



Legislation Details (With Text)

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**Title:** ORDINANCE AMENDMENT OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN UPDATING THE PROCESSES FOR RESIDENTIAL RENTAL BUSINESS LICENSES IN NEW HAVEN'S CODE OF GENERAL ORDINANCES, CHAPTER 17 - LICENSES AND PERMITS, ARTICLE XIV. RESIDENTIAL RENTAL BUSINESS LICENSES.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 0 - Checklist - LCI Ord Amendment Residential Licensing, 2. 1 - Cover Letter - LCI Ord Amendment Residential Licensing, 3. 2a - 3.20.25 CLEAN Ordinance - LCI Ord Amendment Residential Licensing, 4. 2b - 3.20.25 REDLINED Ordinance - LCI Ord Amendment Residential Licensing, 5. 3 - PNF - LCI Ord Amendment Residential Licensing, 6. 4 - FIS - LCI Ord Amendment Residential Licensing

Date	Ver.	Action By	Action	Result
9/2/2025	3	Board of Alders	Approved As Amended	
8/4/2025	3	Board of Alders	No Action	
7/7/2025	2	Board of Alders	Noted	
6/10/2025	2	Legislation Committee	Favorable Report	
4/7/2025	1	Board of Alders	Referred	

ORDINANCE AMENDMENT OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN UPDATING THE PROCESSES FOR RESIDENTIAL RENTAL BUSINESS LICENSES IN NEW HAVEN'S CODE OF GENERAL ORDINANCES, CHAPTER 17 - LICENSES AND PERMITS, ARTICLE XIV. RESIDENTIAL RENTAL BUSINESS LICENSES.

WHEREAS, the Director of the Livable City Initiative desires to amend various paragraphs of the ordinances relative to Residential Licensing to ensure effectiveness of the Residential Licensing Program and a prompt and efficient process for appealing citations related to the Residential Licensing Program; and

WHEREAS, the Director of the Livable City Initiative submits the proposed ordinance amendments herewith.

NOW, THEREFORE, BE IT ORDAINED by the Board of Alders of the City of New Haven that the proposed amendments to the Residential Rental Business Licenses ordinance are hereby approved.

*ARTICLE XIV. RESIDENTIAL RENTAL BUSINESS LICENSES*

Sec. 17-71. Provisions of article I apply.

The provisions contained in article I "Licenses and Permits in General," of this chapter also apply to the activities regulated by this article.

(Ord. No. 1671, 2-6-12; Ord. No. 1873, 9-3-19)

#### Sec. 17-72. Definitions.

For the purposes of this article, the following words shall have the following meanings:

*Basement* shall mean a portion of a building located partly underground but having less than one-half ( $\frac{1}{2}$ ) of its clear floor-to-ceiling height below the average grade of the adjoining ground. Where the contour of the ground level immediately adjacent to the building is interrupted by ditching, pits, or trenching, the average adjoining ground level shall be the nearest contour line parallel to the walls of the building without regard to the level created by ditching, pits or trenching.

*Cellar* shall mean a portion of a building located partly or wholly underground and having one-half ( $\frac{1}{2}$ ) of its clear floor-to-ceiling height below the average grade of the adjoining ground.

*City* shall mean the City of New Haven.

*Code enforcement officer* means the director of the Livable City Initiative or their designee unless otherwise specified, or other City official(s) otherwise authorized to administer the licensing and inspection of residential rental property.

*Common areas* mean those interior and exterior areas of the residential rental property as defined herein of which the occupants have access, including, but not limited to, entrances, exits, hallways, stairways, basements, cellars, laundry rooms, attics, porches and yards.

*Director of the Livable City Initiative* shall mean the director of the City's entity known as the Livable City Initiative or their designee unless otherwise specified.

*Dormitory* means a building or a space in a building in which group sleeping accommodations are provided for more than sixteen (16) persons, who are not members of the same family, in one (1) room or a series of closely associated rooms under joint occupancy and single management, with or without meals, but without individual cooking facilities.

*Dwelling* means any building located in the City, which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.

*Dwelling unit* means any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

*Housing code inspector* means a City employee who conducts rental housing property inspections for purposes of determining whether such property complies with minimum housing code standards as outlined in the City's applicable regulations. The housing code inspector works under the direction of the code enforcement officer.

*Mixed-use residential rental property* means a property that contains space used for commercial purposes in addition to one (1) or more dwelling units.

*Natural person* means a living human being, not less than eighteen years of age. Natural person does not include any legal entity or other legal fiction ordinarily granted the status of person under Connecticut State Law.

*Occupant* means any person, over one (1) year of age, living, sleeping, cooking, or eating in, or having actual possession of a dwelling unit or rooming unit.

*Owner* means any person, who either alone or jointly or severally with others:

- (1) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care, or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this article, and to the rules and regulations adopted pursuant thereto, to the same extent as if they were the owner.

*Owner-occupied* means and includes any dwelling where the owner is a natural person who resides in one of the dwelling units.

*Parcel* means a section of land owned by the same person or group of people, as defined by a map/block/parcel number shown on the maps of the tax assessor of the City of New Haven.

*Person(s)* means and includes any individual, firm, corporation, association or partnership.

*Premises* means the entire interior and exterior portions of a dwelling including the common areas thereof; facilities and appurtenances therein, grounds, areas and facilities held out for the use of occupants generally, or whose use is promised to the tenant/occupant.

*Property* includes all lands, including all structures, improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith.

*Residential rental license* means a license issued to an owner pursuant to the provisions of this article XIV.

*Residential rental property* means a dwelling with at least two (2) dwelling units, regardless of whether anyone is currently residing in each unit, or a mixed-use residential rental property.

*Rooming house* means any dwelling, or that part of any dwelling, containing one (1) or more units in which space is let by the owner or operator to four (4) or more persons. This term includes, but is not limited to, hotels, motels, group living residential occupancies and dwellings located in the City that house groups including fraternities and sororities that are not located on land owned by educational institutions. This term excludes hospitals, homes for the aged, community residences and health care facilities that are otherwise regulated by state law.

*Rooming unit* means any room or group of rooms forming a single habitable unit used or

intended to be used for living and sleeping, but not for cooking or eating purposes.

*Sober living home* means a dwelling that has been certified as a sober living home by the Connecticut Department of Mental Health and Addiction Services.

*Temporary housing* means a tent, trailer, or similar structure which is used as human shelter for not more than thirty (30) consecutive days, or more than ninety (90) days, in any calendar year.

(Ord. No. 1671, 2-6-12; Ord. No. 1873, 9-3-19; Ord. No. 1928, § 1, 2-22-22)

#### Sec. 17-73. Purposes.

- (a) The City of New Haven (the "City") is committed to protecting the safety, health and welfare of its residents and to eliminating housing blight. The purpose of this ordinance is to (i) implement a proactive rental inspection program to ensure the safety, health and welfare of its residents through licensing, (ii) eliminate housing blight; and (iii) identify rental units in the City and their owners on a continuous and recurring basis. Towards that end, the City's Board of Alders have adopted ordinances concerning the operation and condition of certain residential rental property within its borders, including but not limited to, section 17-71 et. seq. of the New Haven Code of Ordinances ("residential licensing ordinance").
- (b) This article's provisions shall not be deemed to restrict the right of the City to inspect any property pursuant to any applicable federal, state or local law or regulation.
- (c) An owner who fails to comply with the following regulations may be penalized in accordance with the penalties section as set forth in section 17-84 below, and which are prescribed by the residential licensing ordinance.

(Ord. No. 1671, 2-6-12; Ord. No. 1873, 9-3-19)

#### Sec. 17-74. License required.

- (a) Upon adoption of this article, it shall be unlawful for owner(s) of certain residential rental property located within New Haven to operate/rent such property without obtaining a residential rental property license. Only the following residential rental property classifications shall be exempt from this article's provisions pertaining to licensing:
  - (1) Owner-occupied parcels containing three (3) or fewer dwelling units;
  - (2) Non-owner occupied parcels containing only one (1) dwelling unit;
  - (3) Dwellings owned and operated by the Housing Authority of New Haven, motels, hotels, rooming houses, condominiums, or temporary housing as defined in this article.
  - (4) Properties in which all units are Section 8 units whose vouchers are administered by the Housing Authority of New Haven and/or Elm City Communities and are within residential

rental property located in New Haven; and

- (5) Dormitories and sober living homes.
- (b) Renting/operating residential rental property without a license to do so constitutes a violation of this article and is subject to the penalties set forth in section 17-84 herein.
  - (c) Upon the enactment of related ordinances as found in chapter 17, article XIII of the City's Code of Ordinances, all property owners of the above-described residential rental property classifications are required to obtain a residential rental license in order to operate/rent such property. Application materials can be obtained online or at the office of the Livable City Initiative. If the property is exempt from the requirements of this article, the property owner shall submit evidence as to the appropriate exemption to the City's Livable City Initiative.
  - (d) In order to obtain a residential rental property license, the property owner or their agent shall submit an application containing the following information concerning each residential rental property that they own in New Haven:
    - (1) The full legal name(s), telephone number(s), and email address(es) for each owner of record, as well as the name, telephone number, and email address of the property management company authorized to act on behalf of the owner or owner entity, as applicable. The owner must provide the name of a natural person on the application. If the owner is a legal entity and not a natural person, the owner must provide the name, telephone number and email address of a natural person who owns, controls, or exercises effective control over that legal entity, such as a manager, partner, owner, member, trustee, or other representative of that legal entity, as provided by the following:
      - a. In the case where the owner or operator is a corporation, partnership, limited liability company, or other legal entity the name, telephone number and email address of a natural person who is a managing partner, general partner, or managing member shall be provided;
      - b. In the case of a trust, the name, telephone number, and email address of natural person who is a trustee; or
      - c. In the case of an estate, the name, telephone number, and email address of a natural person who is the executor, administrator, conservator, or other fiduciary responsible for the estate.
    - (2) The address of the rental property which the owner is seeking to license, the total number of buildings on the property, and the total number of residential dwelling units;
    - (3) Whether the owner resides in the residential rental property;
    - (4) The number of Section 8 rental units administered by the Housing Authority of New Haven or Elm City Communities in the residential rental property, if any; and
    - (5) A signed agreement to accept delivery of all notices, including but not limited to notices of violations, citations, inspection results, or expiration of rental licenses by either: (a) the email address listed on their application, or (b) the last-known address on file with the tax

collector for the City of New Haven.

- (e) The property owner or their agent shall certify to the accuracy of the information that they provide in the residential rental property license application. Failure to provide accurate or complete information constitutes a violation of this ordinance and is subject to the penalties set forth in section 17-84.
- (f) The residential rental property owner or their agent shall submit the completed residential rental application to the City of New Haven, in person, by mail, or by electronic means. Electronic submissions may be submitted through process as may be established by the Livable City Initiative.
- (g) The residential rental property owner or their agent shall provide written notice to the Livable City Initiative of any change concerning the information contained in the residential rental property application within thirty (30) days of such change.
- (h) Within twenty (20) days of receipt of a complete application and of the license fee required by section 17-74, the City shall send the owner a notice containing a temporary license number confirming receipt of the completed application and advising the Owner of the next available inspection date. This notice shall be conclusive evidence that the landlord is in compliance with this article until the City completes such inspection and issues the license pursuant to subsection 17-77(h); or the City issues a notice of violation under any other subsection of this article.
- (i) Any landlord who is found to have engaged in retaliatory action by the Fair Rent Commission pursuant to Section 12  $\frac{3}{4}$  -11 shall be subject to having their rental license revoke and the attendant citation under Section 17-84(a).

#### Sec. 17-75. Inspection required.

Residential rental properties must pass an inspection by a City housing code inspector before a residential rental property license can be issued. However, this article's provisions pertaining to inspection shall not apply to:

- (a) Residential rental properties that are exempt from licensing under 17-74(a);
- (b) Dwelling units located within residential rental properties that have been issued a certificate of occupancy within the previous three (3) years; or
- (c) The dwelling unit of an owner occupant.

#### Sec. 17-76. Fees.

- (a) Licensing Fee. Before a residential property license is issued, the residential rental property owner or their agent must pay the applicable licensing fee upon filing the application, in accordance with the instructions provided by the City's written notification. Fees will be based on the approved annual budget by the Board of Alders of the City of New Haven (included in the

annual City budget), as may be amended.

- (b) **Second Re-inspection Fee.** If the housing code inspector detects at least one (1) defect during the residential rental property inspection, they will arrange to re-inspect the property until it fully complies with standards set forth herein. The owner shall not be penalized for the first re-inspection. However, a residential rental owner must pay a second Re-inspection fee if a housing code inspector must return to the owner's residential rental property more than once to determine whether all the defects detected in the inspector's initial inspection have been repaired, provided that, in the event the housing code inspector notes additional defects, not previously noted in the initial inspection, in any subsequent re-inspection, the housing code inspector shall not charge a second Re-inspection fee for the first re-inspection directly related to the additional defect(s) found and the owner shall be penalized for any subsequent re-inspection directly related to the additional defect(s) noted. The second re-inspection fee shall be based on the table of fees, penalties and fines as approved by the Board of Alders of the City of New Haven, included in the annual city budget.
- (c) **Failure to Appear Fee.** The residential rental property owner or their agent must be present at all scheduled property inspections. If such person is not present on a scheduled date and time without good cause as determined by the code enforcement officer, the inspection will be rescheduled once. The residential rental property owner must pay a fee for Failure to Appear if they fail to appear at the second scheduled inspection without just cause as determined by the code enforcement officer. The fee for Failure to Appear shall be based on the table of fees, penalties and fines as approved by the Board of Alders of the City of New Haven, included in the annual City budget.
- (d) **Fines in Addition to Fees.** A residential property owner who violates this section or any section of this article shall be penalized in accordance with section 17-84 of the City's Code of Ordinances. All fines under section 17-84 must be paid in addition to these fees listed in this section 17-76.
- (e) **Payment required prior to issuing of license.** The owner or their agent must pay all the above-mentioned fees, penalties, and fines, if any, before a residential rental property license will be issued. Failure to pay all applicable fees constitutes a violation of this article and is subject to the penalties set forth in section 17-84.

(Ord. No. 1671, 2-6-12; Ord. No. 1873, 9-3-19)

#### Sec. 17-77. Inspection standards.

- (a) All inspections will be performed according to a defined checklist of quality of life and life safety issues promulgated by LCI (hereafter the "Checklist") and which shall be based on Title V of the New Haven Code of Ordinances (the "Housing Code"), and on Title III section 9-51 et. seq. of the New Haven Code of Ordinances (the "Anti-Blight and Property Maintenance Ordinance").

- (b) A license will only be issued if the residential rental property meets the requirements set forth in the Checklist.
- (c) Once the owner or their agent submits the completed application and pays the licensing fee, the owner or their agent shall receive a temporary registration number which confirms the application process is complete. Thereafter, a date will be arranged for a housing code inspector to inspect the residential rental property, which shall be provided in writing to the owner. The owner or their agent must be present at each inspection. Failure to appear at more than one rescheduled inspection without good cause as determined by the code enforcement officer constitutes a violation of this article and is subject to the penalties set forth in section 17-84.
- (d) The residential rental property owner or their agent must provide the tenants of such property with at least seven (7) calendar days advanced written notice of the inspection date and time. The City will provide the owner or their agent by mail or email with consent/waiver forms for each rental unit within the residential rental property to be signed by the respective tenants. All completed and executed consent/waiver forms must be made available to the housing code inspector upon inspection of the dwelling. Failure to present signed consent/waiver forms at more than one rescheduled inspection constitutes a violation of this article and is subject to the penalties set forth in section 17-84.
- (e) For residential rental properties with up to twenty-five (25) dwelling units, the housing code inspector shall inspect one hundred (100) percent of the dwelling units at said property. For residential rental properties between twenty-six (26) and ninety-nine (99) units, a total of no fewer than twenty-five (25) units will be inspected. For residential rental properties with one hundred (100) or more dwelling units, the housing code inspector will have the discretion to select and inspect a sampling of dwelling units that shall not be less than twenty-five (25) percent of the total number of dwelling units at the residential rental property. If any of the inspected dwelling units fail to pass inspection, the housing code inspector will have the discretion to inspect additional dwelling units in that residential rental property.
- (f) If the housing code inspector finds a life-threatening health and/or safety defect, they will immediately provide written notice to the owner or their agent. The residential rental property license will be denied or revoked, as appropriate, and the tenant(s) may be relocated in accordance with the relevant state statutes and regulations governing tenants who are displaced as a result of code enforcement. Any rental unit(s) directly affected by the life-threatening health and/or safety defect(s) shall not be re-occupied unless and until the life-threatening health and/or safety defect is repaired, and the City issues or reinstates the residential rental property license in writing. Any costs expended by the City pursuant to the provisions herein shall be reimbursed before a license is issued or reinstated.
- (g) If the housing code inspector detects at least one (1) defect during the residential rental property inspection, it shall constitute a violation of this article subject to the penalties set forth in section 17-84. The housing code inspector will arrange to re-inspect the property until it fully complies with required housing standards.
- (h) Each tenant shall be responsible for maintaining their respective rental unit in a clean and

sanitary condition and abide by all duties imposed on them by all applicable federal, state and local laws and regulations including the housing code of the City of New Haven and the City's anti-blight and property maintenance ordinance. A tenant may be cited for all damages that they cause to the residential rental property. If the housing code inspector finds that a tenant is responsible for damages that are detected during the inspection of the residential rental property, the housing code inspector may issue a housing code citation and proceed pursuant to the housing code regulations.

- (i) No residential rental property license will be issued to a residential rental property owner unless and until the housing code inspector finds that all defects concerning that property have been repaired.
- (j) The Livable City Initiative shall keep all inspection and re-inspection findings, checklists, reports and license records on file for public inspection, upon request.
- (k) Upon request, Livable City Initiative shall distribute a document entitled "Licensing and Inspection of Residential Rental Property, Owners' and Occupants' Responsibilities," to the owner or their agent, and to each tenant(s) of the residential rental property.

#### Sec. 17-78. Consent.

Before a housing code inspector can inspect a residential rental property unit, the tenant(s) of such unit must consent to its inspection. If there is probable cause to believe that there exists a violation which impedes health, safety and welfare, of the occupant or the general public, and a tenant objects to such inspection, the housing code inspector may obtain an administrative warrant from the appropriate official at the superior court for the judicial district of New Haven Housing Session so that the housing code inspector may inspect the non-consenting tenant's unit.

#### Sec. 17-79. License effect.

All inspections will be performed according to the defined checklist of quality of life and life safety issues promulgated by LCI (the "Checklist") and which shall be based on Title V of the New Haven Code of Ordinances (the "Housing Code"), and on Title III section 9-51 et. seq. of the New Haven Code of Ordinances (the "Anti-Blight and Property Maintenance Ordinance"). The issuance or reinstatement of a residential rental property license shall constitute proof that the inspected property meets the minimum standards contained in the Checklist.

#### Sec. 17-80. Term of license.

- (a) Once the residential rental property owner pays all applicable fees, costs, outstanding fines and/or penalties, and the residential rental property has passed inspection as required, the owner shall be issued a residential rental property license, which license may be valid for a period of up to (3) years from the date of application.

- (b) At the City's sole discretion, all licenses may be reviewed at any time. Following the issuance of a residential license, if the licensed residential rental property does not meet the criteria established in the Checklist, the license may be suspended, revoked, and/or modified.
- (c) The director of the Livable City Initiative or their designee shall have the authority to revoke a residential rental property license for all properties owned or managed by a landlord or management company if five unresolved housing code violations exist simultaneously on any of their properties. Upon revocation, all properties owned or managed by the landlord or management company shall be subject to fines under Section 17-84 for operating without a valid license.

#### Sec. 17-81. Regulations.

The code enforcement officer shall develop regulations for the licensing and inspection of residential rental property. The regulations may be amended from time to time. The Livable City Initiative shall have copies of the regulations, rules and forms available for the public at its office and website.

#### Sec. 17-82. Transfer of license.

Any residential rental licenses issued in accordance with the provisions of this article XIV shall not be transferable upon the sale or other conveyance of a residential rental property. For purposes of this section, the conveyance of residential rental property from an owner to any entity regardless whether the entity is majority owned directly or indirectly by previous owner or from the owner to a single member entity, shall also be deemed a conveyance which would act to void any previously issued residential rental license. The new owner shall have thirty (30) days from the date of transfer to file an application and pay the appropriate application fee as set forth herein.

#### Sec. 17-83. Enforcement.

The director of the Livable City Initiative and their designee are empowered to enforce the provisions of this article.

#### Sec. 17-84. Penalties/citations.

- (a) Penalty for Violation. Violation of sections 17-71 - 17-89 (the "Residential Rental Licensing Ordinance") shall result in a fine of up to the maximum amount authorized by Conn. Gen. Stat. § 7-148(c)(7)(A). Each additional day the violation continues shall constitute a separate violation. All fines under this section may begin to accrue on the date of the citation sent pursuant to 17-84 (e).

- (b) Service. Whenever notice is required under this article, such notice shall be deemed to be properly served upon such owner or agent if a copy thereof is:
- (1) mailed, pursuant to C.G.S. 7-152c(c), to the last-known address on file with the City's tax collector; or
  - (2) sent electronically to an email address that the property owner or their agent or the occupant has provided to the City in their residential license application.
- (c) Notice of violation. Whenever the code enforcement officer or their designee determines that there are reasonable grounds to believe that there has been a violation of any provision of this article, they shall serve a written notice to the owner of the property directing the correction or abatement of the violation within a specified time (the "Cure Period"), and shall notify the owner that failure to correct or abate the violation within the Cure Period shall result in the issuance of a civil citation in accordance with this article.
- (d) Civil Citation Procedure. If the owner fails to correct or abate the violation within the Cure Period, or the Cure Period as it may be extended, as provided in subsection (c) above, the City shall serve a written civil citation on the owner of the premises and all fines assessed against the owner shall be enforced against the owner in accordance with this section.
- (e) Contents of Civil Citation. The civil citation shall provide the owner with the following information:
- (1) The allegations made against them, the amount of fines, penalties, costs or fees due, and the proposed fines per day of continued violation of this article;
  - (2) That they may contest their liability before the City's duly appointed hearing officer by delivering written notice in person or by mail to said Hearing Officer c/o the Director, Livable City Initiative, within ten (10) calendar days from the date of receipt of the citation(s); and
  - (3) That if they do not demand such a hearing within such ten (10) calendar days in accordance with this article, they shall be deemed to have admitted liability, and the hearing officer shall assess and enter a judgement against them without further notice.
- (f) Nothing herein shall prevent the City from seeking any other means available at law or in equity to enforce this article's provisions.

#### Sec. 17-85. Hearing officer.

- (a) The mayor shall appoint one (1) or more hearing officer(s), who shall not be a City employee, to conduct the hearings authorized by this section. Such hearing officer shall serve without pay. The mayor may remove any such hearing officer at any time for whatever reason they deem sufficient.
- (b) If a property owner who is sent a citation as set forth above wishes to admit liability for any alleged violation, they may, without requesting a hearing, pay the full amount of the fine(s)

admitted to, in person or by mail to the City. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any property owner who does not deliver or mail written demand for a hearing within ten (10) days of the date of receipt of the citation, shall be deemed to have admitted liability, and the designated hearing officer shall certify such property owner's failure to respond to the enforcement officer. Said hearing officer shall thereupon enter and assess the fine(s) so provided for and shall follow the procedures set forth in this article for obtaining a court judgment.

- (c) Any property owner who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of the citation, unless the property owner requesting the hearing agrees to an earlier date. The hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. The City shall present at the hearing the original notice of violation and citation or a certified copy of such notice and citation and such original or certified copy shall be deemed to be a business record within the scope of C.G.S. Section 52-180 and evidence of the facts contained therein. The enforcement officer may, but is not required, to appear at the hearing, but shall be required to appear if the owner specifically requests the enforcement officer's presence. A property owner who wishes to contest their liability shall appear at the hearing, and may present evidence on their behalf, or the property owner may request that the hearing be conducted by mail and may submit documents and copies of reports for the hearing officer's review. The hearing officer may grant a request for a hearing by mail or may determine at any time (including after a hearing by mail has been granted and undertaken) that a hearing in person is necessary to fairly adjudicate the matter, and that the property owner must appear in person at a hearing. If the enforcement officer is not able to attend the hearing, and their presence has not been specifically requested by the property owner, a designated City official, other than the hearing officer and other than the enforcement officer, may present evidence on behalf of the City.
- (d) If the property owner fails to appear or fails to request a hearing by mail within the timeframe set forth herein, the hearing officer may enter a default upon finding of proper notice and liability under applicable law. The hearing officer shall conduct the hearing in the order and form, and with such methods of proof as they deem fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce their decision at the end of the hearing. If they determine that the person is not liable, the hearing officer shall dismiss the matter and enter their determination in writing accordingly. If they determine that the person is liable for the violation(s), the hearing officer shall enter and assess the fines against such property owner, and levy such fines as provided for herein. The hearing officer shall forward a notice of assessment to the enforcement officer for further action. The City shall have all rights and remedies available to it under applicable law with respect to the collection of the fines following the procedure set forth herein.
- (e) If such assessment is not paid on the date of its entry, the code enforcement officer shall send by first class mail a Notice of Assessment to the Owner found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the

Notice of Assessment with the Clerk of the Superior Court, Housing Session, 121 Elm Street, New Haven, CT 06510, together with the appropriate entry fee. The certified copy of the Notice of Assessment shall constitute a record of assessment. Within such twelve (12) month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment with appropriate court costs against such owner in favor of the City. Notwithstanding any other provision of the General Statutes, the Notice of Assessment, when entered as a court judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such owner.

- (f) An owner against whom an assessment has been entered pursuant to this article is entitled to judicial review by way of appeal. An appeal must be instituted within thirty (30) days of the mailing of the notice of such assessment by filing a petition to reopen the assessment, together with an entry fee with the Clerk of the Superior Court, Housing Session 121 Elm Street, New Haven, CT 06510, which shall entitle such person to a court hearing.

Sec. 17-86. Reserved.

Editor's note(s)-Former § 17-86, Appeals, was repealed by Ord. No. 1671, adopted Feb. 6, 2012.

Sec. 17-87. Report required.

The director of the Livable City Initiative, or their designee shall submit a yearly report to the Board of Alders containing the performance of the residential rental business license program (RRBLP).

Sec. 17-88. Ordinance amendment.

The director of the Livable City Initiative reserves the right and shall have the authority to amend the above ordinance, provided that such amendment is done in conformance with federal, state and local laws and regulations, and passed by vote of the City's Board of Alders. Secs. 17-89-17-110. Reserved.