. 6461 March 1, 2011

Written Testimony of Scott C. Bertrand

Ladies and Gentlemen of the Housing Committee: My name is Scott Bertrand and I am the recent past President of the Connecticut Chapter of the National Association of Housing & Redevelopment Officials more commonly known as CONN-NAHRO. I am also the Executive Director of the Enfield Housing Authority where I have worked for over nine years. Prior to Enfield, I was employed with the Meriden Housing Authority and have worked for private multi-family property management companies.

I oppose House Bill 6461.

As many will likely recall, a similar Bill, S.B. 320 was proposed last year but was vetoed last year by Governor Rell. The legislation proposed this year is also includes many unresolved issues. These issues include, but are not limited to:

- There is no definition of what constitutes a recognizable tenant organization.
- It will shift the appointment of the tenant commissioner from publically elected officials to unaccountable tenant organizations that may not be representative of all tenants' interests.
- The tenant appointed may not be a tenant in good standing.
- The potential conflict with federal regulations for housing authorities with both federal and state housing programs
- The logistical issues associated with elections on multiple sites and more clearly explaining who will run these elections.
- A State Supreme Court Case regarding conflict of interest (New Haven V. Dorsey)
- The potential fiscal impact of an election on local housing authorities that have limited resources and receive little, if any, ongoing financial support from the State of Connecticut.
- The loss of appointment and removal power of the local elected official(s).

The current Statute already requires the appointment of a tenant commissioner by local officials such as town councils and mayors. The statute also requires that tenant associations be allowed an opportunity to make recommendations to the local elected official(s). The residents of public housing have the ability to be represented by seeking an appointment in the same manner as any resident of the community. Therefore, they are well represented under the current system. A system has been in place for many years and in my opinion, worked very well.

I am unaware of any cases where this process has had a significant negative impact on the residents of public housing. The question that needs to be asked is why is this

major change so important now? If it is not been problematic, will this change better represent the interests of all residents of publicly financed housing in Connecticut or the interests of a few?

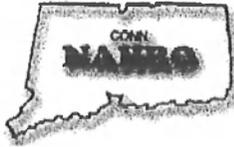
I would also like to point out that there thousands of citizens in Connecticut that live in publically financed housing that are operated by private companies and non-profit organizations. If this legislation is enacted, these tenants will not have the same representation as housing authority residents. Consideration should be given to this potential disparity.

It is also my understanding that a compromise recommended by the Connecticut Conference of Municipalities (CCM), supported by CONN-NAHRO, has been offered.

With consideration to the above, I urge the Housing Committee to oppose H.B. 6461.

Respectfully submitted,

Scott C. Bertrand



National Association of Housing and Redevelopment Officials
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H.B. 6461 An Act Concerning the Selection of Tenant Commissioners

Conn-NAHRO understands and supports increased communication and engagement with the tenants of the Housing Authorities our members operate. HB6461 as it is written raises some serious concerns and this testimony is submitted with the idea of identifying and correcting many of those concerns, including the areas we believe need to be resolved in order for the bill to function properly. Conn-NAHRO supports enhancing the tenants input into the selection of the tenant commissioner. However HB 6461 has several problematic provisions that would outweigh the intended benefit of providing greater tenant participation in the selection of tenant commissioners of housing authorities therefore we oppose HB 6461 as currently drafted.

The problems with HB 6461 are:

- In conflict with federal requirements
- Needs to better balance the rights of municipal oversight with rights of tenants.
- Conflict of interest with voting on state program rents
- Needs to Define a bona fide tenant organization
- No resolution for potential minority representation conflict
- Cost of elections and disputed results- no funding for state programs
- HB 6461 allows tenant organization to directly appoint a commissioner without holding an election to get input from all tenants.

Does Not Follow Federal Requirements

The issue is that any housing authority that has a federal program is required to have their tenant commissioner be directly assisted by a federal program. Tenants from state programs are expressly prohibited from being the tenant commissioner by federal regulation. CFR § 964.410 specifically defines a *resident board member* to be a member that is *directly assisted* and the "direct assistance does not include any State financed housing assistance or Section 8 project-based assistance".

Conn-NAHRO believes the only manageable solution would be to seek an exemption from HUD or a change in the CFR to allow the tenant commissioner to be from a state financed program. In the meantime the candidate would need to comply with this requirement as all previously appointed commissioners would have. Other solutions including expanding the board to seven members if a non-complaint commissioner is appointed only further complicate the appointment process and unnecessarily complicate the process. This would also create large boards in small communities which could have difficulty finding members to serve and could lead to quorum issues.

Needs To Better Balance The Rights Of Municipal Oversight With Rights Of Tenants

Conn-NAHRO supports the compromise CCM offered, which suggested allowing the tenants to forward three names to the chief elected official to review and appoint from. This solution was rejected by the Housing Committee at the meeting called by the Speaker of the House. Conn-NAHRO still sees this as the best compromise which allows greater tenant participation than

presently exists and leaves the chief elected official with a group of qualified candidates to select from.

Since the municipality is ultimately responsible for the fiscal viability of the housing authority and is responsible for removal of commissioners it should have greater options presented to it

Conflict Of Interest With Voting On State Program Rents

Conn-NARHO still believes that the change made to CGS Section 8-41 by the legislature in response to the Connecticut Supreme Court ruling, that held there was a statutory and common law conflict of interest when tenants served as commissioners, should not be removed as this bill is proposing to do.

The change made to the law prevented the tenant commissioner from voting on rents. The legislature added this provision to resolve the 1973 Connecticut Supreme Court decision in Housing Authority of the City of New Haven v. Donald T Dorsey, Department of Community Affairs, et. al. Although this is not a significant issue in federal units, where by U.S. Department of Housing Regulations strictly regulate the rents, for state programs removing this requirement will create conflicts of interest that have been avoided for decades thanks to reforms in the 1970s.

Need To Define A Bona Fide Tenant Organization

The current bill lacks an adequate definition of a bona fide tenant organization. Conn-NAHRO would like to see regulations or language that will prevent a self-perpetuating board from existing. Conn-NAHRO wants to prevent a small group of residents who do not represent the residents at large from appointing each other.

Conn-NAHRO believes that the solution to create regulations to define the tenant organization as has been done by the federal government in the CFRs. Conn-NAHRO seeks language that would set a minimum participation level in the elections for the tenant organization to ensure that the tenant organization does represent the interests of the tenants housing authority wide and not just a handful who voted, similar to percentages set by municipalities for a referendum.

No Resolution For Potential Minority Representation Conflict

HB 6461 could allow for a candidate to be selected that would be in conflict with the State's minority representation statutes. Again Conn-NAHRO believes the only manageable solution would be for the candidates to be compliant with the minority representation requirements.

Cost Of Elections And Disputed Results- No Funding For State Programs

State financed housing programs and municipalities are not provided any subsidy to cover the costs of tenant elections or to resolve the results of a disputed election. While the bill's advocates have offered that nonprofits like the league of women's voters would host elections without any cost, there is no language guaranteeing this. Similarly we all know the cost of resolving disputed election results is high. Conn-NAHRO strongly believes language or regulations must be created to ensure the bill does not create an unfunded mandate that Towns and Housing Authority's alike would have to burden.

If an election result is challenged it is the Town that would incur the cost of resolving since the appointment process is the responsibility of the chief elected official. During these critical fiscal times the municipalities do no need another fiscal risk to be placed upon them.

HB 6461 Allows Tenant Organization To Appoint Commissioner Without Holding An Election
Finally HB 6461 has been presented as an opportunity for the residents to elect their representation and tagged to be as good as apple pie; however, the bill contains a provision that would allow the tenant organization to appoint the tenant commissioner without holding an election(lines 105-107). This provision seems to be contrary to the bills very intent.

In closing Conn-NAHRO firmly believes that use of CCM's compromise allowing the tenant organization to provide three names to the chief elected official in conjunction with successfully resolving the technical problems with the solutions provided by Conn-NAHRO that the answer to desired goal, to provide for greater tenant participation in the selection of the tenant commissioner, will be at hand.

Sincerely

Neil J Griffin Jr.
Senior Vice President

**Stratford Housing Authority
295 Everett Street
Stratford, Connecticut 06615
Phone (203) 375-4483 Fax (203) 375-9449**

Date: February 25 2011

To: Connecticut State Joint Committee on Housing

Re: Written Testimony Regarding HB 6461

From: Kevin S. Nelson
Executive Director
Stratford Housing Authority
295 Everett Street
Stratford, Connecticut 06615

I am writing in opposition to HB 6461 regarding the Selection of Tenant Commissioners for a public housing authority.

I am opposed to this bill in its entirety because the current process of having the local appointing authority make the selection has not been documented or proven to be faulty and I understand this bill was put forth on behalf of only one or two persons.

Since the municipality bears the burden and consequences of oversight, appointments to the Housing Authority board should rest with it. And since tenants, and tenant organizations, currently have a right to petition the appointing authority on behalf of a candidate for appointment as a Commissioner, I see no compelling reason to change the current successful process.

I am also opposed to this bill because it provides for an alternate selection method, in addition to an election, if one is provided in the tenant organization bylaws (see section (c)). When the housing industry and ConnNahro' objected to this bill last year, which was passed but vetoed by Governor Rell, legislators said they were in favor of the bill because it called for an election. If this is still the case, and this bill is going to pass, then let there be an election. If you are going to allow an appointment or selection by the tenant organization governing board, as this bill does, then you have indeed deprived all tenants of participating in the process. This is a "built-in end around" to the election and in fact makes it so that an election does not even need to take place. If a selection or

appointment is going to be the method, then let the local appointing authority do it. Further, if the tenant organization is such that it is unable to hold a viable election, then why should it be trusted with an appointment.

Further, the establishment of the tenant organization should be done by vote of the residents of the Housing Authority. Following that, the new tenant organization should conduct an election of its governing board.

Also, the tenant organization, as part of its bylaws, should be required to do a screening of the tenant to determine if the tenant is in good standing with the Authority.

To reduce the appointment of a tenant commissioner to a popularity vote as opposed to a vetted selection performed by the municipal appointing authority would do more harm than good. Popular choices are not always the best choices. Most tenants are residents in good standing but many are not. What would happen if a tenant not in good standing gets elected and has a vendetta against the Authority? What would happen if a tenant is elected and then has to be evicted for a lease violation? How long would the election process take to make the replacement? What happens if a bad tenant commissioner keeps getting re-elected because the tenant is popular with the tenant population? In the case of a tenant commissioner election, would the municipality be able to bring an action against the tenant organization for any failure on the part of the tenant commissioner? Would it even be able to remove the tenant commissioner?

The Tenant Commissioner position is not one of day-to-day resident advocacy. The Tenant Commissioner must be capable of establishing policy for the Authority. Day-to-day resident advocacy is accomplished in a variety of ways. Residents can first and foremost come to the scheduled Board of Commissioner meetings. They can also respond and provide input on the Agency Plans, rules and regulations and other documents advertised for public comment. They can communicate through their resident organizations. Tenants are also ably represented through a variety of legal, fair housing and other organizations that protect their interests. I wish to thank the members of the Committee and the Legislature for the difficult work that you do, the difficult decisions you make, your attention to this very important issue and the opportunity to comment.

Respectfully submitted.

Housing Committee

Public Hearing on H.B. 6461 March 1, 2011

Written Testimony of:

Paul Nabors, Jr.
125 Shaker Road
Enfield, CT 06082

Ladies and Gentlemen of the Housing Committee: My name is Paul Nabors, Jr. I am currently a commissioner with Enfield Housing Authority where I have served as for the past six years. I oppose House Bill 6461.

Over the years, I have had the pleasure of working on Boards that included several different tenant commissioners.

Our Town Council has done a good job at appointing well-qualified individuals to the Board. Those appointed as tenant commissioners have well represented the interests of all tenants.

The tenant commissioners have always been appointed in the same manner that I have. They expressed their interest and provided their qualifications to the Town Council. The Council was then able to make the decision as to who they believed would be the best to serve the community. It is my opinion that the system works well.

Changing the system to a tenant organization appointment process could be problematic where popularity is placed ahead of qualifications. This raises a concern that local elected officials will lose the authority to make an important appointment and ability to removal if warranted. I am also concerned about the additional unfunded mandate that will be a burden on local housing authorities and the potential for conflicts of interest.

It would seem to me that this legislation, while it appears to be minor, could have serious unintended consequences. I imagine that the Legislature has more pressing issues to contend with this session.

With consideration to the above, I urge the Housing Committee to oppose H.B. 6461.

Respectfully Submitted,

Paul Nabors, Jr.

Housing Committee

Public Hearing on H.B. 6461 March 1, 2011

Written Testimony of:
Tadeus Buczkowski
404 Hazard Avenue
Enfield, CT 06082

Ladies and Gentlemen of the Housing Committee: My name is Tadeus Buczkowski. I am currently the Chairman of the Enfield Housing Authority where I have served as a commissioner for over 20 years. I oppose House Bill 6461.

Over the years, I have had the pleasure of working side by side with several tenant commissioners. Each one has been a well-qualified individual appointed by our Town Council. It has been my experience that all have done a remarkable job at representing the interests of all tenants. During my tenure, one tenant commissioner served as Chairman for many years.

The tenant commissioners have always been appointed in the same manner that I have. They expressed their interest and provided their qualifications to the Town Council. The Council was then able to make the decision as to who they believe will be the best to serve the community. It is my opinion that the system works well.

Changing the system to a tenant organization appointment process could be problematic where popularity is placed ahead of qualifications. This raises a concern that local elected officials will lose the authority to make an important appointment and ability to removal if warranted. I am also concerned about the additional unfunded mandate that will be a burden on local housing authorities and the potential for conflicts of interest.

It would seem to me that this legislation, while it appears to be minor, could have serious unintended consequences. I imagine that the Legislature has more pressing issues to contend with this session.

With consideration to the above, I urge the Housing Committee to oppose H.B. 6461.

Respectfully Submitted,

Tadeus Buczkowski

Housing Committee

Public Hearing on H.B. 6461 March 1, 2011

Written Testimony of:
Mary Ellen Kuraska
6 Surrey Lane
Enfield, CT 06082

Ladies and Gentlemen of the Housing Committee: My name is Mary Ellen Kuraska. I am currently a commissioner with Enfield Housing Authority where I have served as for the past two years. Prior to my retirement I was employed by the authority for 25 years and where I rose to the position of Executive Director. I oppose House Bill 6461.

Over the years, I have had the pleasure of working both for and on Boards that included several different tenant commissioners. During this time, more than one tenant commissioner had served as Chairman.

Our Town Council has done a good job at appointing well-qualified individuals to the Board. Those appointed as tenant commissioners have well represented the interests of all tenants.

The tenant commissioners have always been appointed in the same manner that I have. They expressed their interest and provided their qualifications to the Town Council. The Council was then able to make the decision as to who they believed would be the best to serve the community. It is my opinion that the system works well.

Changing the system to a tenant organization appointment process could be problematic where popularity is placed ahead of qualifications. This raises a concern that local elected officials will lose the authority to make an important appointment and ability to removal if warranted. I am also concerned about the additional unfunded mandate that will be a burden on local housing authorities and the potential for conflicts of interest.

It would seem to me that this legislation, while it appears to be minor, could have serious unintended consequences. I imagine that the Legislature has more pressing issues to contend with this session.

With consideration to the above, I urge the Housing Committee to oppose H.B. 6461.

Respectfully Submitted,

Mary Ellen Kuraska



State of Connecticut
HOUSE OF REPRESENTATIVES
 STATE CAPITOL
 HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE MARY M. MUSHINSKY
 EIGHTY-FIFTH ASSEMBLY DISTRICT

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RANKING MEMBER
 PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

MEMBER
 ENVIRONMENT COMMITTEE
 FINANCE REVENUE AND BONDING COMMITTEE
 SELECT COMMITTEE ON CHILDREN

Testimony of Rep. Mary Mushinsky (85th) in Support of I.I.B. 6461,
AN ACT CONCERNING THE SELECTION OF TENANT COMMISSIONERS
 Before the Housing Committee March 1, 2011

I support this bill which would create a democratic (spelled with a small d) process for selection of a commissioner representing tenants' interests on a local housing authority. As we know, the tenant representative is always outnumbered and therefore cannot dominate a housing authority board, yet it is important that the tenants' lone voice is a pure expression of the tenants' concerns. This is the voice that will advocate for quicker repairs, lower prices, right to know for tenants and other matters that might be conflict with priorities of the housing authority.

In Wallingford, local tenants have stated that the tenant representative could become a bolder voice if not beholden to the appointing power of the housing authority. At various times in the history of our local housing authority, decisions were made to sell off affordable units (over the strenuous objection of the tenants who lived there), limit public question and answer opportunities at meetings, and limit the ability of a newly formed tenants' organization to recommend a tenant representative. In Wallingford, tenants were not asked for suggested names or even notified that there was a vacancy on the housing authority.

HB 6461 would use a democratic process—a tenant organization election—to ensure the tenants's representative is truly the choice of the tenants. This process could be supervised by a local civic organization such as the League of Women Voters and the small cost could be paid for by membership fees to the tenant organization or federal HUD funds. A similar bill passed in 2010 but was vetoed. We now have a new governor who has said he will sign the bill. Please support this change to provide a democratic process and a stronger tenant voice.

**Testimony of Ms. Daisy Franklin before the Connecticut Legislature's
Housing Committee in Support of House Bill #6461, Senate Bill #1075, & Senate Bill #1076
March 1, 2011**

Hello. My name is Daisy Franklin. I am a Section 8 Housing Choice Voucher resident from Norwalk and the Vice President of the Connecticut Public Housing Resident Network, Inc. (PHRN). I am here to speak in support of three bills that are before your Committee: 1) House Bill #6461, 2) Senate Bill #1076, and 3) Senate Bill #1075. Our support for all three bills represents our belief in ourselves, our desire for a stronger voice in our communities and a greater respect for the importance of our rights.

PHRN's support of House Bill #6461, An Act Concerning the Selection of Tenant Commissioners, is very simple. We believe that public housing residents deserve the right to vote for the Tenant Commissioner who will represent them on their housing authority board of commissioners as a matter of democratic principle. Many of our members have watched in frustration as appointed Tenant Commissioners have made decisions in their Commissioner capacity that were not in the best interest of their fellow residents because their first allegiance was pledged to the appointing power. It is time to put the principle of representative democracy to work in our public housing communities. We respectfully encourage this Committee to lead the way in granting public housing residents the democratic right to vote for their Tenant Commissioner. It is a concept that is as "red, white and blue" American as good old-fashioned apple pie.

PHRN's support of Senate Bill # 1076, An Act Concerning Resident Participation in the Revitalization of Public Housing, is based on our experience with revitalization planning processes in five different public housing communities in five different Connecticut cities and towns over the last few years. In Bowles Park and Westbrook Village in Hartford, Corbin Heights Pinnacle Heights Extension in New Britain, Chamberlain Heights in Meriden, and the Allen O'Neill Homes in Darien, groups of thoughtful committed public housing residents attempted to participate in the planning processes for the revitalization of their communities. Where our members were able to achieve a guaranteed seat at the table, their participation was welcomed, respected, and genuine. Where their efforts were rejected, our members were left out of the process. How unfair that some public housing residents in our state have the opportunity to participate in the redevelopment of their communities while other public housing residents do not have the same opportunity through no fault of their own! We believe that Bill #1076 will put all public housing families and communities on equal footing regarding their right to participate in the planning and implementation process to revitalize their communities. It will establish a common standard by which residents, owners, and developers will be able to move forward together.

And finally, PHRN supports Senate Bill # 1075, An Act Concerning public Housing Grievance Procedures. Section 8-68f of the Connecticut General Statutes called for the establishment of minimum standards for tenants rights and grievance procedure protections by the Commissioner of the Department of Economic and Community Development nearly 20 years ago. The time to comply with the law is overdue.

Thank you very much for allowing me this opportunity to testify before your committee.

Testimony of Ms. June Lape before the Connecticut
Legislature's Housing Committee in Support of House Bill #6461

March 1, 2011

Hello, my name is June Lape. I am a public housing resident in Wallingford, CT. I am a member of the Board of the Wallingford Tenant Council, an independent resident association affiliated with the Connecticut Public Housing Resident Network, Inc. (PHRN), representing all 317 families living in Wallingford's six public housing communities.

I am here to speak in favor of House Bill # 6461 on behalf of the entire Board and resident membership of our organization.

In Wallingford, our Town Council appoints the Resident Commissioner who serves on the housing authority's board.

In 2009, believing that a new Resident Commissioner should be a resident of *our* choice, we encouraged one of our resident leaders to step forward for consideration for the vacated Resident Commissioner position. Five Democrats were Town Councilors at the time; four Republicans were Town Councilors. Pat Hogan, our resident leader, was able to win the Resident Commissioner appointment, but only after winning a vote from the 85-person Wallingford Democratic Town Committee and then a vote of the Wallingford Town Council. We appreciated that the Wallingford Democrats allowed for an open process within their party structure, but please be aware that no public housing residents were members of the Wallingford Democratic Town Committee or the Wallingford Town Council at the time. Our candidate was elected because the Democratic party leaders were sensitive to the voice of the residents. Can we always count on that happening?

In 2010, when Pat Hogan's term as Resident Commissioner expired, we believed that Section 8-41c of the Connecticut General Statutes gave our Tenant Council the right to recommend a candidate for the position and to have that candidate be seriously considered. We publicly presented Pat Hogan to the Town Council as our Tenant Council recommendation for the vacant Resident Commissioner position. Not only was Ms. Hogan not chosen for the position, she was never even vetted. The Republican Town Committee decided in the proverbial smoked filled back room who to recommend for the position, knowing that they controlled a majority of votes on the Town Council and could win the appointment. Residents were completely excluded from the process.

Ladies and gentlemen, despite stereotypes to the contrary, we public housing residents are active seniors, hard working families trying to make ends meet, your fellow church members, volunteers for local charities, your neighbors, and perhaps even your family members. We are proud to be actively engaged citizens, involved in our housing and our town. We want and deserve the right to elect the Resident Commissioner who represents us on our housing authority board of commissioners. The tenant commissioner is only one vote among five on a housing authority board. We are not seeking control, only a genuine voice offering residents' perspectives about where we live.

H.B. 6461 - AAC The Selection of Tenant CommissionersProposed Substitute Language

Submitted by:

Public Housing Resident Network
& Connecticut Housing Coalition

For more information:

Betsy Crum, 860-563-2943 x12, betsy@ct-housing.org

Jeffrey Freiser, 860-836-8545, jeff@ct-housing.org

Kim McLaughlin, 860-563-2943 x11, kim@phrn.org

Section 1. Section 8-41 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) For purposes of this section, a "tenant of the authority" means a tenant who lives in housing owned or managed by a housing authority or who is receiving housing assistance in a housing program directly administered by such authority. When the governing body of a municipality other than a town adopts a resolution as described in section 8-40, it shall promptly notify the chief executive officer of such adoption. Upon receiving such notice, the chief executive officer shall appoint five persons who are residents of said municipality as commissioners of the authority, except that [where the authority operates more than three thousand units] the chief executive officer may appoint two additional persons who are residents of the municipality if either (1) the authority operates more than three thousand units, or (2) upon the selection of a tenant commissioner pursuant to subsection (c) of this section, the additional appointments are necessary to achieve compliance with any federal requirement concerning the composition of the authority or any requirement pursuant to Section 9-167a of the general statutes. If the governing body of a town adopts such a resolution, such body shall appoint five persons who are residents of said town as commissioners of the authority created for such town, except that such body may appoint two additional persons who are residents of the town if, upon the selection of a tenant commissioner pursuant to subsection (c) of this section, the additional appointments are necessary to achieve compliance with any federal requirement concerning the composition of the authority or any requirement pursuant to Section 9-167a of the general statutes. The commissioners who are first so appointed shall be designated to serve for a term of either one, two, three, four or five years, except that if the authority has five members, the terms of not more than one member shall expire in the same year. Terms shall commence on the first day of the month next succeeding the date of their appointment, and annually thereafter a commissioner shall be appointed to serve for five years except that any vacancy which may occur because of a change of residence by a commissioner,

removal of a commissioner, resignation or death shall be filled for the unexpired portion of the term. If a governing body increases the membership of the authority on or after July 1, 1995, such governing body shall, by resolution, provide for a term of five years for each such additional member. The term of the chairman shall be three years. At least one of such commissioners of an authority having five members, and at least two of such commissioners of an authority having more than five members, shall be a tenant or tenants [who live in housing owned or managed by such authority, if any exists, provided that any such tenant shall have resided in such housing for more than one year or is a tenant who previously resided in such housing for more than one year and is receiving housing assistance in a housing program directly administered by such authority and provided further that no such tenant shall have the authority to vote on any matter concerning the establishment or revision of the rents to be charged in any housing owned or managed by such authority] of the authority selected pursuant to subsection (c) of this section. If, on October 1, 1979, a municipality has adopted a resolution as described in section 8-40, but has no tenants serving as commissioners, the chief executive officer of a municipality other than a town or the governing body of a town shall appoint a tenant who meets the qualifications set out in this section as a commissioner of such authority when the next vacancy occurs. No commissioner of an authority may hold any public office in the municipality for which the authority is created. A commissioner shall hold office until [his] such commissioner's successor is appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk and shall be conclusive evidence of the legal appointment of such commissioner, after [he] such commissioner has taken an oath in the form prescribed in the first paragraph of section 1-25. The powers of each authority shall be vested in the commissioners thereof. Three commissioners shall constitute a quorum if the authority consists of five commissioners. Four commissioners shall constitute a quorum if the authority consists of more than five commissioners. Action may be taken by the authority upon a vote of not less than a majority of the commissioners present, unless the bylaws of the authority require a larger number. The chief executive officer, or, in the case of an authority for a town, the governing body of the town, shall designate which of the commissioners shall be the first chairman, but when the office of chairman of the authority becomes vacant, the authority shall select a chairman from among its commissioners. An authority shall select from among its commissioners a vice chairman, and it may employ a secretary, who shall be executive director, and technical experts and such other officers, agents and employees, permanent and temporary, as it requires, and shall determine their qualifications, duties and compensation, provided, in municipalities having a civil service law, all appointments and promotions, except the employment of the secretary, shall be based on examinations given and lists prepared under such law, and, except so far as may be inconsistent with the terms of this chapter, such civil service law and regulations adopted thereunder shall apply to such housing authority and its personnel. For such legal services as it requires, an authority may employ its own counsel and legal staff. An authority may delegate any of its powers and duties to one or more of its agents or

employees. A commissioner, or any employee of the authority who handles its funds, shall be required to furnish an adequate bond. The commissioners shall serve without compensation, but shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their official duties.

(b) Tenants of the authority may form a tenant organization that shall have the power to recommend or designate tenants for appointment as tenant commissioner in accordance with subsection (c) of this section. Upon the election of the governing board of a tenant organization, such organization may request to be recognized by the authority as an official tenant organization representing all tenants of the authority. If the authority determines that the election of the governing board was conducted fairly and with sufficient notice of the election to all tenants of the authority, it shall recognize the tenant organization as the official tenant organization. An election of a governing board that satisfies the federal requirements for election of a resident council shall be deemed to satisfy the requirements of this subsection necessary for recognition by the authority.

[(b)] (c) Any tenant organization composed of tenants [residing within units owned or managed by the appointing] of the authority may indicate to such authority its desire to be notified of any pending appointment of any such commissioner. A reasonable time before appointing any such commissioner, the [appointing] authority shall notify any such tenant organization, [and, in making such appointment, such authority shall consider tenants suggested by such tenant organizations.] If a tenant organization has been recognized by the authority as the official tenant organization, then the appointee as tenant commissioner shall be selected by (1) a fair election by the tenants of the authority, provided all such tenants received sufficient notice of such election, or (2) other means provided for in the by-laws adopted by such tenant organization, including, but not limited to, selection by its governing board. If a tenant association has not been recognized by the authority as the official tenant organization and if ten per cent of the tenants of the authority or seventy-five tenants, whichever is less, petition the authority for an election, then the appointee as tenant commissioner shall be selected by a fair election by the tenants of the authority, provided all such tenants received sufficient notice of such election. If an appointee as tenant commissioner has not been selected by an election of the tenants of the authority or by other means pursuant to the by-laws adopted by an official tenant organization, then the appointing authority shall select the appointee. In making such selection, the appointing authority shall consider any tenants suggested by tenant organizations.

(d) For any election conducted pursuant to subsection (c) of this section for an authority having more than five members, qualifications may be established for the second tenant commissioner if necessary to achieve compliance with any federal requirement concerning the composition of the authority or any requirement pursuant to Section 9-167a of the general statutes.

[(d)] (e) For any election conducted pursuant to subsections (b) and (c) of this section, the housing authority shall use its best efforts to secure a neutral third-party organization to administer such election. To the extent practicable, such third-party organization shall be selected with the agreement of the official tenant organization, if any.

[(c)] [(e)] (f) Notwithstanding any provision of subsection (a) of this section or any other provision of the general statutes, [to the contrary,] a commissioner of an authority may serve as a justice of the peace or a registrar of voters.

Explanation:

Board of Commissioners Composition:

There is the possibility that the election of a tenant commissioner may result in non-compliance with other legal requirements. Specifically, the election of a resident from state public housing would conflict with the HUD regulation (24 CFR 964.410, 964.415) that requires the tenant commissioner to be a resident of federal public housing. Further, the election of a tenant commissioner from the majority political party may, depending on the balance of the board, violate the state's minority party representation statute (CGS Sec. 9-167a).

Current state law allows a municipal option for a housing authority with more than 3,000 units to expand from a five-member board to a seven-member board. The proposed substitute language would provide this same option for a housing authority if a tenant election results in non-compliance with either the federal tenant commissioner rule or the state's political representation law, so that compliance may be achieved.

Recognition of Official Tenant Organizations:

Questions have been raised about the standards for recognizing the official tenant organization and the potential for a tenant organization to lose legitimacy (for example, an organization dominated by a few individuals who have not stood for election for very many years). HUD regulations (24 CFR 964.130) provide clear standards for the election of resident councils, including a requirement for elections at least every three years. The proposed substitute language adds a reference to the federal requirements for the election of resident councils.

Testimony of Kim McLaughlin before the Connecticut Legislature's Housing Committee in Support of House Bill #6461, Senate Bill #1076, and Senate Bill #1075

March 1, 2011

My name is Kim McLaughlin. I am an organizer for the CT Housing Coalition and the CT Public Housing Resident Network, Inc. (PHRN).

Many CT Housing Coalition and Public Housing Resident Network staff and leaders have spoken to you today in support of House Bill #6461, An Act Concerning the Selection of Tenant Commissioners, Senate Bill #1076, An Act Concerning Resident Participation in the Revitalization of Public Housing, and Senate Bill #1075, An Act Concerning Public Housing Grievance Procedures. I am not here to repeat their reasoned arguments.

I am here to let you know that all three bills are borne from the collective experience of our members in pursuit of their rights and responsibilities as residents who care very deeply about their community. While attempting to work with their Tenant Commissioner to address community-wide issues of concern, participate in the planning and implementation of the revitalization of their community, or utilize their housing authority's grievance procedure in order to challenge a perceived wrong, Public Housing Resident Network members have worked within the established state and federal public housing systems available to them. House Bill #6461, Senate Bill #1076, and Senate Bill #1075 represent their experience-based suggestions for preserving and improving those systems in order to encourage more positive resident participation in the betterment of both the state and federal public housing systems in Connecticut.

In Wallingford, the current Resident Commissioner was vetted by the Republican Town Committee and appointed in November 2010 by the Town Council without any participation by residents living in the Authority's six public housing complexes. Since her appointment, the current Resident Commissioner has attended only three of the eight WHA Board meetings that have been called. In addition, the current Resident Commissioner has yet to meet with the Resident Association, although the organization has requested a meeting by telephone, e-mail, and by USPS certified mail. It is no surprise that Wallingford public housing residents are feeling disrespected, disenfranchised, and discouraged about improving their communities. Passage of House Bill #6461 would help to positively address the situation.

Without minimum standards for tenant rights and a grievance procedure being established in accordance with C.G.S. Section 8-68f, dozens of different policies and procedures exist across the state. I want to bring your attention to just one of many questionable grievance procedure policies that are currently in effect in our state. In Wallingford, the grievance procedure calls for an informal discussion to take place between the grievant and the Authority as a first step in the process. The informal discussion would be an excellent beginning to the process, except that the WHA's standard modus operandi is to employ to services of an attorney and a state marshal to produce and serve a notice that suggests a day, time and place for the informal discussion. The attorney and marshal fees are to be charged to the grievant if the grievance is ultimately ruled against him/her. There is no reason that legal and marshal services should be used to schedule an informal discussion when a simple phone call or e-mail would suffice. The only reason to use such services is to intimidate and discourage residents from utilizing the grievance procedure at all for fear of losing the grievance and having to pay attorney and marshal fees.

The old saying "the devil is in the details" applies to the rights of the state's public housing residents. Although C.G.S. Section 8-68f guarantees public housing residents their rights and a grievance procedure, without the establishment of detailed standards for those rights and that grievance procedure, public housing residents are not in fact protected. We urge passage of Senate Bill #1075. We would also request that the Public Housing Resident Network be allowed to participate in the process of finalizing the minimum standards. We believe that our members' experience would be invaluable to the process.

Thank you.

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Testimony of Raphael L. Podolsky

Public Housing bills

Housing Committee public hearing -- March 1, 2011

SB1076

H.B. 6461 -- Selection of tenant commissioners

SUPPORT

The General Assembly approved this bill last year by votes of 29-5 in the Senate and 104-42 in the House. Unfortunately, it was vetoed by the Governor and did not become law. We urge the General Assembly to reenact the bill this year.

Under existing law -- both federal and state -- one member of every housing authority board of commissioners must be a tenant of the housing authority. Appointments are made by the mayor or the town council. The purpose of the requirement for a tenant member is to make sure that the residents of public housing have a voice in the setting of housing authority policies. It is not uncommon, however, that tenants have no voice in the selection of the tenant commissioner or that the tenant commissioner has little connection to the resident council (if there is one) or to the concerns of most other tenants.

This bill allows the tenants to select the tenant commissioner, either through a representative resident council or through an election. If there is no recognized town-wide resident council and no petition for an election, the bill leaves the existing appointment procedure in place. Given the nature of resident organization, it is anticipated that elections will be held in only a small number of housing authorities in any given year. The change in the process, however, will greatly increase the likelihood that the tenant commissioner will in fact be a voice for tenant perspectives and interests and will thereby much better accomplish the reason for having a tenant as a member of the housing authority board.

The bill also removes a conflict of interest provision that is directly contrary to federal law.

S.B. 1075 -- Public housing grievance procedures

SUPPORT

In 1989, the General Assembly adopted Gen. Stats. §8-68f, which protects the rights of tenants in state public housing. Tenants in federal public housing had long had such rights. DECD was directed to adopt uniform minimum standards for lease and grievance procedures. Eleven years later, when DECD had still not adopted any minimum standards, the statute was amended to make clear that housing authorities had to comply with the requirements of §8-68f (e.g., to provide tenants with the right to file a grievance and be heard on the grievance), even if DECD failed to promulgate standards. It also required housing authorities with both state and federal public housing to use their federal grievance procedures in their state public housing. Now, another 11 years later -- 22 years from the original statute -- no DECD standards are yet promulgated, although DECD has made on-and-off efforts to develop them. This bill sets a schedule by which DECD must complete these long-overdue model lease and grievance standards.

(continued on reverse side)