

Fair Rent Commission

Town of Hamden, Connecticut

Thursday, September 7, 2023, at 6:00 pm

This meeting was via zoom.

Members Present: Conte Robinson (Chair), Peter Cunningham (Vice Chair), Sharon Bradford, 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 6:14.

2. Attendance: Mr. Robinson called attendance.

3. Public Comment:

Aklilu Beyene was allowed to speak. Mr. Beyene stated, good evening, ladies and gentlemen, my name is Aklilu Beyene and I live in Broadmoor Apartments. The address is 640 Mix Avenue, apartment A. I had a fair rent, hearing on July 20, 2023, with the Fair Rent Commission. By majority they ruled in my favor. For reimbursement of towing fees, and late fee charges in the form of appropriated rent for the next 12 months and to reduce the range to 1230.

For 12 months, however, the Broadmoor apartment willfully disobeyed the Fair Rent Commissions order. The Leasing Office tried to convince me to renew my lease, but she failed. I did not sign it. The lease was to start on March 1, 2023. My argument was this is not the date the Commission decided was the effective date for my new lease and because of that I did not sign.

They tried to increase the rent to \$1,369 and if I don't sign it now it will be increased by another \$145 per month. So, I'm requesting the Fair Rent Commission to enforce the order given by the power of the Fair Rent Ordinance. So, you must act so the people who live in this town will not get hurt again by this greedy leasing office. That's my comment. Thank you very much for giving me the chance to speak.

Paul Boudreau was allowed to speak. Good evening. My name is Paul Boudreau. I live on K. View, and I'm the lead organizer for the Hamden Tenant Union. Having to do this is like a recurring nightmare at this point. I feel as some of you don't think this is important like it's a hobby like scrapbooking. With a nice merlot or something. Every one of these cases belongs to a human being. People with family kids, hardships and everybody's just sticking their head in the sand and pretending Hamden's great. And it's not great.

Our apartments are leaking, smelling, burning, and full of mold. We are under constant threat of eviction towing, and every form of intimidation and retaliation you could think of. We've been physically attacked had our vehicles taken been hit by tow trucks. Yes, that's plural. We get threats of violence via text and voicemail fake sheriffs fake marshals, and visibly armed men showing up at doors to serve notices most of which are just and out of intimidation.

The management spread lies about Union members, puts us in harm's way. This week we needed a parking pass from the leasing office. They literally cracked the door open, threw it on the ground, and closed the door like we were dogs. That's how they treat us. One member had a fake sheriff come to the door. It was just some woman came to her door and said she was the sheriff serving a notice to quit.

When the woman pressed her, she said, well, I'm not a sheriff, I'm a marshal. Then she admitted. She was just a tenant from across the street. The landlord had sent to serve her. She left crying. For some reason the woman who had been served was trying to console her.

An hour later a large man comes to her door, carrying a pistol on his hip to serve a second notice quit for no reason and when she asked him if he was a sheriff or a marshal, he said No, and just walked away. The first person didn't intimidate. So, they sent somebody bigger and armed. So, when are we going to take this seriously, after one of us is shot or run over?

It's not just me, it's far from just me. And it's not even just our Union members. It's everybody at Seramonte and Broadmoor, and all the other complexes in hand, and owned by these slumlords, who put profit over people every day, thousands of Hamden citizens. And still, when the landlord ignores the Fair Rent Commissions orders and retaliates, evicts, intimidates. Nothing is done. Nothing.

We've been talking about it for months, and it's for real. They're showing up at people's doors with cops. The Health Department, trying to intimidate them and forcing their way into their apartments literally for no reason, because they complained about something legitimate.

And what we get is. We'll give them a call and tell them to stop. Which sounds a lot like thoughts and prayers to me. It has about the same effect, too. Nothing is done. We need you to do your job, at this point, it almost seems criminal. Last night and all day yesterday several of us were checking the website for the agenda to be posted because we wanted to make sure we were prepared for the cases coming up. It wasn't posted. We checked well into the evening about 7,8,9,0'clock. 3 of us were checking at different computers in different locations. So, it wasn't like a clear, your cache kind of thing. There was no agenda there this morning. I get up, and there's one there that's predated the six. So, somebody forgot and then posted this agenda and somehow backdated it. This seems criminal, literally criminal.

And, that means this hearing is not valid. Anything decided here is going to be appealed because you didn't follow the rules of procedure. Simple procedure. Post the thing 24 hours ahead, at least it should be longer. We're expected to prepare these cases and represent people 3, 3 to 6 at a time, sometimes as volunteers, not lawyers, as we've heard over and over and we're expected to do this in 24 hours sometimes with no notice of exactly who's going to be up and what we're looking at. We still haven't gotten the discovery from the last hearing.

The landlord presents evidence and spreadsheets and all this stuff all the time, and we ask for it every time. We haven't gotten anything, not a thing. Everybody needs to follow the rules. They make us follow the rules. And we end up on the street. They filed 6 evictions. Yesterday. The ones I could find on Broadmoor filed a lot more yesterday. These people are evicting. They're about to create a really huge housing crisis. And we're going to have to take care of all these people. We're going to have to provide services. Hamden's going to be paying the state of Connecticut's going to be paying, you know, who's not paying the landlords.

They're taking their money. They're going to Jersey, and they're laughing at us. They treat us like animals. They think we're all lower people and they think they're getting by on us. They come to our cities, they wreck the places, they let them go and turn them into slums, and then they leave, lowering everybody's property values for homeowners, too. And we just let them. When are we going to enforce the rules? When are people going to be safe here in Hamden?

Why do people like with the just follow the rules and just making a phone call is not doing it. Where's you know? Where's our escrow account? We're supposed to be putting the last person's money into an escrow. It's not happening because we don't have an account. We've been talking about this. I think, since January, it's insane. And I really feel like it's criminal. We are going to go to the Attorney General with this and finally, Mayor Garrett, Sean Grace and the rest of the cousins, neighbors, and uncles that seemed to be running the appointed parts of this government. We see you. We see what you're doing, and you need to stop. You want to get elected. You need to stop and start working with the 9,000 renters in Hamden because we vote, too. Have a great night. Thank you.

Commissioner Robinson thanked Mr. Boudreau and opened the floor for Rafael and Tyrone.

Rafael & Tyrone said hello and stated they had spoken with Paul on a few occasions regarding a few things. We've been here for 2 years. They have done nothing to address the work orders that we've done put in as far as the mildew goes in the basement. They've just sent like people out just to kind of look at things. They say it's fixed. It's never fixed. They come back out. It's the same situation. More recently in May our neighbors had a fire, and their place was no longer habitable, and we had smoke and water damage in our unit, and the Red Cross came out and put us in a hotel for 2 nights.

The management office didn't know what was going on. They didn't know that they had to put us in a hotel. Since then, it's just been a run around. We feel that has been retaliation, because after the fire they sent us a letter to quit last week or

a week ago, 2 weeks ago, and in retaliation for us, filing a complaint of them. Still not doing anything with them. So that's what we want to say we put it also complaint with the Quinnipiac Valley Health Department. That was put in there was supposed to send out a fire Marshal was supposed to come out. That was never done is just like nobody has done anything. Thank you.

Commissioner Robinson, thank them. Commissioner Cunningham ask have you submitted a formal complaint to the Fair Rent Commission as well. Rafael & Tyrone stated they did. Commissioner Robinson asked if there were any more comments from the public. Commissioner Robinson stated he had a question for Attorney Lee.

Commissioner Robinson stated that the commission ordered in a previous hearing for a tenants rent to be paid into an escrow account. Does the Town have an escrow account open now. Attorney Lee stated that he is aware of.

Commissioner Robinson asked if there is anything that the commission can do to help speed up the process. Attorney Lee stated that he did not know. When the Fair Rent Commission got reconstituted 6 to 9 months ago, they tried to set up an escrow account for the Fair Rent Commission, and there was some reason why it was not established. It is one of the powers of the Fair Rent Commission to make people pay rent to escrow, so make sense to have an escrow account. Commissioner Robinson stated we're going to have to follow up on that, because we ordered that the rent would be paid in escrow in a previous case that was heard at the not that last meeting the meeting before last. And for the order to be implemented, we must have it paid in that we have to have an escrow account opened so that must happen.

Attorney Lee stated the fact of the matter is that the Commission has right to order rent to be paid into escrow underneath the ordinance. So, you should have an account. I think it's really a function of trying to deal with the finance office and establishing the account. Commissioner Robinson asked, did any of the other commissioners have any comments on that?

Commissioner Cunningham stated I do find it distressing and frustrating that orders of the Commission are not being adhered to by landlords or enforced by the town. We hear cases become decisions. And just. Speaking personally, I just kind of trust that they will be enforced. And if they're not, that's a problem. It's not something I intend to take slightly, and I certainly don't take these cases lightly.

This is not a hobby or something. I take it as something flammable. I just like to assure the public that.

Commissioner Robinson stated I don't think any of us do. It's definitely not a hobby. It's something that we're dedicated to because we actually live in this town. We're concerned about it. And some of us are renters, too. So, I don't think anyone here is doing it as a hobby. I understand Mr. Boudreau is angry, but it's definitely not a hobby. There are easier hobbies. We're all concerned about what's going on here.

Commissioner Robinson stated the orders need to be followed. Attorney Lee, can we have cases brought up where we find that the orders are not being followed?

Attorney Lee stated I mean this quite frankly. This is the first time I've heard that orders are not being followed, so I think what must happen is, whoever was involved in the case must communicate to Salvatore or somebody in the office, that the orders are not being complied with. And if that gets communicated to the town, and the town is aware of it. Then the Commission does have certain powers under the ordinance of enforcement, and I think it's 33, dash 86 deals with enforcement of orders of the Commission, and the Commission does have the right to go to court to enforce its orders or refer it to housing prosecutor for enforcement of the orders. So, there is a mechanism under the ordinance for enforcement of the orders.

Commissioner Robinson asked will we need additional testimony from the particular tenant or complainants? Attorney Lee stated no, I think they can file a complaint, saying that the order has not been complied with. I think that town can then do whatever investigation that they deem appropriate. If the Commission, then wants to authorize the office of the town attorney to commence legal action. The Commission can do that. If the Commission wants to refer the matter to the housing prosecutor, then the Commission could do that. So, I guess to create we should create a process. So, if somebody, if a tenant or landlord feels like the order's not being complied with. They should make a complaint to Salvatore.

Then that matter should be just at a meeting, and the Commission should decide what enforcement action, if any, they want to take. Commissioner Robinson stated so how about we send formal correspondence to all the tenants, and landlord in the previous cases and that they indicate to the Commission whether the order is being followed. If we get feedback that the order is not being followed by particular tenants, then we could take action ourselves under the town ordinance.

Attorney Lee stated we can do that if we want. I will also add because I know there was a

the statement that the town or the commission was not enforcing the regulations. As I said, if we're not aware of the violation of the of the orders. We can't. But the town is currently advertising for an Assistant town attorney position to deal solely with the Fair Rent Commission and to deal with the appeals and to deal with any enforcement action so and is dedicating its resources to support the Commission and to support the decisions of the Commission, whether they be in favor of the landlord or then tenant, that is in the works.

Commissioner Robinson stated what about the tenants? If they want the order enforced? And it's not, it's not being followed. Attorney Lee state, what I mean they would have to indicate they were not followed. They would have to let the town know that the order of the Fair Rent commission was not being enforced and we would have to communicate it, or put on an agenda for the Commission, and then the Commission can make a determination as to what enforcement action, if any, it wants to take. And I'm looking at the ordinance now, there's section 33.8 6 deals with enforcement and 3 options. The tenants need to know that it's not being enforced to let us know.

Commissioner Robinson stated we need to send some type of correspondence for our past cases indicating the order's not being followed that they indicate to the Commission.

Commissioner Robinson asked the Commission how does everyone feels about that? Commissioner Coggins stated I agree. And I wonder if we might also be able to in future orders going forward, leave the cases open until for a certain period of time, or until a certain resolution and include in the order language. Addressing both the issue of retaliation which is brought up in the public comment, and what constitutes retaliation and the consequences for that and also indicates, you know not only that the complainant, can reach out to the Commission to let us know that the order is not being followed but also establish a procedure for ongoing check-in, and include in the order a consequences for the order not being followed to make it very clear

Attorney Lee stated I think it's a good suggestion. I would not recommend keeping the cases open. I think the Commission should close the case, you know, make their decision close the cases, because then the parties can take whatever action they deem appropriate after that. But I think we definitely should advise parties that if an order is not enforced that they have the right to come back to the enforcement or report that to the town. I assume Salvatore can advise the Commission action they want to take agree that the parties should be advised that there is a mechanism for enforcement powers.

Commissioner Coggins stated and just to clarify that would mean that they don't have to file a separate complaint when they're coming back to the Commission? Attorney Lee said correct. I think they would not have to file a separate complaint. They would have to notify the town that the order was not being complied with, but it would be attached to the previous case. Attorney Lee stated that was correct.

Commissioner Cunningham stated I think we have one more public comment. I see a Khadija raising their hand, I believe that was another prior case of ours. And then with regards to the agenda not being posted until this morning. Obviously, it should have been posted as soon as possible, and I extend the commission's regret for that fact that it wasn't posted until this morning. But is it the case that I know that we have to send notice within 7 days?

Attorney Lee stated you have to post notice of the agenda on the time website 24 hours prior to the meeting. I don't know if that happened, or if it didn't happen, I was going to add. The claim is that it did not. Yes, right. And I was going to ask Salvatore or Karen, who? Who would have been the people posting it? That was true or not but if it, if it is accurate, then the Commission should not take up any of the hearing items tonight.

Commissioner Robinson asked was the agenda posted before 6pm or in the morning. Salvatore stated it was posted late. I take full responsibility for it being late. Commissioner Robinson stated I understand it being posted late, but the parties did have notice of it. I get the agendas needs to be posted but the parties were aware that they had cases. Attorney Lee stated that it's frustrating, but we can't go forward with the hearings and as somebody already mentioned. They're going to appeal. Everything's going to be appealed, and it's going to be appealed because there wasn't adequate notice in the fact that who's the parties to the cases had notice does not mean that anybody who wanted to participate in those cases.

Commissioner Robinson stated so you're saying that the parties didn't have adequate notice is that what you're saying. Attorney Lee stated they may have had adequate notice because they may have received notice a week in advance of the hearing, but anybody else who wants to participate in the hearings may not have had adequate notice and violation of the freedom of Information Act.

Commissioner Robinson said and that's grounds for appeal? Attorney Lee said yes.

Commissioner Bradford stated that if we go through with the hearings based on what the ruling is or the policy is that we cannot go on with the hearings because they didn't have 24 hour notice. Commissioner Robinson stated that is right, so we can't even bring anything to a vote as far as approving the minutes or anything like that today. Attorney Lee stated technically, that is right.

Commissioner Cunningham stated I do think we still have some additional public comment. If they have a right to be heard. Commissioner Robinson stated okay, Khadija and we can have her brought up.

Kadija Nicholson stated I am here tonight on this meeting because my case was seen by the fair rent commission, I wanna say, last month and I wasn't able to ask questions the night that you guys deliberated about the case. I heard you guys saying stuff about the orders not being complied with, which is something that I'm currently experiencing right now. I did send out an email. I don't know how things are going, cause I kind of joined the zoom a little late. I know that the landlord was supposed to like schedule certain things. I put in tickets for the repairs that you guys sent the order to, and they're closing. They close the tickets. I also know, like you guys said something about an escrow account for me to pay my rent into, but to my understanding, the escrow account isn't set up as yet, and I just don't know if it sets a certain precedence when or if I continue to pay my rent to Seramonte. I just had a few questions about how things are going. If it's not in compliance. If these things aren't being complied to, and what should I do as a tenant if I'm experiencing these things.

Commissioner Robinson stated that Ms. Nicholson needs you to send notice they're not complying. Ms. Nicholson stated but, like I said, my biggest thing right now is they were supposed to set up or arrange a date with me prior to me, returning back to work. That was never done. And like I said, I don't really feel comfortable setting anything up via phone with them, because then they lie about it. I'd rather have a paper trail, and that's what the tenant portal is for. The tenant portal is for me to put in a ticket. You see that this maintenance is stick. This maintenance ticket is in, and you, you know, you reach out to me to schedule an appointment, whether it's due to portal or whatever they. I open the ticket. They know that this is a whole new ticket, so I put in this ticket 3 times for the issue in my kids' room, and they are aware, because we also have this meeting. With this hearing, with the fair rent permission. They are aware that these things are undone in the apartment and they're closing the tickets. So, what am I supposed to do? Am I supposed to call them now and be like, Hey, I put in a ticket on June twenty-first. You close the ticket.

And you know that we're having a hearing for this with the Fair Rent Commission. But you're closing the ticket, and it reflects on the tenant portal, so I don't know what to do in that, you know, instance. And then, like, I said with, they're still charging me full rent, even with the order, saying that I'm supposed to be charged a different amount. They're still charging me full rent. I don't know any information about the escrow account because I know that I'm in the audit says to pay it to escrow account, but the escrow account isn't set up, so will I ever pay it into this escrow, because I don't know, and I'm still living here with the conditions that I was living with prior to the order coming into play. So, I'm just confused.

Ms. Nicholson stated she emailed Salvatore specifically. I do know that Salvatore is very busy. I know he has many different things that he is tending to but that's who I emailed.

Commissioner Robinson stated you've given notice to the town. We're definitely going to follow up on this on the escort account because that is something that has to be. It's been ordered by the Commission, and it has to be opened and paid into, and it should have happened, it should happen it should have happened already.

Ms. Nicholson stated I sent Salvatore an email in regard to my concerns, and I also sent him screenshots of Seramonte closing out the tickets that I'm putting in regards to the issue in my kid's room. My kids still aren't utilizing their bedroom to this day. So, I'm still living with the same conditions. It's just like terrible. And like, I said, if when I put something in through the tenant portal. They're not following up with it, and then they come on here and they don't tell the truth about what's really happening. I don't like, I said, I don't feel comfortable doing anything over the phone with them. If you need to set up an appointment email, me put it in writing. Put it in the center tenant portal. So that's just the route that I want to go. But if I'm putting in tickets and you're closing the tickets, knowing that the job is not done is like, what am I supposed to do as a tenant like? I shouldn't have to go through a hassle when you know that this was something put into place to order for you to follow, and you're not following it. You close the ticket.

Commissioner Robinson stated because this meeting is not supposed to be happening. We can't vote on anything right now. So what I'm going to do is we're going to add it to the agenda of the next meeting, not for the case to be heard, but to find out the status as far as the formal contact that you made with the town.

Ms. Nicholson stated she had one more question. I heard someone say something about like closing the cases after they have heard. So how would that go? For, like, you see, like my case was heard, for example. But now I have this issue where they're not in compliance. How would closing it after they're heard, be beneficial to the tenants or the orders being put into place.

Commissioner Robinson stated I'll say this, and this is just my comment on it. Don't think of it as the case actually being closed as being closed completely. It's close for evidentiary purposes as far as presenting the case. But the enforcement element of the case is not closed. Ms. Nicholson asked so the enforcement part is not closed. Commission Bradford stated you did the right thing by notifying Salvatore. So now we have something in writing saying that you know this hasn't taken place, now we can follow up on it.

Commissioner Robinson said we have Ms. Greta Blau with her hand up, and please have her brought up. Hi, it! It's Paul again, actually, we also have to get these technical problems looped out. I got blocked. After the testimony I couldn't get back in. I had to use Greta's phone to get in and about 10 other people texting me saying they can't get into the meeting. Like it's been a year, and we still can't have a meeting without a bunch of technical difficulties, not even like a little glitch, I mean, like a bunch of big technical difficulties.

Commissioner Robinson stated we have to adjourn this meeting. Commissioner Cunningham stated we need to move to reschedule these missed cases. Salvatore stated we're not going to be able to do the 28. It's not going to give enough time to get the notices out. The only opportunity is for the fifth. Commission Cunningham stated that would be the date of our regular hearing. So, it's 2 weeks from today, though and 3 weeks from today, though. Salvatore stated yes, but because this isn't a meeting, you would have to schedule them on the twenty first, and from the twenty first to the 28. It's not enough time.

Commissioner Robinson stated he understood, and we'll have to schedule them on the twenty first to hear on the fifth. Commissioner Bradford asked if we had any case for the fifth and Salvatore said nothing scheduled as of yet.

Commissioner Robinson stated my apologies to everyone. Who attended. Today we'll try to iron out the issues. We'll definitely have the agenda posted. I just wanna apologize. I know everyone's time is valuable. We had a lot of cases that we had to hear today. So, my apologies, everyone, I am going to motion to have this hearing adjourned.

Commissioner Bradford seconded the motion. Commissioner Robinson all in favor. Aye, aye. Okay. The next hearing will be on the twenty first at 6pm.

Thank you.