

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

January 2016



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.

Utility problems with landlords

Landlords must provide working equipment for utilities including heating, electricity, plumbing, and both hot and cold running water. 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, provide fuel, or pay the heat bill if he or she is responsible for it.
- **Gas, electricity, or water:** Your landlord must provide the 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.

Keep paying your rent on time even if your apartment needs repairs!

If your utilities aren't working:

Step 1

Ask your landlord to fix the problem.

Call, write a letter, or ask your landlord to fix the problem in person. If you call or ask in person, make sure you have a witness. Describe the problem and tell the landlord you want the problem fixed right away. If you decide to write a letter, you should write it in this format:

Dear [Landlord's name],

My furnace isn't working. The temperature in my apartment can't get to 65. 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.

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

20 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

426 State 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 1/2016. 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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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. **Do not** agree to have the utilities put 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 may 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 have to pay for the weatherization unless your landlord agrees to pay.

Weatherization help is available.

Weatherization is free for people with low income. Call 2-1-1 for more information. It is also available for a low cost:

- Wise Use Energy Information Line: 1-877-947-3873.
- Visit 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 certified mail with return receipt requested or hand deliver to the landlord. Keep a copy for your records.

Step
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. Call 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.

Step
3

Call the police.

If the Code Enforcement office is 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 or the stove 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.
- 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.

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 of your 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.

- Write your landlord a letter telling him or her that you've moved out and that you won't pay rent until the problem is fixed. If you stay somewhere else, you only have to pay rent to your landlord for the first two days after you told him or her 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, which can be 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

► 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* (JD-HM-19)
- *Complaint* (JD-HM-35)

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

- File them 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.
- 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.

Paying for utilities

Paying for utilities you 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 860-827-2622.

Getting a bill when utilities are included in your 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.

*To get help
paying for utilities,
call 2-1-1.*