

# APPROVED

STAMFORD SOCIAL SERVICES COMMISSION MINUTES  
TUESDAY, JUNE 18, 2013  
MAYOR'S CONFERENCE ROOM – 10<sup>TH</sup> FLOOR  
STAMFORD GOVERNMENT CENTER  
888 WASHINGTON BOULEVARD  
STAMFORD, CT 06901

**I. CALL TO ORDER**

The meeting was called to order by Anne Fountain, Director of Health and Social Services at 4:10 p.m.

**II. ACCEPTANCE OF MINUTES**

The May minutes were approved unanimously.

**III. ACCEPTANCE OF REPORT OF ACTION**

The May Action Report was approved unanimously.

**IV. CHAIRS' REPORTS**

Kate Lombardo and Sandra Peterkin, co-chairs had no report for this meeting.

**V. MIKE TOMA, ASSISTANT CORPORATION COUNSEL**

Mike Toma attended the Social Services commission at the request of the group to help provide legal guidance on how to conduct commission business. He explained that an Action Report is required when the commission members conduct a vote and should be filed with the Town Clerk's office within 48 hours. This is a way for the public to be informed of their action. Furthermore, Mike explained the Freedom of Information Act to the group according to the Connecticut State Statutes. He emphasized that any business discussed during meetings including emails pertaining to the Social Services commission are accessible to the public. The Social Services commission meetings are open to the public but those attending cannot speak unless the commission permits it. The agenda is an important instrument as it allows the public to view the items to be discussed at the upcoming meeting. The agenda should be posted 24 hours in advance to give sufficient time for the public to attend. Special meetings are those that are not regularly scheduled. The main difference between the two is that items can be added to regular meeting with a 2/3 vote but this is not allowed during special meetings. Some unique circumstances may provide for an executive session under strict rules including no minutes or votes taken while in session.

**VI. VIKKI COOPER, DEPUTY CORPORATION COUNSEL**

Vikki indicated that according to the City Code of Ordinances and Connecticut General Statutes, the commission has a combination of powers. The commission is an oversight in the areas of Social Welfare concerns. The two areas that the committee has clear jurisdiction is complaint and discrimination. These are codified in the Connecticut General Statutes and clearly delineated in the Code of Ordinances. The committee has the power to hold hearings and make findings. The commission should have a chairperson who conducts the meeting, utilizes witnesses and exercises their subpoena powers. Moreover, the group can compel individuals to testify before them. An example of a discrimination case may be an employee related complaint with a company that resides in Stamford. Besides the power to make findings, the commission can mandate a cease and desist order. If the individual does not comply, the commission can request the assistance of the legal department and they will enforce it.

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Vikki continued with the other component of the commission which is Fair Rent. She proposed attending the next meeting to talk specifically about the Connecticut State Statutes pertaining to Fair Rent. Vikki points out that the commission can be a facilitator, negotiator, decision maker and make cease and desist orders. Fair Rent issues consist mostly of rents that are too high. She informed the group that under the discrimination component the commission has the power to make findings in damages; in addition to the cease and desist order; the commission can award attorney fees.

Lastly, Vikki stated that commission consists of a Social Services Coordinator which is a position devoted entirely to helping the members. This is outlined in the Code of Ordinances along with the fact that if the Social Services Coordinator is absent, which is the case now due to budget issues. The Code of Ordinances clearly states that the Director of Public Safety, Health and Welfare or his/her designee serves in that capacity on a temporary basis. The Director is the liaison and facilitator for conducting business that needs to get done. The commissioners do not perform a lot of the leg work.

## **ANNA KEEGAN, CIVIL RIGHTS/FAIR RENT INVESTIGATOR**

Anna Keegan of the City of Norwalk's Civil Rights and Fair Rent Office attended at the request of Sharona Cowan to go over their process according to the Connecticut State Statutes.

She is the investigator for the Norwalk Fair Rent Commission and the Human Relations Commission. Anna shared a packet containing a list of the 13 factors that the commission should consider in determining fair rent. Their process begins when the complainant fills out a form; they then place a case number and open the case. The first step is to conduct an inspection of the property including taking pictures of every room. Her office sends a copy of the complaint, the inspection report and pictures to the landlord along with a copy of their procedures. The landlord is cautioned that the tenant cannot be evicted for any reason because it would be considered retaliation. At the time of filing the complaint, the tenant is given two letters. The first letter states that they should continue paying the rent and save the amount of the increase. The second document is a copy of the letter to the landlord where he is informed that a complaint has been issued as the tenant does not accept the rent increase and will continue to pay the original amount. The Social Services commission is kept informed of every new case and updated on old cases during their regular scheduled meetings. The commission is given minimal information except for the address of the property, what the complaint states, whether the property has been inspected by them or the health department and if negotiations have begun. The reason that the commission is given limited information is because the commission is considered to be a finder of facts, judge and jury. If there is a settlement, the commission has the right to view the report. The health department is frequently involved in their cases and works side by side and often testifies at hearings and accompanies them to inspections. Usually they inspect only once, except if there is a serious issue such as no electricity at the property. In this case, they will act as an eyewitness and inspect again. Their Fair Rent department begins settlement session immediately after sending out the letters to the landlord. The benefit of those sessions are that they can resolve issues that the commission cannot touch such as power to have landlord pay the security deposit or to release a tenant from a lease. The commission does have the power to set rents, order repairs and order money paid into escrow, if there is a serious health issues. The other benefit of going into mediation is that the investigator obtains more information allowing him/her to testify during hearings; however, only evidence is brought before commission.

When the commission schedules a meeting, Anna's office sends out a "letter to appear" to the landlord and tenant with a deadline to submit evidence. The landlord is mailed a form asking for financial information to establish what they are spending and losing on their apartment; this request is to comply with one of the 13 factors. If the landlord does not comply and submits receipts to use during the hearings, the commission has

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the option to trust or not the landlord. Before the hearing, both sides are given a chance to see the evidence presented by the other side so they know how to prepare. Her office keeps an open file policy so they can come in a view the documents and make copies if needed. An important point to consider is to use only evidence shown on record while the court reporter and both parties are present at the hearing. At the hearing, both sides give an opening statement, following by calling witnesses which include City inspectors; questions are welcomed from sides as well as the commission members and inspector's staff. The Norwalk Fair Rent office provides a written decision based on findings of at the hearing. Next, they consider the 13 factors and make a finding whether they lean towards reduced, increased rent or neutral by considering each factor assuring to write it down to make a better case in court. After the factors have been discussed, the commission issues orders and informs the parties within next day or two.

## VII. REVIEW FAIR RENT ISSUES

In absence of the Social Service Coordinator, it was determined that the Director of Public Safety, Health and Welfare or designee should take the role. Sharona has been collecting the Fair Rent complaints. She shared basic information on each case with the commission. At the request of Sandra, Sharona agreed to draft forms to be used by the commission to begin addressing each complaint. The group agreed that Ted needs to identify the person who will be investigating.

## VIII. NEW BUSINESS

The new business entails creating new intake forms, identifying fair rent procedures, inviting Vikki Cooper to next meeting to talk about discrimination and determine how to educate the community on the functions of the Social Services commission.

## IX. OLD BUSINESS

There was no old business to discuss

## X. ADJOURN

The meeting was adjourned by Sandra Peterkin at 6:17 p.m.