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Liam Brennan
Executive Director

July 28, 2025

Hon. Ellen Cupo and Members of the Board of Alders
165 Church St.
New Haven, Ct 06515

Dear Alder Cupo and Esteemed Members of the Board of Alders,

I am writing to follow up on Commissioner Wendy Gamba's recent letter opposing the proposed anti-retaliation provisions within our landlord licensing updates, and to provide additional context from my meeting with the Fair Rent Commission.

On July 15, I had the opportunity to meet with Commissioner Gamba and other Fair Rent Commission members to discuss our proposed licensing updates. During the meeting, Commissioner Gamba raised some of the concerns she outlined in the letter you forwarded to me. I want to address the specific concerns raised in Commissioner Gamba's letter while providing important context about the necessity and structure of our proposed anti-retaliation provisions.

Addressing Duplication and Jurisdictional Concerns

Commissioner Gamba raises concerns about creating duplicative processes and potential conflicts. However, these concerns overlook the fundamental jurisdictional differences between our respective authorities. The Fair Rent Commission addresses tenant relief and rent-related matters, while LCI holds exclusive jurisdiction over residential business licensing. These are distinct governmental functions serving different purposes.

We developed this anti-retaliation provision in direct response to public demands for accountability - residents rightfully asked why the city would continue licensing landlords who retaliate against tenants for filing legitimate health and safety complaints. This represents a significant gap in our current regulatory framework that must be addressed.

This issue is central to our reform efforts—we have a responsibility to respond to residents' legitimate expectations that the city should not sanction landlords who undermine our health and safety enforcement system. Commissioner Gamba's letter offers no alternative solution for addressing this critical regulatory gap.

Corporation Counsel has thoroughly vetted this proposal and expressed no concerns about dual jurisdiction or conflicting outcomes. Such complementary responsibilities are common in

municipal government—we regularly coordinate overlapping functions with the Building Department, Fire Department, and Fair Rent Commission without systemic problems.

Administrative Decisions and Due Process

Regarding concerns about city staff making administrative determinations, this reflects the normal function of municipal government. City staff routinely make licensing, permitting, and inspection decisions as part of executive branch implementation of legislative policy. This approach is often more efficient than relying on volunteer commissioners who have limited availability and require staff coordination to convene.

Importantly, our process includes robust due process protections that Commissioner Gamba may not have fully appreciated. All LCI licensing decisions are appealable to independent Hearing Officers—volunteer community members who provide peer review of staff determinations. If applicants remain unsatisfied, they can further appeal to Superior Court. This multi-tiered review process was explained during our July 15 meeting and ensures appropriate oversight while maintaining administrative efficiency.

Addressing the Legal Risks

The core issue remains that retaliation fundamentally undermines the city's health and safety enforcement system. When we continue to license landlords who retaliate against their tenants for availing themselves of the city's health and safety protections, our entire regulatory framework is compromised. While the Fair Rent Commission can provide tenant relief, only LCI can address whether such landlords should maintain the privilege of operating residential businesses in New Haven.

Corporation Counsel has assessed the legal risks and determined this approach is sound. The greater risk lies in continuing to license bad actors who operate in bad faith and undermine public health and safety protections.

Proposed Refinements for Enhanced Coordination

The anti-retaliation provision represents just one component of broader licensing reforms designed to make our ordinances more accessible and responsive to property owner feedback. The majority of our proposed updates focus on streamlining processes, clarifying requirements, and removing bureaucratic obstacles that property owners have encountered. These reforms aim to make the ordinance more user-friendly and accessible to the general public, including landlords, by simplifying language, consolidating procedures, and addressing common compliance challenges that property owners face.

Commissioner Gamba's concerns, while not legally problematic, do highlight opportunities to improve governmental efficiency—a principle that guides much of our work at LCI, particularly over the last year.

To address coordination concerns and create a more streamlined process, we would be open to amending the anti-retaliation provision to specify that anti-retaliation complaints should all be routed through the Fair Rent Commission and that, when the Fair Rent Commission sustains a retaliation claim, LCI will automatically revoke the rental license for the affected property. We believe this would address the legitimate desire for a streamlined process regarding retaliation

complaints, while still meeting our obligation to respond to the public request to not allow retaliatory property owners to maintain their residential rental license.

To that end, we have drafted language making this substitution. We will forward it to you in a separate email shortly.

Moving Forward Together

We greatly appreciate working with you and your fellow Alders on these important housing issues. Public input from engaged residents like Commissioner Gamba helps us refine our approaches and better serve New Haven's housing needs. While we respectfully disagree with some of the concerns raised, we remain committed to collaborative solutions that protect tenants while maintaining fair and efficient administrative processes.

We look forward to continuing this dialogue and working together to meet the needs of all New Haven residents.

Thank you for your leadership and consideration of these important matters.

Sincerely,



Liam Brennan
Executive Director
Livable City Initiative