

Ask a KKC Attorney



Attorney Meghan Smith

Question:

My tenant stopped paying rent because of building repair issues. I am in the process of remedying the issues with a licensed contractor. Can my tenant withhold rent until the repairs are made?

Answer:

No, your tenant cannot withhold rent. If a tenant feels that a landlord has failed to perform his or her legal duties prescribed under the Connecticut General Statutes, a tenant may bring an action in the Housing Session of the Connecticut Superior Court to obtain relief. If a tenant has withheld rent owed to the landlord, and if a valid notice to quit possession based upon nonpayment of rent has been served on the tenant prior to the institution of the action by the tenant, they may not bring an action. The tenant must also have made a complaint concerning the premises to the municipal agency in the municipality where the premises is located, at least twenty-one (21) days prior to the institution of the action. A tenant must continue to pay rent to the landlord while repairs are being made unless an order has been issued by a Court stating otherwise.

Attorney Meghan Smith is an associate at Kahan Kerensky Capossela's Vernon office. She focuses her practice on business, real estate, and landlord/tenant issues. Contact her at 860-812-1735 or msmith@kkc-law.com.

