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## **OLR Bill Analysis**

### **sSB 257**

#### ***AN ACT CONCERNING EVICTIONS FOR CAUSE.***

#### **SUMMARY**

This bill extends, with one exception, certain existing eviction and rent increase protections to all tenants who have lived in specified housing types under a rental agreement for at least 12 months. This generally includes buildings and complexes with at least five separate dwelling units and mobile home parks with at least five homes. Under current law, these protections are generally available only to tenants who (1) live in these housing types and (2) are at least age 62 or people with disabilities (and their family members in the household).

Under the exception, the protections do not apply to a tenant who is:

1. given a notice to quit (a) due to lapse of time (see below) or because he or she never had a right or privilege to occupy the premises (or this right or privilege ended) and (b) during a lease period of more than 12 months; and
2. subsequently the subject of an eviction action, within 90 days of the notice's date to quit possession, that resulted in judgment for the landlord. (Presumably, this means the landlord moved forward with the summons and complaint process within this timeframe.)

The bill also specifies the protections do not apply to a tenant who is the subject of a pending summary process (eviction) action as described above.

Existing law allows landlords to evict tenants covered by these protections ("protected tenants") based only on certain grounds. Landlords cannot do so just because the lease has expired (a lapse of time eviction). The bill establishes an additional ground, generally

applicable only to tenants who are not protected under current law, based on a landlord's intention to use the dwelling unit as a family member's principal residence.

The bill also (1) modifies provisions of current law on proof of protected status and (2) requires the Department of Housing (DOH) to revise its summary notice of protected tenants' rights based on the bill's extension of these protections.

Lastly, it makes various minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2026

### **PROTECTED TENANTS**

The bill generally extends, with the one exception noted above, existing law's eviction and rent increase protections (see below) for certain protected tenants to all tenants who have lived in one the following housing types for a minimum of 12 months under a rental agreement:

1. buildings or complexes with at least five separate dwelling units;  
or
2. mobile manufactured home parks with at least five homes.

This extension also applies to qualifying tenants living in common interest communities (1) where their landlord owns at least five dwelling units or (2) that were previously converted from a mobile home park, under certain circumstances (see BACKGROUND – *Conversion Tenants*).

Under current law, these protections generally apply only to a tenant living in the housing types described above who is:

1. at least age 62, or who permanently lives with a family member (spouse, sibling, parent, or grandparent) meeting this age requirement; or
2. a person with a physical or mental disability, or who

permanently lives with a family member, including a child, with a disability that can be expected to last for at least 12 months or result in death.

Under existing law, unchanged by the bill, “landlord” includes a licensee or owner of a mobile home park and “tenant” includes park residents (including those who own their home).

***Proof of Protected Status***

Under current law, a landlord can request proof of a person’s status as a “protected tenant” based on age or disability, and the tenant must provide it within 30 days. The bill specifies that landlords may only do so when protected status is not readily apparent and expands the ways in which someone can try to prove protected status based on a physical or mental disability. Specifically, the bill allows these tenants to give the landlord any of the following:

1. evidence of receiving Social Security disability benefits or supplemental security income (under the bill, this evidence is proof of protected status); or
2. a statement about the disability from a medical professional, social services agency, counselor, case manager, peer support group, or another reliable third party who would know about the disability.

These provisions replace current law’s requirement that proof of protected status based on alleged blindness or other physical disability include a statement from a physician or advanced practice registered nurse. The bill makes similar changes to procedures for a tenant in a conversion condominium to prove protected status to a declarant or unit owner, who may ask for proof regardless of whether the status is readily apparent.

**GROUPS FOR EVICTION**

The bill extends existing law’s eviction protection to the expanded group of protected tenants. As under existing law, landlords can evict protected tenants based only on certain grounds. These are commonly

known as “for cause” or “just cause” evictions and include the following reasons:

1. nonpayment of rent,
2. material noncompliance with tenants’ or mobile home parks residents’ statutory duties that materially affects the (a) health and safety of other tenants or (b) physical condition of the premises (this generally includes nuisance and serious nuisance),
3. material noncompliance with the rental agreement or a landlord’s lawfully adopted rules and regulations, and
4. voiding of a rental agreement based on certain illegal activity.

Additionally, landlords can evict these tenants for other reasons after a rental agreement expires, including if the (1) tenant will not agree to a fair and equitable rent increase (see below) or (2) landlord permanently removes the unit from the housing market or genuinely intends to use it as his or her principal residence. Similarly, the bill’s additional eviction ground based on a landlord’s intention to use the dwelling unit as a family member’s principal residence (see below) is not available during the term of an existing rental agreement.

***Principal Residence for Landlord’s Family Member***

The bill establishes an additional eviction ground, applicable only to protected tenants who are not at least age 62 or someone with a disability (and their family members in the household), based on a landlord’s genuine intention to use the dwelling unit as the principal residence of certain family members (a child, grandchild, parent, or grandparent). However, it also requires the following conditions be met for this ground to apply:

1. the landlord is a natural person;
2. he or she gave the tenant at least 90 days’ advance written notice;
3. there is currently no other unit in the building, complex, or mobile home park reasonably available to the landlord or family

member, or one that will become available within a reasonable time period; and

4. the landlord genuinely believes that the family member will use the dwelling unit as a principal residence for at least six months.

A landlord's intention to use the dwelling unit as a family member's principal residence is not an available eviction ground against common interest community conversion tenants, as is the case for existing law's ground based on a landlord's intention to use the dwelling unit as his or her own principal residence.

### **PROTECTION AGAINST EXCESSIVE RENT INCREASES**

As under existing law for currently protected tenants, the bill requires rent increases for all protected tenants to be "fair and equitable" based on the same factors a fair rent commission must consider in determining excessive rent increases (see BACKGROUND – *Fair Rent Commissions*). It allows these tenants, if aggrieved by a rent increase (or proposed increase), to (1) file a complaint with the municipality's fair rent commission, or (2) if living in a municipality without one, to go to court to fight the increase. Existing law, unchanged by the bill, requires the court to determine whether the rent increase is fair and equitable based on the factors fair rent commissions must use.

### **DOH NOTICE ON PROTECTED TENANTS' RIGHTS**

Current law requires (1) DOH to create a one-page notice summarizing protected tenants' rights related to evictions and rent increases and post it on the department's website and (2) landlords (or their agents) to give the notice to any tenant that rents, or enters or renews an agreement to rent, a dwelling unit located in a building, complex, or mobile home park described above. The bill requires DOH to revise this notice, by December 1, 2026, based on its extension of these protections and correspondingly requires landlords or their agents to use the revised notice starting on January 1, 2027.

## **BACKGROUND**

### ***Conversion Tenants***

By law, common interest community conversion tenants are generally those who live in a dwelling unit or on a mobile home park space or lot both before and after it becomes part of a common interest community or is offered for sale as part of one (a converted unit) (CGS § 47-283).

### ***Fair Rent Commissions and Fair and Equitable Rent Increases***

By law, fair rent commissions are empowered to (1) control and eliminate excessive rental charges and (2) enforce landlord-tenant statutes prohibiting landlord retaliation and establishing eviction protections for certain protected tenants (as described above). Among other things, fair rent commissions may receive rent complaints and hold hearings on them (CGS § 7-148b et seq.).

The law requires municipalities with a population of at least 15,000, by January 1, 2028, to have a fair rent commission or be part of a joint or regional commission. It also allows other municipalities below this population threshold to do so.

Fair rent commissions must consider certain factors, as applicable, when determining whether a rental charge or proposed rent increase is excessive (such as rents for comparable units and the amount and frequency of rent increases) (CGS § 7-148b et seq.).

### ***Related Bill***

sHB 5092, reported favorably by the Housing Committee, generally requires fair rent commissions, in determining whether a proposed rent increase is excessive, to consider whether ownership of an accommodation was transferred within the last 12 months.

## **COMMITTEE ACTION**

Housing Committee

Joint Favorable Substitute

Yea 11    Nay 8    (03/10/2026)