

Fair Rent Commission

Town of Hamden, Connecticut

Thursday, August 24, 2023, at 6:00 pm

This meeting was hybrid and via zoom.

Members Present: Conte Robinson (Chair), Peter Cunningham (Vice Chair), Jennifer Coggins and Antwan Ned.

Others Present: Timothy Lee (Asst. Town Attorney), Salvatore McClain (Fair Rent Commission Asst.), Karen Bivens (Director of Arts, Culture, Recreation & Wellness and Abdul Kizawi (Tenant).

1. Call to Order: Mr. Robinson called the meeting to order at 6:10 p.m.

2. Attendance: Mr. Robinson called attendance.

3. Public: No

4. Executive Session: No

4. Correspondence: Request for a continuance by Broadmoor's attorney Jeff Mastrianni claiming insufficient notice. Request for continuance by Ariel-Raven Estes due to loss of Tenant Union representation. Melva Boyd and Arsene Lwamba cases settled and closed by the tenant. Joseph Bates both parties have settled and in the process of signing a new lease.

5. Vote to approve the minutes from the regular meeting held on August 3, 2023. All commissioners approved.

6. Cases to be heard:

a. Case #23-005 Abdul Kizawi: Due to no representation from Broadmoor Apts., Commissioner Robinson called for case to be rescheduled when all parties are present. Commissioner Robinson asked Mr. Kizawi was he okay with the commission's decision to reschedule his case. Mr. Kizawi expressed that he still would like to speak. The commission allowed Mr. Kizawi to speak.

Salvatore McClain connected with an Arabic interpreter through Language Line Solutions as requested from Mr. Kizawi and the commission. Mr. Kizawi expressed his concerns about his yearly rental increases and stated that he was 71 years old and had to go from one job to the next, making a low wage, and monthly expenses. Mr. Kizawi stated he needed help. Mr. Kizawi stated but he pays his rent every month.

Mr. Kizawi stated that he resided at Broadmoor Apts. for 5 years and his rental unit had leaks in his kitchen, bathroom ceilings and it took months for Broadmoor Apts. to repair. Mr. Kizawi stated that he will fix the small things himself. Mr. Kizawi stated he had nothing else to say.

Commissioner Robinson stated that the commission was going to vote whether to continue and reschedule the case. Commissioner Robinson asked Mr. McClain can the commission include Mr. Kizawi at the next hearing on September 7, 2023, and would it allow for proper notice to Broadmoor Apts. Mr. McClain stated that Mr. Kizawi case could be included, and notification will go out immediately allow the proper notice time.

Mr. McClain asked Mr. Kizawi was he okay if his case was continued on September 7, 2023, and the case would finally be settled. Mr. Kizawi stated again his stress from his yearly increases and his neighbors don't

seem to get increases. Mr. Kizawi stated that he was a good man, doesn't bother anyone, he just works and goes home. He eats, sleeps, prays and nobody visits him, no one. He just needs some help. That's it.

Commissioner Nedd asked Mr. Kizawi what he needed help with and if he received help, what would it look like for him. Mr. Kizawi stated he needed help with the constant rental increases. Commissioner Nedd asking for help to keep his rent affordable. Mr. Kizawi responded yes, and Commissioner Nedd thanked him for his response. Mr. McClain explained to Mr. Kizawi that he would schedule a meeting prior to the next hearing to sit with an interpreter to go over his case, to better explain at his next hearing.

Commissioner Robinson explained to Mr. Kizawi that the commission was going to vote on hearing his case at the next hearing and if approved it would be on September 7, 2023. Mr. Kizawi thanked the commission and stated that this had been his problem for the past 10 months and didn't sleep well because of his situation.

Attorney Lee stated to the commission that they make a motion to continue the case on September 7, 2023. Commissioner Robinson motioned for case #23-005 Abdul Kizawi's case to be rescheduled for September 7, 2023. The commission second the motion.

b. Case #22-042 Ariel-Raven Estes: Commissioner Cunningham stated that this case was not heard prior per the request of the landlord's attorney claiming both parties are in the process of resolving. The commission established that this was both parties' second request for a continuance and they had to decide to accept their request due to the new ruling allowing each party one request to continue and a second request to be decided by the commission. The commission agreed that attorney Mastrianni was present at the initial scheduling of the case and was aware of the day it was to be heard.

Mr. McClain stated that he called Ms. Estes, and she was at work unable to attend the hearing and that her representative from the Tenants Union moved and she did not have any further contact. He stated that Ms. Estes claimed that the Tenants Union representative was in talks with Broadmoor Apts to come to an agreement and settle the case, but she was unaware of the actual terms.

Due to technical difficulties the connection was lost from the hybrid meeting, but the zoom portion was still active. Commission Robinson, Attorney Lee and Director Bivens spoke via zoom.

Commissioner Robinson stated that everybody was frozen, and Attorney Lee agreed. Attorney Lee stated that Director Bivens was the host now instead of Salvatore and maybe everyone needed to re-log in. Director Bivens asked Commissioner Robinson and Attorney Lee could they hear her, and they both stated yes. Director Bivens stated that Salvatore had made her co-host and there were some connection issues in the building and Salvatore was working to reconnect.

Attorney Lee asked Director Biven how the cases were closed out settled between the tenant/owner. Did they file a withdrawal of their housing complaint with the Fair Rent Commission and how was it documented. Director Bivens stated that both parties had to send in writing that the complaint has been resolved. Attorney Lee spoke about how to properly close out a case with the commission. Attorney Lee suggested in the settlement agreement it should state that the tenant agrees to withdraw the appeal based on the settlement.

Director Bivens agreed going forward the settlement agreement should say the plaintiff or tenant withdraws their appeal. Director Bivens stated that it looked like Salvatore tried to reconnect but was kicked off. Director Bivens stated she was going to contact Salvatore and see what's going on.

The hybrid portion of the meeting was able to reconnect, and the meeting continued.

Commissioner Robinson asked Mr. McClain to resume from where he left off regarding case #22-042 Ariel-Raven Estes. Mr. McClain stated that Ms. Estes was not present and felt uncomfortable and unprepared for tonight's hearing without her union representative. Mr. McClain stated he told Ms. Estes to forward all correspondence and paperwork she had from Broadmoor Apts. attorney and her union representative. He will

then go through everything and resume mediation between both parties. The commission agreed this was Ms. Estes' second request to continue and approved it to be heard on September 7, 2023.

c. Case #22-034 Melva Boyd: Case settled between both parties and closed.

d. Case #22-036 Arsene Lwamba: Case settled between both parties and closed.

e. Case #23-016 Joseph Batts: Mr. McClain stated that both parties have settled and had drawn up a new lease. Mr. Batts met with Mr. McClain earlier today and reviewed the new lease. Due to a date discrepancy, Mr. McClain instructed Mr. Batts to contact the owner and have it corrected before signing.

Commission Robinson asked Attorney Lee how the commission should handle this case. Attorney Lee stated to the commissioners not present during the technical issues that Salvatore had done a great job getting a couple of these cases settled and was going to speak to Salvatore and Director Bivens to include in further settlement agreements to include a provision stating the tenant agrees to withdraw the appeal. The tenant can do it in writing or email to withdraw and this will remove the case off of the commission's agenda.

f. Case #23-023 James D'Andrea: Mr. McClain stated that his complaint was regarding he lives in subsidized housing, he suffered a loss in income, he did not receive his annual redetermination, but the owners increased his rent by \$25 dollars. Mr. McClain stated that he sent notices and made several calls to the owners Geller Commons and had no response from them. Mr. McClain stated he called Mr. D'Andrea earlier today as a reminder for tonight's hearing and did not get a response. Mr. McClain stated he contacted the tenant's sister, but she did not hear from Mr. D'Andrea also. Mr. McClain stated to the tenant's sister he did not get a response from Geller Commons, and she said she would look for an alternate number she had for them and would give it to him tomorrow.

Mr. McClain stated that at the request from the tenant and sister, he contacts and updates them both. The sister is like a caregiver or oversees the tenant's affairs. Mr. McClain stated that the tenant or owner was not present at tonight's meeting. The commission decided to reschedule this case for a later date.

The commission motioned and agreed for a special meeting on September 21, 2023, at 6pm to hear additional cases. This case will be via zoom due to the unavailability of the conference room.

Mr. McClain stated that the meeting on September 7, 2023, will be held via zoom also due to the unavailability of the conference room. Mr. McClain stated that he will meet Mr. Kizawi in the Recreation conference room and zoom with Mr. Kizawi and an interpreter there for his hearing on September 7, 2023.

7. Old Business: No.

8. New Business: No

9. Schedule of additional hearings: September 21, 2023, at 6pm via zoom.

10. Adjournment: The meeting ended at 8:30pm
