



General Assembly

January Session, 2019

**Committee Bill No. 6476**

LCO No. 5172



Referred to Committee on HOUSING

Introduced by:  
(HSG)

**AN ACT ALLOWING A DEDUCTION FOR THE COST OF SERVICE ANIMALS FROM RENTAL PAYMENTS FOR SUBSIDIZED HOUSING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) In the cases of any tenant  
2 who is blind, physically disabled or has a mental or intellectual  
3 disability, as those terms are defined in section 46a-51 of the general  
4 statutes, and living with a service animal in assisted housing, as  
5 defined in section 8-30g of the general statutes, the cost of food and  
6 veterinary care for the service animal shall be considered a medical  
7 expense deductible from gross family income when calculating the  
8 tenant's rent. As used in this section, "service animal" means a dog that  
9 is individually trained to do work or perform tasks for a person who  
10 has a disability.

11 Sec. 2. Section 8-72 of the general statutes is repealed and the  
12 following is substituted in lieu thereof (*Effective October 1, 2019*):

13 (a) Each developer or housing authority shall manage and operate  
14 its housing projects in an efficient manner so as to enable it to fix the  
15 rentals for dwelling accommodations at the lowest possible rates

16 consistent with providing decent, safe and sanitary dwelling  
17 accommodations, and no housing authority or nonprofit corporation  
18 shall construct or operate any such project for profit. To this end, an  
19 authority or a nonprofit corporation shall fix the rentals for dwelling in  
20 its projects at no higher rates than it finds to be necessary in order to  
21 produce revenues which, together with all other available money,  
22 revenues, income and receipts of the authority or nonprofit  
23 corporation from whatever sources derived, will be sufficient [(a)] (1)  
24 to pay, as the same become due, the principal and interest on the  
25 bonds of the authority or nonprofit corporation; [(b)] and (2) to meet  
26 the cost of, and to provide for, maintaining and operating the projects,  
27 including the cost of any insurance, and the administrative expenses of  
28 the authority or nonprofit corporation; provided nothing in this section  
29 shall be construed as prohibiting any authority or nonprofit  
30 corporation from providing for variable rentals based on family  
31 income. In the operation or management of housing projects an  
32 authority or nonprofit corporation shall, at all times, rent or lease the  
33 dwelling accommodations therein at rentals within the financial reach  
34 of families of low income.

35 (b) The Commissioner of Housing may establish maximum income  
36 limits for admission and continued occupancy of tenants, provided  
37 such maximum income limits and all revisions thereof for housing  
38 projects operated pursuant to any contract with any agency of the  
39 federal government shall be subject to the prior approval of such  
40 federal agency. The Commissioner of Housing shall define the income  
41 of a family to provide the basis for determining eligibility for the  
42 admission, rentals and for the continued occupancy of families under  
43 the maximum income limits fixed and approved. The definition of  
44 family income, by the Commissioner of Housing, may provide for the  
45 exclusion of all or part of the income of family members which, in the  
46 judgment of said commissioner, is not generally available to meet the  
47 cost of basic living needs of the family, and, in the case where a family  
48 member has a disability, shall provide for the exclusion of any  
49 maintenance costs for a service animal, as provided in section 1 of this

50 act.

51 (c) No housing authority or developer shall refuse to rent any  
52 dwelling accommodation to an otherwise qualified applicant on the  
53 ground that one or more of the proposed occupants are children born  
54 out of wedlock.

55 (d) Each housing authority and developer shall provide a receipt to  
56 each applicant for admission to its housing projects stating the time  
57 and date of application and shall maintain a list of such applications,  
58 which shall be a public record as defined in section 1-200. The  
59 Commissioner of Housing shall, by regulation adopted in accordance  
60 with the provisions of chapter 54, provide for the manner in which  
61 such list shall be created, maintained and revised.

62 (e) No provision of this part shall be construed as limiting the right  
63 of the authority to vest in an obligee the right, in the event of a default  
64 by such authority, to take possession of a housing project or cause the  
65 appointment of a receiver thereof or acquire title thereto through  
66 foreclosure proceedings, free from all the restrictions imposed by this  
67 chapter with respect to rental rates and tenant selection. The  
68 Commissioner of Housing shall approve an operation or management  
69 plan of each housing project, which shall provide an income adequate  
70 for debt service, if any, administration, including a state service charge,  
71 other operating costs and establishment of reasonable reserves for  
72 repairs, maintenance and replacements, vacancy and collection losses.  
73 Said commissioner shall have the right of inspection of any housing  
74 during the period between the date on which construction thereof  
75 begins and the date the state loan is fully paid or, in the case of a grant,  
76 during the period for which any housing project built pursuant to such  
77 grant is used for housing for families of low and moderate income. An  
78 authority or developer shall semiannually submit to said  
79 commissioner a sworn statement setting forth such information with  
80 respect to the tenants and rentals for each housing project hereunder  
81 and the costs of operating each housing project under its jurisdiction as

82 said commissioner requires.

83 (f) Any person who makes a false statement concerning the income  
84 of the family for which application for admission to or continued  
85 occupancy of housing projects is made may be fined not more than  
86 five hundred dollars or imprisoned not more than six months or both.  
87 With regard to a family who, since the last annual recertification,  
88 received any public assistance or state-administered general assistance  
89 and received earnings from employment, the authority or developer  
90 shall not require any interim recertification due to an earnings  
91 increase. At the annual recertification, the authority or developer shall  
92 base rent levels on such family's average income throughout the  
93 preceding twelve months. During the subsequent twelve-month  
94 period, the authority or developer shall not require any interim  
95 recertifications due to increased earnings from employment. However,  
96 if a family's income has decreased, nothing in this section shall  
97 preclude an interim recertification or recertification based on the  
98 reduced income level.

99 Sec. 3. Section 8-45 of the general statutes is repealed and the  
100 following is substituted in lieu thereof (*Effective October 1, 2019*):

101 (a) Each housing authority shall manage and operate its housing  
102 projects in an efficient manner so as to enable it to fix the rentals for  
103 dwelling accommodations at the lowest possible rates consistent with  
104 providing decent, safe and sanitary dwelling accommodations, and no  
105 housing authority shall construct or operate any such project for profit  
106 or as a source of revenue to the municipality. To this end, an authority  
107 shall fix the rentals for dwelling in its projects at no higher rates than it  
108 finds to be necessary in order to produce revenues which, together  
109 with all other available money, revenues, income and receipts of the  
110 authority from whatever sources derived, will be sufficient [(a)] (1) to  
111 pay, as the same become due, the principal and interest on the bonds  
112 of the authority; [(b)] (2) to meet the cost of, and to provide for,  
113 maintaining and operating the projects, including the cost of any

114 insurance, and the administrative expenses of the authority; and [(c)]  
115 (3) to create, during not less than six years immediately succeeding its  
116 issuance of any bonds, a reserve sufficient to meet the largest principal  
117 and interest payments which will be due on such bonds in any one  
118 year thereafter and to maintain such reserve.

119 (b) In the operation or management of housing projects, an  
120 authority shall, at all times, rent or lease the dwelling accommodations  
121 therein at rentals within the financial reach of families of low income.  
122 The authority, subject to approval by the Commissioner of Housing,  
123 shall fix maximum income limits for the admission and for the  
124 continued occupancy of families in such housing, provided such  
125 maximum income limits and all revisions thereof for housing projects  
126 operated pursuant to any contract with any agency of the federal  
127 government shall be subject to the prior approval of such federal  
128 agency. The Commissioner of Housing shall define the income of a  
129 family to provide the basis for determining eligibility for the admission  
130 and for the continued occupancy of families under the maximum  
131 income limits fixed and approved. The definition of family income, by  
132 the Commissioner of Housing, may provide for the exclusion of all or  
133 part of the income of family members which, in the judgment of said  
134 commissioner, is not generally available to meet the cost of basic living  
135 needs of the family, and, in the case where a family member has a  
136 disability, shall provide for the exclusion of any maintenance costs for  
137 a service animal, as provided in section 1 of this act.

138 (c) No housing authority shall refuse to rent any dwelling  
139 accommodation to an otherwise qualified applicant on the ground that  
140 one or more of the proposed occupants are children born out of  
141 wedlock. Each housing authority shall provide a receipt to each  
142 applicant for admission to its housing projects stating the time and  
143 date of application and shall maintain a list of such applications which  
144 shall be a public record as defined in section 1-200. The Commissioner  
145 of Housing shall, by regulation adopted under the provisions of  
146 chapter 54, provide for the manner in which such list shall be created,

147 maintained and revised.

148 (d) No provision of this chapter shall be construed as limiting the  
149 right of the authority to vest in an obligee the right, in the event of a  
150 default by such authority, to take possession of a housing project or  
151 cause the appointment of a receiver thereof or acquire title thereto  
152 through foreclosure proceedings, free from all the restrictions imposed  
153 by this chapter with respect to rental rates and tenant selection.

154 Sec. 4. Section 8-48 of the general statutes is repealed and the  
155 following is substituted in lieu thereof (*Effective October 1, 2019*):

156 In the cases of any tenants who are the recipients of one hundred  
157 per cent social services aid from the Department of Social Services of  
158 the state or any municipality and who have no income from any other  
159 source, rentals shall be fixed by each housing authority for the ensuing  
160 rental year established by the authority based on one-half of the costs  
161 and expenses set forth in subdivision (1) of subsection (a) of section 8-  
162 45, as amended by this act, plus the full amount of costs and expenses  
163 set forth in [subsections (b) and (c)] subdivisions (2) and (3) of said  
164 [section] subsection, as set forth in the operating statements of the  
165 authority for the preceding fiscal year, which total amount shall be  
166 divided by the total number of rooms contained in all low-rent  
167 housing projects operated by such housing authority to establish the  
168 rental cost per room per annum for such tenants, from which figure  
169 shall be computed the rent per month per room. [Said] Such rentals  
170 shall govern for [said] such rental year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>October 1, 2019</i>	8-72
Sec. 3	<i>October 1, 2019</i>	8-45
Sec. 4	<i>October 1, 2019</i>	8-48

**Statement of Purpose:**

To allow a person with a disability in subsidized housing to deduct the cost of maintenance of service animals as a medical deduction from their rental costs.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. SANTIAGO H., 84th Dist.; REP. HAMPTON, 16th Dist.

H.B. 6476