

House Republican Press Release

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Miller: Affordable Housing Appeals Failures Must Be Reversed



New Session Offers Opportunity to Repair Law

HARTFORD- Noting the short-comings of current affordable housing laws, and the inability of the state legislature to properly reform these laws, Representative Lawrence Miller (R- 122) seized on the start of a new legislative session to renew efforts to repair those laws. Miller has served as Ranking Member of the legislature's Housing Committee since 2001.

“Here we are, sixteen years after the passing of the Affordable Housing Appeals Statute which was intended to enable developers to build affordable housing anywhere in Connecticut, and the only conclusion that can sensibly be made is that it is a failure,” said Miller.

Miller observed that since this landmark legislation was enacted in 1990, a mere 3,000 units of affordable housing have been built in the state under its provisions, adding up to a weak 2% increase. “This is pretty astounding,” Miller said. “It is especially so when you consider that the law has been anchored by five state agencies, one quasi-public agency that includes the Connecticut Housing Coalition and some 65 non-profit affordable housing developers including over 250 members. That's a pretty expensive failure.”

Miller also noted that the state should be particularly embarrassed at their failure, considering the success stories in several communities without government assistance. “Bridgeport is scheduled to have 2,000 units of market-priced housing by the end of the year,” he said. “Naugatuck Valley will have an additional 5,000 units over the next five years. These are happening without government control or intervention.”

The real problem with the law lies with the Affordable Housing Appeals Court according to Miller. “This court, which was made up of eleven judges and now consists of nineteen judges, routinely bypass legislation and impose their own edicts,” said Miller. “It is commonplace for these activist judges to apply legal precedents in these cases that have no application, while failing to use only evidence found on record, which is the proper legal standard. They preside over affordable housing denials brought by 1/5 of state municipalities, incurring nearly \$10 million in costs from initial filing to disposition.

These nineteen judges make up 10% of the state's Judicial Department. Municipalities incur and are responsible for their own costs to protect their interests, and that of their residents. Stratford, for example, spent over \$400,000 to protect the land values in an inappropriate affordable housing proposal on Cut Spring Road."

Miller said that he and a number of other legislators have filed scores of bills over prior sessions to repair, repeal, or rewrite the state's failed housing policy, to no avail.

"The liberal majority has refused to listen to our voices," said Miller. "Now affordable housing is in a crisis state. This new session offers a new opportunity for action, and I hope they take it. I'll be working this session once again to revisit Connecticut's housing policy and I hope they can join me in the effort."