

Town of West Hartford
Fair Rent Commission
January 27, 2022 at 6:30 pm
West Hartford Town Hall
Legislative Chambers - Room 314

I. Meeting Opening

- A. Meeting was called to order at approximately 6:40 PM by Chair Dennis Swanton.
- B. Roll Call Conducted by Secretary Safo-Agyeman.
 - i. Present, Commissioner Swanton, Commissioner Mahler, Commissioner Safo-Agyeman, Commissioner Ortiz, Commissioner Fulco and Commissioner Cassidy. **Quorum**
- C. Town Officials Present: Helen Rubino Turco, Fair Rent Coordinator and Cynthia Lauture, Office of Corporation Counsel

II. Approval of Meeting Minutes

- A. Motion Made: Commissioner Mahler
- B. Motion Seconded: Commissioner Fulco
- C. Vote: Motion passes unanimously

III. Discussion of Commission Membership and Positions

Chair Swanton advised that Commissioner Lampkin resigned from the Fair Rent Commission and that Town Council will appoint a new member on February 8th. Chair Swanton also advised of his resignation, and that an election for Interim Chair was forthcoming.

IV. Explanation of Administrative Hearing Guidelines

Chair Swanton advised that everyone was present for the purpose of holding two hearings. The court reporter was participating virtually. Chair Swanton ensured that all parties were present, and went over the hearing procedures. Commissioner Ortiz swore in both Complainants and Respondent's Representative.

- A. Complainant Welch was invited to the podium by Chair Swanton and presented his case to the Commission. Mr Welch answered various questions from Commission members in regards to his residency at 98 Caya. Mr Welch answered various questions from Commission members in regards to his residency at 98 Caya.
- B. Chair Swanton then asked Respondent's Counsel to present any evidence to support Mr. Welch's rent increase. Respondent's counsel had Respondent representative/property owner, Tzvee Rotberg testify. Commission members asked questions of Mr. Rotberg.
- C. Commissioner Cassidy made a motion for the Commission to discuss the admissibility of Exhibit B due to the inability to have the producer of this document present at the meeting to confirm the document's credibility. Commissioner Fulco seconded. The board discussed it and unanimously decided to remove the document from evidence.
- D. At around 8:34pm Chair Swanton made a motion to take a short recess, Commissioner Cassidy seconded the motion and all members were in favor. The Commission regrouped at around 8:43pm
- E. Respondent's counsel made his closing statement.
- F. Commissioner Cassidy made a motion to hear from the second Complainant in lieu of making a determination in the first hearing. Commissioner Ortiz second. Motion unanimously passes.

VI. Santana v. 98 Caya Rsk LLC

- A. Complainant Santana was invited to the podium by Chair Swanton and presented her case to the Commission. Ms. Santana answered various questions from Commission members in regards to her residency at 98 Caya.
- B. Commissioner Cassidy made a motion to accept Complainant's paystub as evidence. Commissioner Ortiz seconded the motion. Motion passes unanimously.
- C. Chair Swanton asked Respondent's counsel if they had any questions for Complainant, which they did not.
- D. Chair Swanton made a motion for the Commission to discuss the findings of each case. Commissioner Ortiz seconded the motion. Motion passes unanimously.

VII. Commission Findings

- A. The Commission members filled out a preliminary findings form for each Complainant which was submitted to Secretary Safo-Agyeman who read the results.
- B. The results were (5) in favor of Rent Reduction and (1) no response
- C. Commissioner Cassidy made a motion that the Commission find that there should be a rent reduction because the rent for each Complainant was excessive. Commissioner Ortiz seconded the motion, and the board was in favor.
- D. The Commission then discussed a fair and equitable rent amount for each amount, while also considering the Property owner's costs.
- E. Commissioner Cassidy made a motion to increase both tenants rent by \$75 monthly effective March 1st, 2022 and increase the rent by another \$75 per month in 6 months which would be September 1st, 2022. Commissioner Ortiz seconded.
- i. Five members in favor - Cassidy, Ortiz, Fulco, Mahler and Safo-Agyeman
 - ii. One member opposed - Chair Swanton
 - iii. Motion stands
- F. Before adjournment, Commissioner Safo-Agyeman read the Commission's decision:
- i. Complainant Welch: The Fair Rent Commission, hereby orders that the Landlord may increase the rent by \$75 to \$980.00 on March 1, 2022 and may further increase the rent an additional \$75 to \$1,055.00 on September 1, 2022.
 - ii. Complainant Santana: The Fair Rent Commission hereby orders that the Landlord may increase the rent by \$75 to \$1,015.00 on March 1, 2022 and may further increase the rent an additional \$75 to \$1,090.00 on September 1, 2022.

VIII. Adjournment

- A. Motion to Adjourn made by Chair Swanton
- B. Motion Seconded by Commissioner Ortiz
- C. Unanimous
- D. Meeting adjourned at 9:22 pm.