



City of Bristol
Bristol, Connecticut

FAIR RENT COMMISSION

MINUTES

Wednesday, March 27, 2024 at 6:00 PM

1. Call to order.

The Fair Rent Commission meeting on March 27, 2024 was called to order by Chairperson Jon Fitzgerald at 6:02 p.m.

2. Introduction of commissioners.

Mary Alford(T), Timothy Gamache(T), Brian Brady(H), Bryan Brown(L), Jon Fitzgerald(H), Cristina Costa(T) Susan Pyzynski(H), Adam Brothwell(H), Ryan Carrier(L), David Habersfeld(L), Erick Rosengren.

3. Seating of alternates.

Alternates who were present were not able to vote or make motions.

4. Discussion and approval of the minutes of February 28, 2024 and take any action as necessary.

Motion to Approve Minutes from the February 28, 2024 meeting by Commissioner Gamache and seconded by Commissioner Costa.

5. Hearing on the fair rent complaint in the matter of Edward Irizarry and Tanishheanne Gonzalez (Tenant) and Grand Sargent LLC (Landlord) and to take any action as necessary.

As to the fair rent complaint regarding Edward Irizarry and Tanisheanna Gonzalez and Grand Sargeant LLC, Attorney Matney has updated the commission that the complaint was resolved/withdrawn as of March 26, 2024.

6. Hearing on the fair rent complaint in the matter of Edward and Cynthia Petras (Tenant) and Solomon Leonard Jr. and Taylor Leonard (Landlord) and to take any action as necessary.

As to the fair rent complaint regarding Edward and Cynthia Petras and Solomon Leonard, Jr., Attorney Matney updated the commission that the complaint was resolved/withdrawn as of March 26, 2024.

7. Hearing on the fair rent complaint in the matter of Bryon and Debra Rider (Tenant) and Zuni Elezovski and 62 Jefferson Avenue LLC (Landlord) and to take any action as necessary.

Jon Fitzgerald provided an overview of the health department complaint being investigated by Erica Mikulak of the Bristol Burlington Health Department, highlighting identified code violations that were previously unreported. Seeking guidance from the commissioners on processing these complaints, Jon facilitated a discussion.

Furthermore, he administered an oath to Bryon and Debra Rider before hearing their statements. Bryon Rider articulated concerns regarding issues with the septic system, resulting in the need to evacuate the cellar due to fecal matter accumulation. He also noted an inspection by the health department indicating malodorous conditions and potential mold presence. Additionally, Bryon highlighted structural concerns such as a deteriorating bathroom window upstairs, emphasizing the unit's lack of attention for the past 16 years. Describing the cellar as significantly deteriorated, Bryon recounted instances of flooding, which led to unpleasant odors permeating the residence.

8. Hearing on the fair rent complaint in the matter of Allison Rider (Tenant) and Zuni Elezovski and 62 Jefferson Avenue LLC (Landlord) and to take any action as necessary.

Allison Rider voiced concerns regarding water infiltration in her basement, originating from multiple sources including the front, back, and sides of the property. She lamented the necessity of discarding numerous items due to water damage and expressed apprehension about the water seeping into the circuit breaker, posing a potential fire hazard. Additionally, Allison highlighted possible plumbing issues necessitating extensive updates, noting the lack of maintenance or improvements in the 12 years she has resided at the location.

9. Hearing on the fair rent complaint in the matter of John Chiarappi (Tenant) and Zuni Elezovski and 62 Jefferson Avenue LLC (Landlord) and to take any action as necessary.

Jon Fitzgerald administered the oath to John Chiarappi, who conveyed his concerns about his 38-year residency, emphasizing his declining health and the recent doubling of his rent. John underscored the lack of updates or renovations during his tenure, highlighting the need to cover his front door with insulation due to drafts from gaps in the door. Perplexed by the sudden increase in rent, John sought clarification on the rationale behind this decision.

10. Hearing on the fair rent complaint in the matter of Kimberly Meano (Tenant) and Zuni Elezovski and 62 Jefferson Avenue LLC (Landlord) and to take any action as necessary.

Jon Fitzgerald administered the oath to Kimberly, who then reiterated persistent issues with her residence. She reported recurring flooding in the basement and instances of septic backup into her washer. Additionally, Kimberly expressed concerns about drafty windows and the discovery of mold by the Health Department in the basement. She highlighted the urgent need for maintenance, citing chirping fire alarms and the necessity of replacing smoke detectors. Kimberly, emphasizing her commitment to earning a

livelihood, lamented the financial strain imposed by the increased rent, which now necessitates additional overtime work, limiting her ability to save.

11. Hearing on the fair rent complaint in the matter of Jacqueline Charest and Lynn Donahue (Tenant) and Zuni Elezovski and 62 Jefferson Avenue LLC (Landlord) and to take any action as necessary.

Lynn Donahue was sworn in by Mr. Fitzgerald and proceeded to express her grievances, visibly distressed. Having resided in the property for an extensive 49 years, she represented herself, her 80-year-old mother, and her daughter. Lynn recounted the events outlined in her notes concerning the recent developments. In October 2023, she was notified of the sale of the building and promptly redirected her rent payments to the new landlord. However, on March 1st, she received a notification via conventional mail, stipulating a staggering rent increase from \$900 to \$1800 per month, effective April 1st. This abrupt revelation left her reeling, necessitating time over the weekend to process the news, with her primary concern being how to inform her elderly mother of the doubled rent. Regrettably, she believes the stress of the situation led to her mother's hospitalization shortly after receiving the news. Subsequently, on March 13, 2024, Lynn discovered that her mother had been served with eviction papers due to non-payment of rent. However, Ms. Donahue states that they never missed a rent payment and she brought documentation to prove this. Faced with these circumstances, Lynn made the difficult decision to secure an alternative place to live. Despite her enduring loyalty to the property over nearly five decades, Lynn expressed deep sorrow at having to leave. Her move out date is set for March 31, 2024. Throughout her tenure, Lynn had refrained from lodging complaints due to the affordability of the rent. She outlined numerous maintenance issues accumulated over the years, including the absence of a paint job for three decades in common areas and over 20 years on the top floor, as well as aging carpeting exceeding 35 years and the need for new doors to address draft issues. Despite her distress, Lynn vowed to vacate the property in a pristine condition, surpassing its state upon her arrival. She concluded by expressing her hope that the commission would make a decision aligned with her perception of fairness and justice.

In response to the above complaints, Yona Gregory, representing the landlord, addressed the commission, explaining the landlord's perspective on recent developments. The landlord's primary objective in acquiring the property was to enhance its condition and rectify deferred maintenance issues, with the goal of improving the overall quality of the property. It was emphasized that the intention behind seeking rent increases was to generate the necessary resources to facilitate these improvements effectively.

Both parties share a mutual desire for the enhancement of the property; however, the landlord articulated the challenge of executing necessary repairs and upgrades under the constraints of existing low rental rates. Notable efforts have already been made, including the overhaul of the septic system and the addressing of exterior tree-related concerns.

Moreover, Yona Gregory provided comprehensive market research, particularly a Comparative Market Analysis (CMA) on fair market values for similar apartments in the area. The findings indicated that comparable units were renting for significantly higher rates, with HUD suggesting appropriate rental figures of \$1700 per month for 2-bedroom units and \$2000 per month for 3-bedroom units. It was further highlighted that tenants had enjoyed below-market rents for an extended period.

The landlord intends to proceed with connecting the property to the city sewer system, a move aimed at improving infrastructure and addressing long-standing issues associated with septic tanks. Ultimately, the landlord's endeavors are driven by a commitment to enhancing the property's overall condition and ensuring a fair and sustainable rental framework for both tenants and property management alike.

The tenants were then invited to ask any questions of the landlord.

Bryon Rider recounted multiple instances of basement flooding following the property's sale, with the issue persisting despite repeated pumping, indicating inadequate repairs. Another participant who lives in the building who plans to bring a fair rent complaint mentioned experiencing similar issues as Allison Rider, residing in proximity to her. Lynn Donahue expressed willingness to pay the increased rent if corresponding improvements were made to justify the higher cost. Yona Gregory clarified market value assessments, citing Section 8 rental rates as benchmarks.

One Commissioner inquired about the feasibility of gradual rent increases. Several tenants expressed willingness to pay increased rent if apartments were updated.

A brief discussion ensued about the ownership history over the years.

One Commissioner queried the possibility of including incremental increases in leases to aid tenant budgeting.

Commissioner Brady sought clarification on whether the landlord intended to vacate the building, which was denied by Yona Gregory.

Inquiries were made about improvement lists and renovation timelines, with the landlord aiming to collaborate with the building department.

It was noted that no reports from the health department regarding septic tank repairs had been received. Councilman Erick Rosengren would look into that further.

One Commissioner expressed the view that addressing mold should take precedence, while another Commissioner highlighted concerns regarding rotted trees. Commissioner Haberfeld confirmed current market rental rates. Recognizing the need for landlords to undertake repairs, one Commissioner, also a landlord, underscored the importance of a compassionate approach, particularly given the long tenancy of the residents.

Another Commissioner pointed out the seeming contradiction in expecting market rent without corresponding updates, acknowledging the business aspect of property ownership. Commissioner Pyzynski noted the brevity of time given for the rent increase.

Chair Fitzgerald emphasized sanitation issues and proposed a postponement to allow the health department to provide input on outstanding matters.

Commissioner Haberfeld suggested the possibility of a rent freeze for 60-90 days to address code violations. Chair Fitzgerald reiterated that rent remains fixed until complaints are resolved. Attorney Matney explored options for resolving issues before the next meeting.

A motion to continue was made by Commissioner Adam Brothwell and seconded by Susan Pyzinski. All in favor. None opposed.

12. Public participation.

None.

13. Discussion by commissions of old business and take any action as necessary.

A discussion was held regarding the Freedom of Information (FOI) request received by Corporation Counsel to obtain the Fair Rent Commission's complaints to date. Attorney Matney, alongside Maria Theam from the Corporation Counsel's office, affirmed that all the complaints were duly provided as part of the aforementioned request.

14. Discussion by commissioners of new business and take any action as necessary.

None.

15. Discussion by commissioners of meeting dates and agendas and take any action as necessary.

The Fair Rent Commission will reconvene on April 24, 2024, at 6 p.m. to address ongoing complaints and two new complaints. Additionally, the commission may address a third complaint if we receive the necessary landlord information.

16. Adjournment.

Motion to Adjourn by Commissioner Gamache seconded by Commissioner Costa at 7:01 p.m. All in favor, none opposed.

Respectfully Submitted,

Maria Theam
Recording Secretary