

# SundayRepublican

## Legislature should protect property rights

BY KEVIN W. SANTINI

Mark Twain, living down Hartford's Farmington Avenue from the State Capitol, famously said, "No man's life, liberty or property are safe while the legislature is in session." While Twain often wrapped his truths in humor, his words come to mind today.

The Fifth Amendment of the U.S. Constitution reads, "... nor shall private property be taken for public use, without just compensation." Likewise, the 14th Amendment reads, "... nor shall any State deprive any person of life, liberty or property without due process of law."

The Constitution secures the right to all private property, from the cars we drive to our homes, belongings, intellectual property and all other private property. It doesn't pick and choose the types of property it protects, yet that is exactly what some members of the state legislature are considering during this session.

Connecticut's apartment homes are part of the foundation of living in our state, and while landlords may not be a group that many people have sympathy for, the continued attempts to interfere with landlord-resident rental relationships threaten to erode homeowner property rights.

Senate Bill 4 would bar resident evictions from Dec. 1 through March 1 except in cases of "serious nuisance."

Although this bill contains much-needed incentives for the production of workforce housing, the winter eviction moratorium must be removed.

No housing provider or renter wants to be in an eviction situation, and most cases are worked out between the renter and the landlord. The vast majority of evictions are due to non-payment of rent, and current law builds at least two months into the time from the "notice to quit," or eviction notice, date to the time an eviction can be brought to court. This gives the resident plenty of time to show progress in making rent payments or working out a payment plan. If those good-faith efforts are not accepted by the landlord, then a judge determines a fair outcome according to law.

Forbidding a business to collect payments for products and services for three months is a very troubling precedent that will hurt the small and/or starter landlords, initiate a backlog in the court system every spring and create a cascade of other problems for non-payment of utilities that could lead to substantial property damage. Most importantly, in a state that needs more rental housing, SB 4 would discourage providers from offering rental homes and disincentivize residents from paying their rent on time. This is bad bill.

House Bill 6590 requires multi-

family properties to allow group and family childcare homes. While Connecticut needs more childcare options, this bill raises safety and security concerns for the daycare center children, operators, staff, the other renters in the building and the owners of the property.

Most municipalities allow an at-home business at a multi-family apartment with the landlord's approval. In the case of a childcare business, the landlord should be able to determine if this use will restrict the enjoyment of the property for their residents.

Beyond that, many multi-family homes have inadequate outdoor space and potentially unsafe parking and drop-off areas. And childcare centers above the ground floor present safety risks for the children and liability issues for the owner. While the bill includes some indemnity for landlords, nothing can fully protect a landlord from potential liability claims — just ask our insurers.

House Bill 6657 restricts landlords when towing an improperly parked vehicle on their property, piling on numerous notification requirements and imposing a 24-hour window where towing is restricted. Yes, landlords and towing companies should document and notify the police when they have a vehicle towed, but the rest of this bill makes

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no sense.

Cities and towns don't hand out 24-hour free illegal parking passes, and no one else should have to. Most of our residents park properly, and when someone has trespassed on the property, taken their spot or parked in front of their garage door, is it right to tell them, "Tough luck," and make

them wait a day? Why are we protecting the violator or trespasser, and not the resident or the owner of the community on private property?

Rental living is a choice for many Connecticut residents of all ages and income limits, and my fellow members of the Connecticut Apartment Association and I believe there are better solutions to these problems without compro-

mising the private property rights of landlords and the decisions we make for the good of our communities and residents.

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