

**MINUTES
FAIR RENT COMMISSION
REGULAR MEETING (HYBRID) OF FEBRUARY 11, 2026**

Present: Commissioner/Chair Rakim Grant; Commissioner Darrell Fennell; Commissioner Robert Rosenthal; Commissioner Linette Gaunichaux; Commissioner Sal Calvo; Commissioner Robert Kronenberger (remote)

Staff: Atty. Philip G. Kent, as outside counsel for the Commission, along with Atty. Grace Ronayne (remote) and Paralegal Johanna Rivera (remote)

Public: Landlord's counsel Atty. David Rosenberg; Landlord's counsel Atty. Ian Gottlieb; landlord, Mr. Andy Sethi; tenants Robin Andrews and Rose Bisson; tenants Julie Gillis and Edward Burke (remote); and four students from Wesleyan University

1. Call to Order:

Commissioner / Chair Grant called the Meeting to order at 7:01 p.m.

2. Public Comment:

The Chair called for public comment with no response.

3. Approval of Minutes

Commissioner Gaunichaux made a MOTION to approve the minutes of the January 14, 2026 Regular Meeting. Commissioner Fennell seconded the motion, which passed unanimously without further discussion.

4. Correspondence

None reported.

5. New Business

A. Report in New Complaints / Jurisdictional Review / Pending Matters

No new complaints.

B. Proposed Amendment to By Laws

The Commission had made an amendment in the past with respect to changing the Bylaws to reflect settlement discussions as opposed to mediation. On review, Atty. Kent found one instance in the Bylaws where that change was not made and suggested the Commission make a motion to replace the word mediation throughout as needed in line with the prior revisions. Commissioner Rosenthal made a MOTION to replace the word mediation as needed

in the Bylaws. Commissioner Calvo seconded the motion, which passed unanimously without further discussion.

C. Discussion of Appeal timeline re Notice of Decision

The appeal timeline is currently 30 days. Other jurisdictions are currently 10 days. Atty. Kent raises this issue as an issue that the Commission may wish to consider. The Commission requested Atty. Kent complete a review and/or confer with other Commissions and report back.

D. Amendment to Notice of Compliant/Hearing re: dismissal

Atty. Kent reported that Commission Fennell had raised an issue with respect to amending the Notice of Complaint as to dismissal when a party does not appear for the hearing. The question was raised whether the Notice of Complaint should indicate that if a party fails to appear, either in person or through counsel, they will risk dismissal. There was a discussion regarding what language should be added to the Notice of Complaint regarding extenuating circumstances as to why the tenant did not attend the hearing and whether the Commission can rescind the decision to dismiss; what warrants an emergency or good cause to reverse a dismissal, and when the Commission would dismiss a matter. The Commission also discussed that a party can seek to re-open a dismissal via the existing rules, which is stated in decisions already as a matter of course. Atty. Kent suggested the following language be added to the Notice of Complaint: “If a party fails to appear for a hearing, the Commission may, in its discretion, dismiss the matter. A party who cannot attend or seeks a continuance should advise the Commission at its earliest opportunity prior to the hearing date.” Commissioner Rosenthal made a MOTION to make the proposed changes to the Notice of Complaint with said language regarding dismissals, and Commissioner Calvo seconded the motion. Commissioner Kronenberger suggested a timeframe on re-hearing cases. The Commission recalled, however, that the current rule is 15 days if a party would like to reopen a matter and that this language is already in the Notice of Decision/Notice of Dismissal. The MOTION passed unanimously without further discussion.

6. Old Business

The following is a summary only. Please see the hearing recording for more detailed information.

Burke/Gillis v. Carabetta Stipulated Order

The Chair called the Burke/Gillis v. Carabetta matter. Atty. Kent reported he had conducted an informal settlement conference with tenants Gillis and Burke, along with Atty. Carabetta for the landlord, which resulted in a proposed Stipulated Order. Atty. Kent reported that the parties agreed to set rent starting in March 2026 through the end of February 2027 at \$1,565.00 per month. In addition, the parties agreed that landlord would respond to new work orders in good faith and in a reasonable time. Atty. Kent presented a signed copy of a Stipulated

Order signed by Atty. Carabetta on behalf of Respondents and inquired of the tenants as to whether they also agreed with the proposed Stipulated Order, which they each confirmed.

Commissioner Gaunichaux made a MOTION to accept the Stipulated Order, which Commissioner Calvo seconded. The motion passed unanimously, without further discussion, as follows:

Grant: aye; Gaunichaux: aye; Calvo: aye; Kronenberger: aye; Rosenthal: aye Fennell: aye

1. Hearing / deliberations / decision re Andrews/Bisson v. Rapallo Properties LLC as to a compliance/violation(s)

The Chair called the Andrews/Bisson matter for hearing and noted, at the tenants request that each side may be provided additional time if needed.

Ms. Bisson testified regarding the issues as to the compliance/violations by the landlord. The previous order stated that the landlord had to inspect the tub's drain with a camera, inspect the windows and garage and make repairs. The inspections took place, but the work has not been done. Ms. Bisson acknowledges that there are new owners. The new landlord, Mr. Sethi, suggested setting up a walk through their apartment, weeks passed by and no appointment was made. Mr. Sethi stated he was waiting for a copy of the Commission's orders. A month went by and landlord did not reach out to her or seek information, while working on other units. Regarding the garage, tenants asserted they did not have the keys, and they were not notified that the lock was broken. Tenants are not comfortable with other tenants doing the work as they have been harassing and threatening Ms. Andrews and Ms. Bisson. Ms. Bisson saw landlord depositing a paper bag in their trash bin, which they later identified as decaying rats. Their unit was inspected by a home inspector on January 30, 2026, and on February 9, 2026, it was inspected by Commissioner Kronenberger at tenants' request. Tenants asserted they had not been provided with keys for the garage. Regarding the tub, they asserted it worked for a few days after it was snaked but then would not work properly. Landlord's exhibit shows the tub after it was snaked. Tenants were not given any clarification as to what was causing the back up. Tenants acknowledged the bathroom sink does drain now. Regarding the windows, there was an inspection scheduled on January 20, 2026, but tenants were not allowed to record. The inspector canceled the inspection. It was scheduled again. During the inspection there were issues noted and the inspector noted how to correct them. Landlord reportedly planned to address additional window repairs in due course. Tenants stated that the windows don't lock and slide open easily, leaving gaps and frost on the windows, the seals of which are broken. Commissioner Kronenberger inspected the kitchen window and said it was working fine, but tenants reported that after the inspection, the window would not lock and slid down. Tenants showed video of the garbage bin where the decaying rats were placed on January 22, 2026. Tenants showed video of frost, gap and alleged mold on the windows. Tenants showed video of the tub drain. Tenants showed video of the kitchen window dated February 9, 2026.

Ms. Sethi testified that the garage and windows were inspected by a licensed contractor. The contractor notified that all the windows are operable. The contractor did state routine

maintenance items that need to be fixed. There was no issue with the garage door. Landlord broke the garage lock after communication issues with tenants regarding the key. Landlord asserted that tenants did have the garage key per video purportedly showing tenants accessing the garage dated January 28, 2026. Landlord stated tenants had one hutch in the garage. Landlord asked if they could get rid of other stuff not claimed by tenants. While Commissioner Kronenberger was there, landlord ask if they could get rid of the unclaimed items and tenants agreed. Landlord provided new keys for the garage during the hearing. Regarding the tub, the plumber ran the snake multiple times and found tons of hair. Landlord showed video of the bathtub draining. Landlord showed video of the sink draining. During Commissioner Kronenberger's visit, landlord ran the bathtub water 5-7 minutes and there were no issues. Landlord therefore closed by arguing the tub drain and sink drain were fixed, the windows were inspected by a licensed contractor, and garage works and is accessible.

Commissioner Kronenberger reported about his inspection on February 9, 2026, and his written email report was made an exhibit. Commissioner Kronenberger concurred generally with the landlord. He inspected the garage and the basement. He inspected the windows and stated that they were older windows and suggested caulking the windows.

Commissioner Calvo reported about his subsequent visit also on February 9, 2026, where he spoke with Ms. Andrews on her porch, but did not inspect the unit as Commissioner Kronenberger had already completed the inspection.

Chair Grant asked Commissioner Kronenberger whether the landlord addressed the issues in the order or at least attempted to do so. In Commissioner Kronenberger's opinion, yes. He believes there was a good faith effort made by the landlord. He noted there was no mold on the windows he inspected.

Atty. Gottlieb crossed examined and asked if Commissioner Calvo asked permission to go inside the tenants' unit. Commissioner Calvo stated that he did not. Commissioner Calvo did not discuss Commissioner Kronenberger's findings with Commissioner Kronenberger. Commissioner Calvo did not inspect the garage. Atty. Gottlieb stated for the record the new garage key was turned over to the tenants.

Commissioner Rosenthal asked the tenants if it was their testimony that everything is working. Ms. Andrews stated she had video of the tub not draining properly and that one of the window is not closing. The tub was working for a couple of days after it was snaked, but now is not working properly. Tenants also have video of the window not closing. Landlord stated that the contractor inspected all the windows, which open and close properly, although they are not new. The contractor's inspection report is in the exhibits. Landlord states that the routine maintenance stated in the contractor's report will be done.

Commissioner Gaunichaux asked the tenants whether the tub worked once the snaking was done. Tenants stated it did for 2 days. Ms. Andrews stated the water still accumulates while showering and does not drain properly. She also stated she was not allowed in the bathroom during the inspection. Commissioner Kronenberger stated the tenant was not excluded. Tenants

emailed landlord regarding the tub still not working property, but did not request for the landlord to inspect. Tenants do use a hair catcher in the tub.

Tenants and landlord submit all exhibits. All witnesses were sworn in.

On deliberations, the Chair noted that most issues seemed fixed. He also noted that the unit was inspected by a contractor and by the Commission and the landlord states that the items were fixed. The Chair noted that the tenants even stated that at some point the drainage was fixed, which shows an effort to fix them. Commissioner Gaunichaux concurred with Chair Grant and that landlord met their goals. Commissioner Gaunichaux stated that tenants can supply a new repair request for whatever is happening at their unit now. Ms. Andrews stated she tried to accommodate the landlord to come in to their unit. Landlord stated Ms. Andrews makes it hard and some contractors do not want to come in to work on the tenants' unit. Commissioner Fennell asked about the stuck window. Landlord stated the windows were inspected and the contractor stated the window should be cleaned and should be able to open. Landlord agrees that Commissioner Kronenberger suggested caulking the windows. Commissioner Rosenthal believed the orders were followed by landlord and further stated that if new issues arise, the tenants can report the new problems to the landlord and then file a new complaint if the issues are not addressed.

Chair Grant made a MOTION to find compliance in that the Commission's orders were followed. After further discussion as to items being addressed and inspected, Commissioner Gaunichaux seconded the motion. The motion passed (3-1), without further discussion, except that Commissioners Kronenberger and Calvo recused themselves from deliberation and voting on the matter and Commissioner Fennell voted against finding compliance as to the windows, as follows:

Grant: aye; Gaunichaux: aye; Fennell: nay, esp. as to the windows; Rosenthal: aye

2. Hearing / deliberations / decision re Moses v. Better Provisions LLC / Provision Property & Investment LLC complaint

Atty. Kent received a Notice of Withdrawal from Tiana Moses dated February 11, 2026. Ms. Moses has moved with no intention to return and was not claiming retaliation. Thus, the complaint has been withdrawn and was not heard.

3. Hearing / deliberations / decision re Young v. Kosel Equity / Up Realty complaint

The Chair called the Young v. Kosel / Up Realty matter. Atty. Kent stated that tenant was not present although Atty. Kent had emailed the link to today's meeting to the tenant. The Commission discussed whether a motion to reopen could be filed and the concept of reasonable cause. Commissioner Calvo made a MOTION to dismiss the complaint. Commissioner Gaunichaux seconded the motion. The motion passed unanimously (6-0) without further discussion, as follows:

Grant: aye; Gaunichaux: aye; Fennell: aye; Calvo: aye; Rosenthal: aye; Kronenberger: aye

7. Executive Session

Chair Grant made a MOTION to enter Executive Session. Commissioner Gaunichaux seconded the motion, which passed unanimously without further discussion. Recording paused at 8:34 p.m. Chair Grant made a MOTION to come out of Executive Session. Commissioner Gaunichaux second the motion, which passed unanimously without further discussion

8. Adjournment:

The Chair made a MOTION to adjourn, and Commissioner Kronenberger seconded the motion, which passed unanimously without further discussion. The meeting adjourned at 9:07 p.m.