



Ending Housing Segregation Step 4: Make desegregation obligations meaningful.

A. Expand the duty to reverse segregation to all state agencies that provide or support housing

Sec. 8-37cc. Housing agencies to serve households with incomes less than fifty per cent of area median income and to promote fair housing choice and racial and economic integration. (a) Each housing agency, as defined in section 8-37aa, shall, within available resources and to the extent practicable, serve households with incomes less than fifty per cent of the area median income, including households with incomes less than twenty-five per cent of the area median income. In administering its programs each housing agency shall attempt to serve households in the lower range of the income group for which the housing program was developed.

(b) In addition to those housing agencies defined in section 8-37aa, each housing state agency providing or supporting, financially or otherwise, affordable housing shall affirmatively promote fair housing choice and racial and economic integration in all programs administered or supervised by such housing agency.

This statute was stripped of its enforceability as the result of a 2006 CT Supreme Court case, *Asylum Hill v. King*, which asserted that the statute needed to include explicit language giving it a private right of action. Taking the statute's legislative history in context at the time it was passed, it was clearly intended to be enforceable.

Change: Expands the applicability of the affirmatively furthering obligation to agencies beyond CHFA and DOH that are involved in the provision of affordable housing. These agencies could include, for example, DMHAS, DSS, and OPM.

B. Reinsert a private right of action to the state duty to affirmatively further fair housing

Sec. 46a-98a. Discriminatory housing practice or breach of conciliation agreement: Cause of action; relief. Any person claiming to be aggrieved by a violation of section 8-37cc, 46a-64c or 46a-81e or by a breach of a conciliation agreement entered into pursuant to this chapter, may bring an action in the Superior Court, or the housing session of said court if appropriate within one year of the date of the alleged discriminatory practice or of a breach of a conciliation agreement entered into pursuant to this chapter. No action pursuant to this section may be brought in the Superior Court regarding the alleged discriminatory practice after the commission has obtained a conciliation agreement pursuant to section 46a-83 or commenced a hearing pursuant to section 46a-84, except for an action to enforce the conciliation agreement. The court shall have the power to grant relief, by injunction or otherwise, as it deems just and suitable. In addition to the penalties provided for under subsection (g) of section 46a-64c or subsection (f) of section 46a-81e, the court may grant any relief which a presiding officer may grant in a proceeding under section 46a-86 or which the court may grant in a proceeding under section 46a-89. The commission, through commission legal counsel or the Attorney General, may intervene as a matter of right in any action brought pursuant to this section without permission of the court or the parties.

Change: Adds the obligation to affirmatively further fair housing to the causes of action that are entitled to relief under state fair housing laws.