



State of Connecticut  
Department of Economic and  
Community Development

## Compliance Office & Planning/Program Support

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**All Sponsors – Section 8 Program**

**Notice: COPS 07-04**

**Distribution Date: February 1, 2007**

Effective: Immediately

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### **SUBJECT: OCCUPANCY STANDARDS**

It has come to the Department's attention that some sponsors may be attempting to limit occupancy of their one-bedroom units to "couples only." This practice has not been allowed for many years. Neither state nor federal law allows for this limitation.

According to FR Doc. 98-33568 (63 FR 70256-70257) of the Federal Register, "the Fair Housing Act... provides that nothing in the Act 'limits the applicability of any reasonable local, State or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling.'" In accordance with Sec. 8-37ee-304(c) of the Regulations of Connecticut State Agencies, households consisting of one or two people are eligible to occupy a one-room unit. Therefore, a housing provider cannot restrict such units to just one of the two family categories, as such action would be considered unreasonable under the Fair Housing Act.

Please be aware that if a housing provider uses a point system for tenant selection, it may be able to give a preference to two-person households (again, singles cannot be barred from applying). If utilizing a lottery, then no preference can be given and the unit must be made available to the next one- or two-person household on the waiting list.

If you have any questions, please contact Christina Keune at 860-270-8204 or Michael Santoro at 860-270-8171.