

Tenants' Rights: Rent Increases

August 2011



NEED HELP?

Call us for help

**Statewide
Legal Services**
of Connecticut, Inc.

Statewide Legal Services

1-800-453-3320

860-344-0380

Search our website for help



www.ctlawhelp.org

Tenants' Rights: Rent Increases

Introduction	3
Can the landlord raise my rent?	3
What if I refuse to pay the higher rent?.....	5
My apartment needs repair. Can my rent still be increased?	6
I'm 62 years old or older, am I protected from a rent increase?	7
I'm disabled am I protected from a rent increase?	7
My apartment is being turned into a condominium. Can my rent be increased?	7

Introduction

A rent increase is when your landlord asks you to pay more rent than you are paying now. There are times when a rent increase is illegal.

For example, your landlord can't raise your rent if:

- **you recently reported housing code violations,**
- **filed a lawsuit against your landlord or,**
- **joined a tenant's union**

Read this booklet if you believe the rent increase is unfair or you have questions about your rights.

Can the landlord raise my rent?

It depends.

If you have a written lease:

- ▶ *your rent can't be raised unless the lease says it can, or*
- ▶ *your lease expires.*

If you have a month to month oral lease (A month to month oral lease is not in writing and starts over each month):

- ▶ ***Your landlord can raise your rent.***

Ask your landlord for a smaller increase. If you can't agree on a fair rent, put in writing that you don't agree and pay the old amount. This won't prevent eviction but might give you more time if your landlord goes to court.

Can I prevent a rent increase?

► *Yes, if you have a written lease!*

If not, here are some ways to protect yourself:

1. Pay the old rent or a reasonable amount by the 10th of each month. **NO CASH!**
2. Negotiate with your landlord about the increase. Remind your landlord that the eviction process is expensive and ask for a smaller increase or no increase. It never hurts to ask!
3. Put all requests for repairs in writing and keep a copy. If your landlord doesn't fix unsafe conditions in your apartment, ask the Health Department or Housing Code Office to inspect the apartment. Keep a copy of the report.

Examples of unsafe conditions are peeling paint, broken windows, plumbing or electrical problems or other serious problems that are unsafe or make you sick.

These steps don't guarantee your rent won't be raised or that your landlord will not try to evict you. However, they can help you if your landlord takes you to court.



Call Info-line 2-1-1 or go to the Fair Rent Commission office to file a complaint if you think the increase is unfair.

What if I refuse to pay the higher rent?

Your landlord can try to evict you for nonpayment of rent, but you can protect yourself.

1. Try to make an agreement with your landlord to keep the rent the same or agree to a smaller increase. Write down your new agreement. This will be your new lease.

***Reminder:** Always pay rent with a check, bank or money order. **NO CASH!**

- write on the check or money order “rent in full for the month of _____”
- Pay your rent by the 10th of each month
- Offer your landlord the old rent, or a higher amount you think is fair. |

WARNING: If your landlord demands a rent increase, you must keep offerer to pay the OLD rent to protect yourself from eviction for nonpayment.

2. File a complaint with the Fair Rent Commission or talk to a lawyer.

What is the Fair Rent Commission?

The Fair Rent Commission decides if your rent is unfair or too high. File a complaint if you think the increase is unfair because:

- ▶ **It's too high, or**
- ▶ **Your apartment isn't safe.**

To file a complaint, call info-line's 2-1-1 www.infoline.org or go to the Fair Rent Commission office and apply. For more information on the Fair Rent Commission See Legal Aid's booklet, *Tenants' Rights: Fair Rent Commission*.



My apartment needs repair. Can my rent still be increased?

YES! If you have a month to month oral lease your landlord can try to raise your rent even if your apartment needs repair. But, your landlord can't raise your rent or decrease your services (for example, make you pay utilities) **if** within the last 6 months:

1. You asked your landlord to fix your apartment, or
2. You complained to the health department, housing code office or the Fair Rent Commission, or
3. The health department or housing code office ordered your landlord to fix your apartment, or
4. You joined a tenant's union, or
5. You started a "payment into court action" where the court holds your rent and orders your landlord to repair your apartment. See Legal Aid's booklet: *Tenant's Rights: Repairs*.

Note: *Your landlord may still try to raise your rent or evict you if you don't agree to the rent increase. But you will have a stronger defense to the eviction if any of the five things above happened before the rent increase. If your apartment needs repairs, filing a complaint with housing code enforcement or the court may give you extra protections.*

I'm 62 years old or older, am I protected from a rent increase?

YES if you:

- live in an apartment with 5 or more units or
- live in a mobile home

and

- you are 62 or older, or
- live permanently with your spouse, parent, brother, sister or grandparent who is 62 years old or older.

I'm disabled am I protected from a rent increase?

YES if you:

- live in an apartment with 5 or more units or
- live in a mobile home

and

- you are blind or disabled

My apartment is being turned into a condominium. Can my rent be increased?

- Your rent can't be raised until 6 months after you get a letter from your landlord about the change, or your lease expires. Whichever is longer.
- If you are blind or disabled, 62 years old or older or live permanently with your spouse, parent, brother, sister or grandparent who is 62 years old or older, your landlord must give you an **additional** 60 days notice before he can raise your rent.

Conclusion

Your landlord may try to increase your rent but you have rights. A written lease prevents an increase. You are also protected if you are 62 or older, disabled, or have complained about the safety of your apartment. If you do not agree to the increase, remember to keep paying your old rent by the 10th of the month. **NO CASH!** If you think the rent increase is unfair, file a complaint with the Fair Rent Commission.

For more information on the Fair Rent Commission See Legal Aid's booklet, Tenants' Rights: Fair Rent Commission.

NOTES

NOTES

Call us for help



Statewide Legal Services
1-800-453-3320 or 860-344-0380

Search our website for help



www.ctlawhelp.org

Connecticut Legal Services

www.connlegalservices.org

Bridgeport

211 State Street 203-336-3851

New Britain

16 Main Street 860-225-8678

New London

153 Williams Street 860-447-0323

Stamford

20 Summer Street 203-348-9216

Waterbury

85 Central Avenue 203-756-8074

Willimantic

872 Main Street 860-456-1761

Greater Hartford Legal Aid

www.ghla.org

999 Asylum Avenue 860-541-5000
Hartford, CT 06105

New Haven Legal Assistance Association

www.nhlegal.org

426 State Street 203-946-4811
New Haven, CT 06510

AIDS Legal Network for Connecticut

Free legal information, advice, referrals and more for people throughout CT living with HIV/AIDS.

999 Asylum Avenue
Hartford, CT 06105
860-541-5027 or 1-888-380-3646

Consumer Law Project for Elders

Free legal assistance to seniors 60 and over throughout CT who have consumer problems.

1-800-296-1467

Legal Assistance Resource Center of CT (LARCC)

www.larcc.org

Community education and public policy advocacy organization addressing issues of importance to low-income Connecticut residents.

44 Capitol Avenue, Suite 301
Hartford, CT 06106
860-278-5688

This booklet was produced by the Legal Assistance Resource Center of Connecticut in cooperation with Connecticut Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services.

The information in this booklet is based on laws in Connecticut as of August 2011. We hope that the information is helpful. It is not intended as legal advice for an individual situation. Please call Statewide Legal Services or contact an attorney for additional help.

© 08/2011

NEED HELP?

Call us for help

**Statewide
Legal Services**
of Connecticut, Inc.

Statewide Legal Services

1-800-453-3320

860-344-0380

Search our website for help



www.ctlawhelp.org

We offer free legal help in many areas including:

- welfare
 - SNAP (food stamps)
 - divorce
 - child support
 - domestic violence
 - bankruptcy
 - special education
 - nursing home care
 - health insurance
 - eviction
 - foreclosure
- ...and more*

See reverse side for more about Legal Services.