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## OLR Bill Analysis

**sHB 5226 (as amended by House "A")\***

### ***AN ACT CONCERNING MOBILE MANUFACTURED HOMES AND MOBILE MANUFACTURED HOME PARKS.***

#### **SUMMARY**

This bill provides liability protections for regional councils of governments (COGs) that establish regional fair rent commissions (FRCs). It also makes changes related to mobile manufactured homes and parks laws by:

1. beginning January 1, 2027, requiring members of an FRC that has a mobile manufactured home park within its jurisdiction take annual training, on laws on mobile manufactured homes, parks, residents, and owners if the training is available for free from a (a) equal housing nonprofit in the state and (b) statewide membership network of municipalities with an FRC (§ 1);
2. requiring that the Department of Consumer Protection's (DCP) regulations on the disclosure statement that mobile manufactured home park owners must give to prospective and certain renewing residents also require disclosure of periodic, usage, and penalty fees (§ 3);
3. increasing, from \$10,000 to \$20,000, the maximum amount of relocation expenses an owner must pay a resident who owns a mobile manufactured home that must be removed from the park due to a change in the park's land use (this increase applies when the owner gives the resident a notice of summary process that expires on or after October 1, 2026, regardless of when it was given) (§ 4);
4. beginning January 1, 2027, requiring DCP to promptly acknowledge receipt of a complaint from a resident about a suspected violation of state or local laws or regulations governing

mobile manufactured homes, and give the resident (a) a summary of or website link to information about their rights and responsibilities and (b) contact information, including a website link, for the Connecticut Manufactured Home Owners Alliance or a successor entity (§ 5); and

5. extending, from 30 to 60 days, the time before the start of a new rental agreement that an owner must give written notice of a rent increase to a resident who owns a mobile manufactured home (§ 6).

Finally, the bill makes minor, technical, and conforming changes.

\*House Amendment "A" (1) removes provisions requiring a COG to establish a regional FRC if a mobile manufactured home park is located in its region and (2) adds the provisions on FRC training and liability.

EFFECTIVE DATE: October 1, 2026, except the training requirement is effective upon passage.

#### **LIABILITY PROTECTIONS RELATED TO A REGIONAL FRC**

Under the bill, a (1) COG that establishes a regional FRC is treated as a municipality acting through the FRC for purposes of tort liability, notwithstanding any other laws, and (2) municipality that participates in a regional FRC has the same liability as if it had established its own FRC. The bill gives regional FRC commissioners, officers, employees, and agents acting within the scope of their duties the same liability protections as existing law gives municipal employees, officers, and agents (see BACKGROUND for existing municipal liability protections).

Under existing law, a regional FRC is already generally not liable for personal or property damage caused by the (1) acts or omissions of an employee, officer, or agent that are criminal, fraudulent, willful misconduct, or done with actual malice or (2) negligent acts or omissions that require judgment or discretion as an official function of authority granted by law (CGS § 7-148b(g)).

## **BACKGROUND**

### ***Fair Rent Commissions***

By law, municipalities with populations of at least 15,000 must, and those with smaller population may, (1) have an FRC, (2) join with one or more contiguous municipalities in a joint FRC, or (3) join a regional FRC created by their COG.

By law, FRCs are generally empowered to (1) control and eliminate excessive (harsh and unconscionable) rental charges and (2) enforce landlord-tenant statutes prohibiting landlord retaliation and establishing eviction protections for certain protected tenants. Among other things, commissions may receive rent complaints and hold hearings on them.

FRCs must consider certain factors, if applicable, when determining whether a rental charge or proposed rent increase is excessive to the point of being “harsh and unconscionable.” Among others, these factors include sanitary conditions, repairs necessary to make the accommodations livable, and compliance with state and local health and safety laws. An FRC may order that an excessive rental charge or proposed increase be reduced to a fair and equitable amount, as determined by the FRC, after holding a hearing on the complaint (CGS § 7-148b et seq.).

### ***Existing Municipal Liability Protections***

By law, a political subdivision (such as a municipality) is generally liable for personal or property damage due to:

1. its negligent acts or omissions or those of its employees, officers, and agents acting within the scope of their duties;
2. negligence in functions that it derives a special corporate profit or pecuniary benefit; or
3. nuisances.

By law, a political subdivision (such as a municipality) is generally not liable for defective roads or bridges; conduct by employees, officers,

and agents that are crimes, fraud, actual malice, or willful misconduct; and negligent acts or omissions that require judgment or discretion as an official function. These provisions do not apply to negligent operation of a municipal motor vehicle (CGS § 52-557n(a)).

By law, a political subdivision and any employee, officer, or agent acting within the scope of duty is not liable for damages from:

1. the condition of natural land or unimproved property;
2. the condition of a reservoir, dam, canal, conduit, drain or similar structure used by a person in a manner not reasonably foreseeable;
3. the temporary condition of a road or bridge due to weather when the political subdivision does not know about the condition and has not had a reasonable opportunity to make it safe;
4. the condition of an unpaved road, trail, or footpath used for a recreational or scenic area, when the political subdivision does not know about the condition and has not had a reasonable opportunity to make it safe;
5. bringing a judicial or administrative proceeding unless done without probable cause or with a malicious intent to vex;
6. the act or omission of someone other than an employee, officer, or agent;
7. actions on a permit, license, certificate, approval, order, or similar authorization that are discretionary, unless done with reckless disregard for health or safety;
8. failing to inspect or make a proper inspection of property (other than property owned or leased by or leased to the political subdivision) to determine the property's legal compliance or health or safety hazards, unless the political subdivision had notice of an issue or failure to have a proper inspection was a reckless disregard for health or safety;

9. failing to detect or prevent environmental pollution; or
10. conditions on land sold or transferred to the political subdivision by the state that existed at the time of sale or transfer (CGS § 52-557n(b)).

Unpaid members of a municipal commission are generally not personally liable for damages from an act, error, or omission made when exercising their policy or decision-making responsibilities if they acted in good faith and within their duties and not in violation of the law or applicable ethics (CGS § 52-557n(c)).

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 3 (03/16/2026)