

If you're 60 or over, call your local legal aid office:

Eastern CT	800-413-7796	Western CT	800-413-7797
Hartford Area	860-541-5000	Bridgeport Area	800-809-4434
Stamford Area	800-541-8909	New Haven Area	203-946-4811

If you're under 60, call SLS for help:



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

Search our website for help:



www.ctlawhelp.org

UTILITIES

LEGAL SERVICES

SELF-HELP SERIES

Utility Problems with Landlords

July 2023



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 the reverse side for more about legal services.

Landlords must provide working equipment for utilities including heat, electricity, plumbing, hot and cold running water, and major appliances such as a stove. If any of your utilities don't work, ask your landlord to fix the problem.

Heat: Your landlord must provide equipment that can heat your home to at least 65°. If your furnace won't heat your home to 65°, your landlord must fix or replace the broken heater. If your landlord is responsible for heating, they must provide fuel or pay the heat bill.

Gas, electricity, and water: Your landlord must provide equipment for these services.

You don't have to pay for the utilities used by other renters or used in areas shared with other renters.

What should I do if my utilities aren't working?

1) Ask your landlord to fix the problem.

If you ask in person, try to have a witness with you.

If you ask in writing, keep a copies of any letters, emails, or text messages that you send.

Describe the problem and tell the landlord that you want the problem fixed right away. If you text your landlord or use an online portal to report a problem, take a screenshot of your message. If you send an email or letter, write it like this:

Dear [Landlord's name],

My furnace isn't working. The temperature in my apartment won't reach 65 degrees. Please fix the furnace immediately.

If you do not fix this problem, I will have to buy or get services to fix the problem myself and subtract the cost from my rent.

Sincerely,

[Your name]

If you're under 60, call us for help:



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

Search our website for help:



www.ctlawhelp.org

If you're over 60, call your local legal aid office.

Connecticut Legal Services

www.ctlegal.org

Bridgeport

1000 Lafayette Blvd Suite 950 203-336-3851

New Britain

16 Main Street 860-225-8678

New London

125 Eugene O'Neill Dr. Suite 120 860-447-0323

Stamford

1177 Summer Street 203-348-9216

Waterbury

85 Central Avenue 203-756-8074

Willimantic

1125 Main Street 860-456-1761

Greater Hartford Legal Aid

www.ghla.org

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

New Haven Legal Assistance Association

www.nhlegal.org

205 Orange Street
New Haven, CT 06510
203-946-4811

Consumer Law Project for Elders

Free legal assistance to people 60 and over throughout Connecticut who have money/debt problems.

1-800-296-1467

This booklet was produced by Connecticut Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services of Connecticut.

The information in this booklet is based on laws in Connecticut as of 7/2023. We hope that the information is helpful. It is not intended as legal advice. For advice on your situation, call Statewide Legal Services or contact a lawyer.

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What if I get a utility bill when utilities are supposed to be included in my rent?

You can subtract all utility payments you make from your rent. You don't have to pay a utility security deposit or any of your landlord's back bills. Keep proof of any bills you pay. If your landlord tries to evict you for not paying your rent, show the bills to the court.

Utility shutoffs if the bill is in your landlord's name

If your utilities are in your landlord's name and you get a shut off notice, call the utility company and tell them to keep your service on. Don't agree to put the utilities in your name. If your landlord shuts off your utilities while you live there, call the police.

Weatherizing

You can **always** install removable weather-stripping around doors and windows, storm windows, and insulation for your hot water heater. You will have to pay for the weatherization unless your landlord agrees to pay.

You **might** be able to do other kinds of weatherization, like install energy efficient appliances, if your landlord agrees.

Send your landlord a letter telling him or her about your plans. Use certified mail with a return receipt requested, and keep a copy for yourself. You can continue with your plans if your landlord says it's ok or doesn't reply in 20 days. You will have to pay for the weatherization unless your landlord agrees to pay for it.

Weatherization is free for people with low income. Call 2-1-1 for more information. It is also available for a low cost. Contact the Wise Use Energy Information Line: 1-877-947-3873 or go to www.ctenergyinfo.com

If you have a problem with your utility company, contact the Department of Public Utilities at 1-800-382-4586 or 860-827-2622, or visit their website at www.ct.gov/dpuc.

Send the letter via certified mail with a return receipt requested or hand-deliver it to your landlord. Keep a copy for your records.

2) Call code enforcement.

If your utilities still aren't fixed after you ask your landlord to fix them, call **2-1-1** and ask for the phone number of your town's Code Enforcement office. In some Connecticut towns, there is a Health District office, rather than an individual code enforcement office. For example, in a town like Ansonia, a tenant would call the Naugatuck Valley Health District office. In East Haven, a tenant would call the East Shore Health District office.

Call either the Health District office or Code Enforcement and file a complaint. If you live in a mobile home park and Code Enforcement does not respond quickly, call the Department of Consumer Complaints at 860-713-6100.

3) Call the police.

If the Code Enforcement office or Health District Offices are closed or they won't help you, call the police. The police will check your home's temperature and any other utilities that aren't working. The police may call your landlord and tell him or her to fix the problem. If they don't call or if your landlord won't fix the problem, tell the police you want your landlord arrested for violating Connecticut Law 19a-109.

Remember: The temperature in your home will go up if you use a space heater to keep warm before the police come. This can make it hard to prove how cold it was in your home.

Other options if your utilities aren't working

Fix the problem yourself.

- You can fix the problem on your own and subtract the cost from your rent. First, you must tell your landlord that you plan to do this and give them the chance to respond. If they agree, make sure to save a written record of your conversations with the landlord (such as emails or screenshots of texts messages showing dates and times).

- Buy what you need, like a space heater, oil for the furnace, or propane for the hot water heater. You can also pay someone like a plumber or electrician to fix the problem. Be sure to keep your receipts.

Remember: If you spend money on heaters or furnace repair and you take it out of your rent, make sure to save receipts as proof of what you spent in case your landlord tries to evict you for non-payment of rent.

End your lease.

If your landlord doesn't fix the problem, you can end your lease and sue your landlord for up to two months' rent or double what it cost you to buy the services or pay for a hotel. If you need help, go to a Court Service Center, which can be found in most courthouses.

Stay somewhere else.

- Tell your landlord in writing (by sending a text, email, or a letter) that you've moved out and that you won't pay rent until the problem is fixed. Keep a copy of the text, email, or letter that you send. If you stay somewhere else, you only have to pay rent to your landlord for the first two days after you told them about the problem.
- You can sue your landlord for the cost of a hotel up to the amount you would have paid in rent. If you need help, go to a Court Service Center (found in most courthouses).

Pay your rent to the court.

If your landlord doesn't fix the problems within 21 days after you file a complaint with Code Enforcement or the Department of Consumer Complaints, you can start a lawsuit. Once you start your lawsuit, you will pay rent to the court, not to your landlord. Keep paying your rent to the court until your case is over.

How to pay rent to the court

1. Fill out these two court forms to ask for a hearing. The housing court clerk can give you the forms and help you fill them out. You can also find the forms online at www.jud.ct.gov/webforms.

- *Notice of Suit, Housing Code Enforcement* (#JD-HM-19)
- *Complaint, Housing Code Enforcement* (#JD-HM-35)

2. Sign the forms in front of a court clerk, a notary, or a lawyer.

3. File the forms with the Housing Court clerk. If you don't have enough money to pay the filing fee, ask the clerk for a *Fee Waiver*. (See the legal aid article, *Fee Waivers*, for more information). Pay your rent to the court instead of your landlord until your hearing date.

4. Go to court on your hearing date and tell the judge what happened. The judge can order your landlord to fix the problem and pay you back some of your rent.

Important: If you got a Notice to Quit because you are behind on rent, you can't pay rent to the court.

For more information about paying your rent to the court, see the legal aid booklet, *Tenants' Rights: Repairs*.

Paying for utilities

Do I have to pay for utilities that I don't use?

You only have to pay for the utilities used inside your apartment. If your meter includes areas outside your apartment, like public hall lights or another apartment, the bill must be in your landlord's name. Call the utility company and say that you have a shared meter and you want the bill in your landlord's name. If the utility company won't do it, call the Department of Energy and Environmental Protection at 1-800-382-4586 or 1-860-827-2622.