

REPORT- COMMITTEE OF THE WHOLE – OCTOBER 17, 2006

Section 12-8 Ordinance – Nonresident Landlords; Filing with Tax Assessor; Civil Penalties

Mr. Nagarsheth made a motion to receive the communication and have the Common Council adopt this ordinance at the next regularly scheduled meeting. Seconded by Mrs. Basso.

Mrs. Taborsak asked if a nonresident landlord fails to file an address, what address would be used.

Mr. Pinter stated that they City would use any designated agent for that property or the next best attempt for the residential address this is filed with the Tax Assessor.

Mr. Visconti asked who would be establishing a nonresident landlords database.

Mr. Hearty said the goal is for the tax assessor to have a database to access.

Mr. Chianese asked how would this ordinance be implemented?

Mr. Pinter said this would become an administrative process by the Assessor's Office. There isn't anything in this ordinance that states the assessor will send letters or make contact. This ordinance and the statute say it's the landlord's responsibility to register with the designated office.

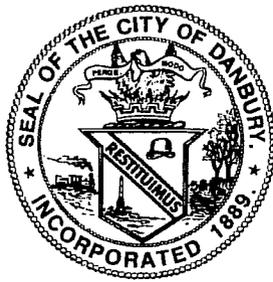
Mr. Cavo asked Mr. Pinter to explain the procedure of the adoption of an ordinance. Mr. Pinter did so.

Mr. Cavo moved to adopt this ordinance at its next regularly scheduled meeting of the Common Council. Motion carried unanimously with Mrs. Taborsak abstaining.

Respectfully submitted,

Joseph Cavo, President

21-1



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

That the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 12-8, which said section reads as follows:

Sec. 12-8. Nonresident Landlords; Filing with Tax Assessor; Civil Penalties.

- (a) *Generally.* The purpose of this section is to improve the quality of life in the City of Danbury by requiring nonresident landlords to file their residential addresses with the City in order that they can be properly and timely contacted by code officials to assure that housing can be maintained in a clean, healthful and livable condition.
- (b) *Definitions.* As used in this section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended.
 - (1) *Nonresident landlord* means an owner of rental property who does not reside on such property.
 - (2) *Address* means a location as described by the full street number, if any, the street name, the city or town, and the state, and not a mailing address such as a post office box.
- (c) *Requirement to File Street Address.* Each nonresident landlord shall maintain on file in the Office of the Tax Assessor, the current residential address of the nonresident owner of such property, if the owner is an individual, or the current residential address of the designated agent in charge of the building if the nonresident owner is a corporation, partnership, trust or other legally recognized entity owning rental real property in Danbury.
- (d) *Requirement to File Phone Numbers.* Each nonresident landlord shall also provide a telephone number where said landlord or agent or property manager authorized to act for said landlord can be reached.
- (e) *Change of Address.* In the event the residential address specified in (c) hereof changes, notice of the new residential address shall be provided by such nonresident landlord or agent in charge of the building to the Office of the Tax Assessor not more than twenty-one (21) days after the date that the address change occurred.
- (f) *Failure to File Address.* If the nonresident landlord or agent fails to file an address pursuant to this section, the address to which property tax bills are mailed for the rental real property shall be deemed to be the nonresident owner or agent's current address and may be used for enforcement procedures specified in subsection (g) hereof.
- (g) *Enforcement/Orders.* Service of local or state orders relating to maintenance of such rental real property or compliance with state law or local codes concerning such real property directed to the nonresident landlord or agent at the address on file, or deemed to be on file in accordance with the provisions of this section, shall be sufficient proof of service of notice of such orders in any subsequent civil or criminal action against the owner or agent for failure to comply with such orders. The provisions of this subsection shall not be construed to limit the validity of any other means of giving notice of such orders that may be used by the state or by the City of Danbury.
- (h) *Civil Penalties.* Any nonresident landlord or agent who violates the provisions of this section shall have committed an infraction punishable by a fine of \$250 for the first violation and \$1,000 for any subsequent violation. Enforcement of such penalties shall be through the citation procedures set forth in Section 12-34 of the Code of Ordinances.
- (i) *Consistent with Other Provisions.* The requirements of this section shall be in addition to and not in place of any other requirements contained in any other provisions of the Code of Ordinances.