



THE CITIZEN'S ADVISORY COUNCIL FOR HOUSING MATTERS

FOR THE HOUSING SESSION OF THE HARTFORD - NEW BRITAIN JUDICIAL DISTRICT OF THE SUPERIOR COURT

A P P E N D I X

to the

REPORT TO THE GENERAL ASSEMBLY

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January 5, 1983

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APPENDIX A

Starting January 1, 1979, tenants and owners have a special place to bring many of their housing problems for fair, prompt action. Your state representatives created a HOUSING SESSION in Superior Court to help you solve these problems. The Housing Session puts all housing cases under one roof, with one judge and with special staff. The Housing Session gives housing problems the time and attention they deserve.

There are two court buildings where Housing Sessions are held. One Housing Session is held in Hartford at 83 1/2 Lafayette St. The other Housing Session is held in New Britain at 177 Columbus Boulevard. People in wheelchairs can use the Housing Session. People who need an interpreter to use the Housing Session can get one if they give 24 hours advance notice that one is needed.

You can bring your housing problems to either court building. You can also file a housing complaint by mail. The forms for filing a complaint are available at most town court buildings.

These are some of the types of housing problems the law lets the Housing Session handle:

- (1) unclean property conditions
- (2) unsafe property conditions
- (3) back rent
- (4) evictions
- (5) security deposits
- (6) lockouts
- (7) damage to the unit
- (8) personal injuries
- (9) discrimination

The Housing Session can hear other types of housing problems, but these

are the most common types of problems people have with housing.

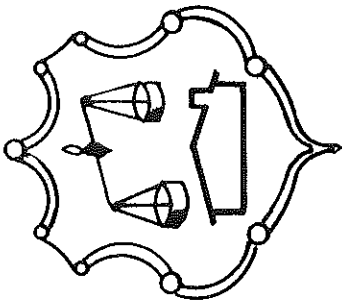
Not every housing problem you bring to the Housing Session will have to go to trial. Special workers at the Housing Session, called Housing Specialists, will try to find an answer to your problems without always having a trial. The Housing Specialists are the eyes and the ears of the Judge.

The Housing Session plans to try hard to change the usual legal forms and procedures enough so that people can handle their own cases if they want to. It is usually better to have a lawyer to represent you if the other person you are complaining against or defending yourself against has one.

Low income people may be eligible for free legal help. Call your local legal aid office direct or get their number from INFO-LINE.

To begin to solve many types of housing problems that you may want to bring to the Housing Session, you may have to file a complaint and pay an entry fee. Different legal steps have different entry fees, which are set by law. The filing fees in effect now are listed at the end of this information sheet.

If your housing problems are about things such as heat, wiring, plumbing, garbage, bugs, lack of repairs, etc., you must see your Town Health or Building Department before you come to the Housing Session for help. If you feel that your town officials are not giving reasonable attention to your



HOUSING SESSION OF THE SUPERIOR COURT

83 1/2 Lafayette St.
Hartford, CT 06106
Telephone: 566-8550

177 Columbus Boulevard
New Britain, CT 06051
Telephone: 827-7111

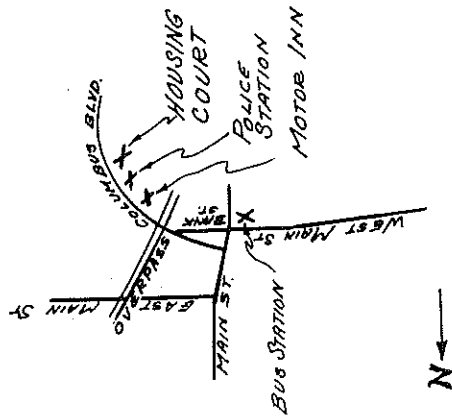
This brochure was prepared as public information by the Citizens' Advisory Council for Housing Matters.

Graphics by Carolyn Saccoccio

Text by Carol Femia

problems, especially if it is an emergency, call the Housing Session. Your town officials can often get results right away, or put together evidence so they can take your case to the Housing Session.

NEW BRITAIN
HOUSING COURT
177 COLUMBUS BLVD.
NEW BRITAIN, CONN.



ENTRY FEES

Small Claims \$ 6.00
Evictions 30.00

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MESSAGE FROM HOUSING SESSION COURT JUDGE

February 1979

The Housing Court is historically unique. It is the first Superior Court devoted to the exclusive specialty of Housing Matters; it is the only Housing Court authorized in Connecticut with a jurisdiction encompassing 30 towns and 850,000 people. We are an experimental court "on probation" for an 18 month period until June 30, 1980.

The continuation of this court beyond its expiration date and the likelihood of creating similar Housing Courts in the rest of the state will depend in large measure upon the success of this Court. Our success will be measured by how the people use the Court and whether the Judge can dispose of conflicts quickly and fairly.

The mission of the Court is twofold: (1) To reconcile landlord-tenant disputes, and (2) to enforce, reasonably, state and municipal health and housing codes.

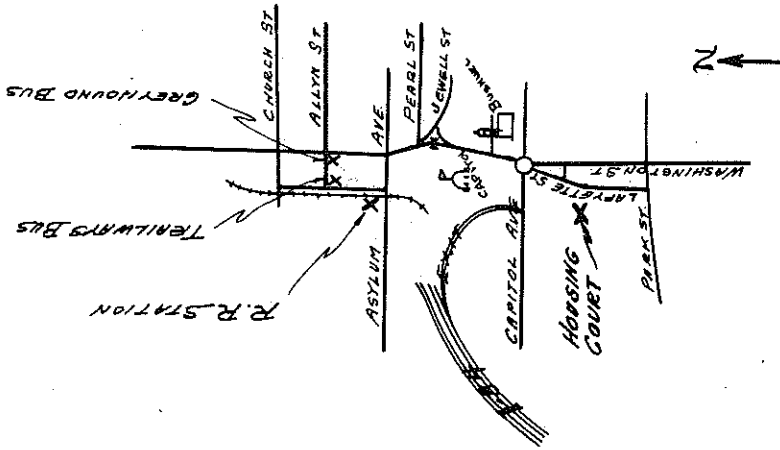
The people who use the Housing Court will be guaranteed a forum for a dignified opportunity to present their claims. Constituents of this Court must remember, however, that although a new court was created, no changes were enacted in current housing law. Until amendments, which are now being proposed, are enacted, we expect much of the frustration over housing matters to remain.

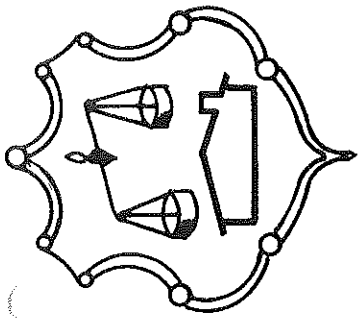
We look forward to being of service to the entire community. To the end that the Court can lend credibility to your very real concern over housing, I am confident that the Housing Court will succeed.

We acknowledge with gratitude our indebtedness to the Citizens Advisory Council for Housing Matters and to Chief Court Administrator Justice John Speziale, without whose assistance the Housing Court could never have reached its present level of performance.

Arthur L. Spada, Judge

HARTFORD
HOUSING COURT
83 1/2 LAFAYETTE ST.
HARTFORD, CONNECTICUT





SESION DE VIVIENDAS
DE LA CORTE SUPERIOR

83½ Lafayette St.
Hartford, CT 06106
Telefono: 566-8550

177 Columbus Boulevard
New Britain, CT 06051
Telefono: 827-7111

Este folleto fue preparado
como informacion publica
por los miembros del Concilio
Ciudadano Consultivo de
Asuntos de Viviendas

Traducción Por: Hilda Rivera
Graficas Por: Carolyn Saccocio
Texto Por: Carol Femia

Empesando Enero de 1979, inquietos y dueños de casas venen un sitio a donde pueden llevar muchos de sus problemas de viviendas, para trato imparcial y accion inmediata. Sus representantes del estado desarrollaron una Sesión de Viviendas en la Corte Superior para ayudarlos a resolver esos problemas. La Sesión de Viviendas trata todos los casos bajo del mismo techo, con un juez y un grupo de personajes especialistas. La Sesión de Viviendas le provee el tiempo y atención que se merecen los problemas de viviendas.

Hay dos cortes para la Sesión de Viviendas. Una esta situada en Hartford, en el 83½ de la calle Lafayette. La otra queda en New Britain en el 177 Columbus Blvd. Personas en sillas de ruedas tambien pueden usar la Sesión de Viviendas. Personas que necesitan interprete se le provee si notifica la corte 24 horas con anticipacion.

Ud. puede traer sus problemas de vivienda a cualquiera de las dos corte Tambien pueden solicitar sus quejas por correo. Las ojas de solicitud estan a su desposicion en casi todas las cortes en la ciudad.

Los siguientes son algunos tipos de problemas que la ley permite que se traten en la Sesión de Viviendas:

- (1) Condiciones propieda desagradables
- (2) Condiciones propieda peligrosas
- (3) Renta atrasada
- (4) Desahucio(sacados de su avitacion)
- (5) Depositos de security
- (6) Dejado en la calle
- (7) Dano a la propiedad
- (8) Dano personal(algun golpe resivido)
- (9) Descriminacion

La Sesión de Viviendas puede mantener otros tipos de problemas de vivienda, pero estos son los que ocurren mas a menudo.

No todos los problemas que Ed. traiga a la Sesión de Viviendas iran a juicio. Trabajadores especial, llamados especialistas de Vivienda, trataran de resolver su problema sin que tenga siempre que ir a juicio. Los especialistas son los ojos y oidos del juez.

La Sesión de Vivienda esta tratando fuerte por cambiar el proceso legal que siempre se ha usado, de una forma para que Ud. mismo pueda tratar su caso si asi lo desea. Casi siempre es mejor tener su propio abogado, si la persona que Ud. esta acusando o (se esta defendiendo de ella) tiene uno.

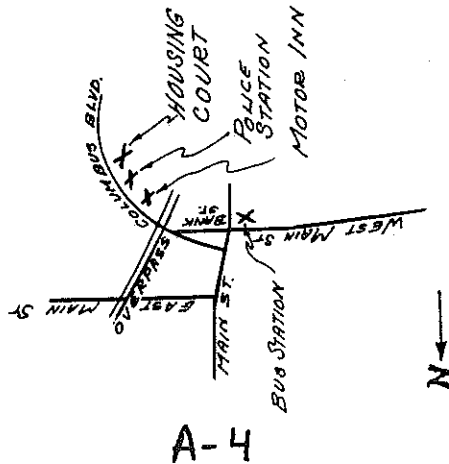
Personas de ingreso bajo pueden que sean elejibles para ayuda legal gratis. Yame a la oficina de ayudantes legales (legal aids) o a Info-Line si no tiene el numero de telefono.

Para empesar a resolver varios de sus problemas de vivienda que Ud. quiera traer a la corte, quisas Ud. tenga que llenar una planilla de su queja, y pagar una cuota. Diferentes pasos legales requieren cuotas diferentes, cuales son determinadas por ley. Las cuotas que estan ahora en efecto, estan puestas en la parte abajo de este papel.

Si sus problemas de vivienda son cosas como calefaccion, electricidad, plomeria, basura, cucarachas, falta de reparaciones, etc., Ud. tiene que primero ber ido al departamento de salud, departamento de vivienda en la ciudad antes de ir a la Seccion de

Viviendas para ayuda. Sus Oficiales de la ciudad pueden resolver su problema enseñada, o pueden colectar evidencias para traerlas y presentar su caso en la Sesión de Vivienda.

NEW BRITAIN
HOUSING COURT
 177 COLUMBUS BLVD.
 NEW BRITAIN, CONN.



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Casos Menores \$ 6.00
 Evicciones 30.00

UN MENSAJE DEL JUEZ DE LA CORTE DE VIVIENDAS

Febrero 1979

La Corte de Vivienda es históricamente única. Es la primera corte dedicada exclusivamente en la especialidad de asuntos de Vivienda; es la única Corte de Vivienda autorizada en Connecticut con jurisdicción de 30 pueblos y 850,000 personas. Somos una Corte experimental "en prueba" por un periodo de 18 meses, asta Junio 30, 1980.

La continuación de esta Corte, después del periodo de prueba, y la creación de otras cortes como estas en el resto del Estado, depende grandemente en el buen éxito de esta Corte. Este buen éxito será medido según el uso que le de las personas y si el juez puede desasar los conflictos rapido y justo.

La misión de la Corte son dos (1) reconciliar las disputas entre los dueños de casas y los inquilinos, (2) enforzar razonablemente al Estado, el municipio de salud y cadigo de vivienda (Housing Code).

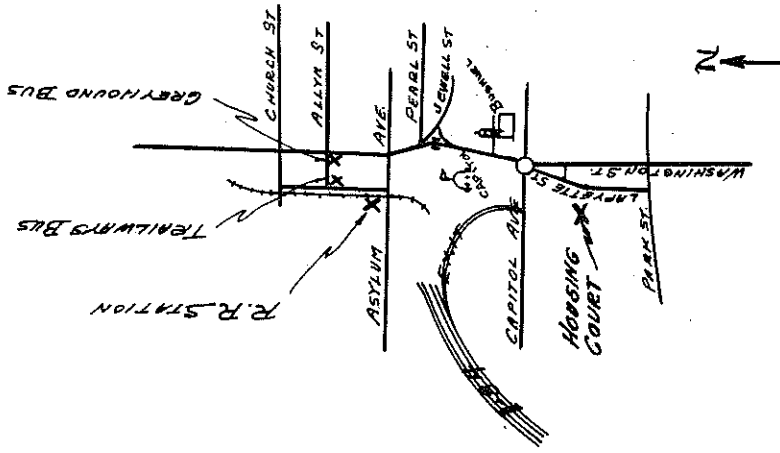
Las personas que usan la Corte de Vivienda, serán garantizadas dignifica oportunidad para presentar sus quejas. Componentes de esta Corte deben recordar, que sin embargo, aunque ha sido criada esta nueva corte, no an abido cambios en las leyes de Viviendas corriente. Nuevas leyes an sido propuestas, asta que estas no sean aprobadas, segira abiendo algunas frustraciones sobre los asuntos de vivienda.

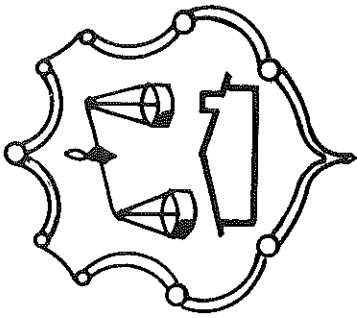
Esperamo poderle servir a toda la comunidad. Asta el fin que la corte le pueda dar credito a su propio interes en viviendas, confiamos que la Corte de Vivienda tendra buen éxito.

Le somos agradecidos a los miembros del Concilio Ciudadano Consultivo y el Jefe Administrador de la Corte, el jber John Speziale, que sin la ayuda de ellos, la Corte de Vivienda no hubiera podido llegar al nivel en que esta.

Arthur L. Spada, Juez

HARTFORD
HOUSING COURT
 83 1/2 LAFAYETTE ST.
 HARTFORD, CONNECTICUT





Sessione Case Della
Corte Superiore

Via Lafayette 83½
Hartford, Conn.
Telefono: 566-8550

177 Columbus Blvd.
New Britain, Conn.
Telefono: 827-7111

Quest'opuscolo fu preparato
come informazione pubblica
dalla Giunta Cittadini
Consiglieri dell'Assunto Case

Traduzione di Lucille Torelli
Disegni di Carolyn Saccoccio
Testo di Carol Femia

A partire dal 1° di gennaio del 1979 gli inquilini e padroni di casa hanno un luogo speciale dove presentare i loro molteplici problemi residenziali per una giusta e pronta azione. Il vostro rappresentante statale ha creato una Sessione Case nella Corte Superiore per aiutarvi a risolvere questi problemi di case sotto un solo tetto, con un solo giudice e con un personale specializzato. La Sessione Case da ai problemi residenziali tempo e l'attenzione dovuta.

Ci sono due edifici di Corte dove la Sessione Case e tenuta. Una Sessione Case e tenuta in Hartford presso l'83½ della Via Lafayette. L'altra Sessione Case e tenuta in New Britain al 177 Columbus Blvd. Le persone invalide nelle carrozzelle possono usare la Sessione Case. Persone a cui necessitano un interprete da usare per la Sessione Case possono ottenerne uno se danno un avviso anticipato di 24 ore dichiarando che lo necessitano.

Voi potete presentare i vostri problemi di case sia ad una che all'altra Corte. Voi potete compilare un reclamo di casa via posta. I moduli per compilare un ricorso sono disponibili nella maggioranza degli edifici di corte della Citta.

Questi sono alcuni dei problemi di case che la legge lascia maneggiare dalla Sessione Case:

- (1) Condizioni di sporcizia della proprieta.
- (2) Condizioni pericolanti della proprieta.
- (3) Affitti arretrati
- (4) Evinzioni (Sfratti)
- (5) Depositi di garanzia
- (6) Chiudere Fuori
- (7) Danni all'appartamento

- (8) Danni alla persona
- (9) Discriminazione

La Sessione Case puo ascoltare altri tipi di problemi di case, ma questi sono i piu comuni tipi di problemi che la gente ha con le case.

Non tutti i problemi di case che voi presentate alla Sessione Case devono andare in giudizio. Lavoratori speciali presso la Sessione Case, chiamati Specialisti de Case, cercheranno di trovare una risposta ai vostri problemi senza avere un processo. Gli Specialisti di Case sono gli occhi e le orecchie del giudice.

La Sessione Case si prepara seriamente a cambiare le solite formalita e procedure legali in modo che la gente possa maneggiare il proprio caso se lo vuole. Di solito e meglio avere un avvocato che vi rappresenti se la persona a cui sporgete un reclamo ne ha uno o nel caso che vi dobbiate voi stesso difendere.

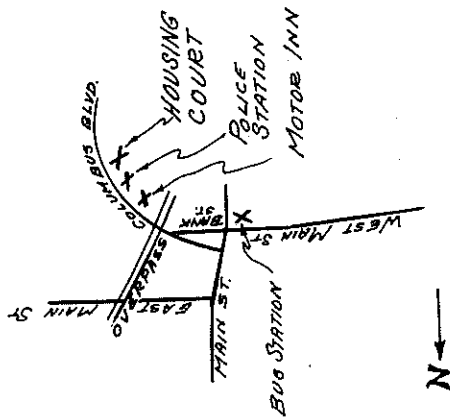
Gente con entrata limitata puo essere eleggibile per un aiuto legale gratuito. Chiamate il vostro ufficio locale d'aiuto legale direttamente, oppure ottenete il numero telefonico dalla INFO LINE.

Per cominciare a risolvere i molti tipi di problemi di Case che voi potete presentare alla Sessione Case, dovete compilare un reclamo e pagare una quota d'ammissione. I diversi passi legali hanno differenti quote d'ammissione che sono stabilite dalla legge. Le quote in effetto sono ora catalogate al fondo di questo foglio.

Se i vostri problemi di case si riferiscono come al calore, fili

elettrici, idraulici, spazzatura, insetti, mancanza di riparazioni, ecc., voi dovete consultare il Reparto Sanitario od il Reparto Case prima di venire alla Sessione Case per aiuto. Se avete l'impressione che i vostri funzionari locali non prestino abbastanza attenzione ai vostri problemi, specialmente in caso d'emergenza, chiamate la Sessione Case. I vostri funzionari della città possono spesso ottenere immediati risultati o raccogliere evidenze in modo che possano portare il vostro caso alla Sessione Case.

NEW BRITAIN
HOUSING COURT
177 COLUMBUS BLVD.
NEW BRITAIN, CONN.



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QUOTA D'AMMISSIONE

Reclami di poca importanza \$ 6.00
Evinzioni (Sfratti) 30.00

MESSAGGIO DA PARTE DEL GIUDICE DELLA CORTE PER LE CASE

Febbraio 1979

La Corte per le Case è storicamente unica. È la prima Corte Superiore dedicata esclusivamente allo speciale Assunto delle Case; e la sola Corte autorizzata in Connecticut, con giurisdizione che include 30 città ed 850,000 persone. Noi siamo una corte sperimentale "sotto prova" per un periodo di 18 mesi fino al 30 di giugno 1980.

La continuazione di questa corte oltre la data di espirazione e la possibilità di creare simili Corti per le Case nel resto dello Stato dipenderà Specialmente dal suo successo. Il nostro successo sarà misurato da come la gente userà la Corte e se il giudice potrà rimuovere le opposizioni velocemente e giustamente.

La missione della Corte ha due scopi: (1) Riconciliare le frizioni fra padrone-inquilino, e (2) Imporre, ragionevolmente, il codice sanitario statale e municipale.

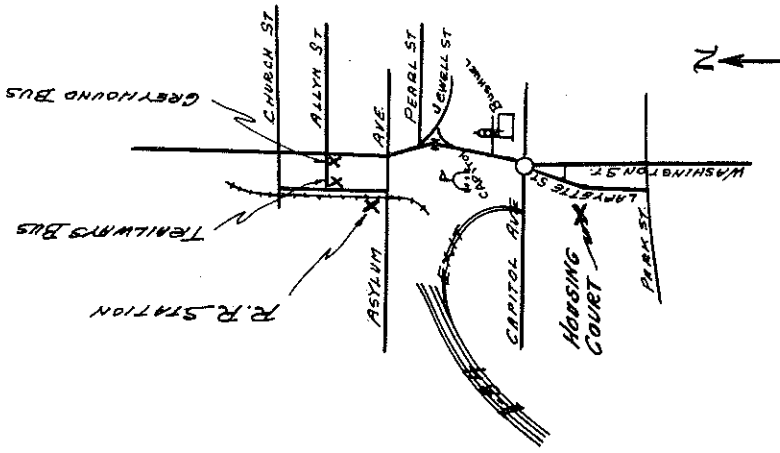
Le persone che useranno la Corte delle Case avranno garantito un tribunale per un'opportunità dignitosa a presentare i loro reclami. I costituenti di questa Corte devono ricordarsi, comunque, che sebbene una nuova Corte fu creata, nessun cambiamento fu decretato nella corrente legge delle case. Fino a che modificazioni, che sono attualmente proposte, siano promulgate, ci aspettiamo ancora molto scoraggiamento circa l'assunto delle case.

Ci ripromettiamo d'essere utili a l'intera comunità, in modo che la Corte possa offrire credibilità a tutte le vostre reali preoccupazioni circa le case; confido che la Corte delle Case abbia successo.

Riconosciamo con gratitudine il nostro obbligo verso la Giunta dei Cittadini Consiglieri per l'Assunto delle Case e l'Amministratore Capo della Corte di Giustizia, John Speciale, senza la cui assistenza la Corte delle Case non avrebbe potuto mai raggiungere il suo presente livello d'azione.

Arthur L. Spada, Giudice

HARTFORD
HOUSING COURT
83 1/2 LAFAYETTE ST.
HARTFORD, CONNECTICUT



APPENDIX B



THE CITIZEN'S ADVISORY COUNCIL FOR HOUSING MATTERS

FOR THE HOUSING SESSION OF THE HARTFORD - NEW BRITAIN JUDICIAL DISTRICT OF THE SUPERIOR COURT

Respond to: 111 Oak Street
Hartford, Connecticut 06106
(203) 525-6604

August 19, 1981

SUMMARY OF CITIZEN'S ADVISORY COUNCIL PARTICIPATION IN THE HIRING OF HOUSING COURT STAFF

In addition to making recommendations on the assignment of the Hartford housing session judge, the Citizen's Advisory Council to the Hartford Housing Court has participated in the hiring and/or assignment of all housing court staff positions specially identified in the Housing Court Act. In particular, these positions are:

- (1) All housing specialists (C.G.S. §47a-69);
- (2) All assistant clerks for housing matters (C.G.S. §51-51v);
- (3) The deputy assistant state's attorney for housing matters (C.G.S. §51-278).

Although the statute refers to only one assistant clerk for housing matters, the Judicial Department appointed a separate clerk for the Hartford and New Britain offices, and the Advisory Council participated in the hiring of both.

The Advisory Council's role in this process is advisory only. It has always been recognized, by both the Advisory Council and the Judicial Department, that the Advisory Council is entitled to make recommendations but that hiring authority is vested solely in the Judicial Department and that Council recommendations do not bind the Department.

All listed positions (six employees) were originally filled in the fall of 1978 before the court opened and before a judge was assigned. The Housing Court Act had anticipated that the housing court judge would be assigned before staff were hired and that he would therefore supervise staff hiring. Because of his late assignment in 1978, this responsibility was assumed by the Administrative Judge for the Judicial District of Hartford-New Britain. Only one additional employee in the listed job categories has been hired since 1978 (a housing specialist hired to fill a vacancy in 1979), for which supervision of the hiring process was handled by the housing court judge. As with the original six positions, the Advisory Council participated in the 1979 hiring as well.

There were some minor differences between the 1978 and 1979 procedures but their overall pattern was the same. The procedure described below is primarily the 1978 procedure, under which most hiring has taken place:

- (1) The Advisory Council submitted to the Judicial Department a proposed draft of a job announcement and proposed hiring criteria, all of which were adopted by the Department. The Advisory Council's draft was in fact used for the advertisement which ran in the Connecticut Law Journal. The job announcements and hiring criteria are attached.

- (2) The Advisory Council prepared a list of community organizations, to which it mailed a copy of the job announcement. It also sought to obtain public service announcements of the positions in community newspapers. The Judicial Department advertised the lawyer positions in the Connecticut Law Journal and all positions in the area's major general circulation newspapers. It is believed that it did not advertise in community newspapers.
- (3) The Judicial Department and a committee of the Advisory Council separately screened all resumes received for each position. To protect the confidentiality of the resumes, they were examined only on Judicial Department premises and were physically retained in the building by the Judicial Department. The Advisory Council committee submitted written recommendations, based on the resumes, as to which candidates should be interviewed. All Advisory Council committee meetings concerning these and other hiring recommendations were conducted in executive session.
- (4) After reviewing its own and the Advisory Council's recommendations, the Judicial Department determined which candidates to interview. Members of the Advisory Council participated fully in all interviews, along with representatives of the Judicial Department. In most cases, three members of the Advisory Council committee sat in on the interviews. In 1978 the Judicial Department's representative was a staff attorney from the Office of the Chief Court Administrator, acting as representative for Administrative Judge Parskey. In 1979, after a judge had been assigned, Judicial Department representation was handled directly by Housing Court Judge Spada.
- (5) The Advisory Council committee submitted written recommendations to the Judicial Department on which of the interviewed candidates should be hired.
- (6) The Judicial Department, after reviewing its own and the Advisory Council's recommendations, hired the persons it saw fit to hire.

Prepared by Raphael L. Podolsky
Chairperson
Citizen's Advisory Council

NOTICES OF DISSOLUTION and NOTICES TO CREDITORS

Notice is hereby given, pursuant to Sections 33-379 and 33-489 of the Connecticut General Statutes, as amended, that the Connecticut corporations listed below have been dissolved by resolution. Certificates of dissolution have been filed with the Secretary of the State as required by law.

All creditors, if any, are warned to present their claims against said corporations on or before the date indicated, thereafter be barred as provided by Sections 33-379 (d) and 33-489 (d) of the Connecticut General Statutes.

Ed H Automatic Transmission Service, Incorporated (East Hartford)

Present claims to: Victor I. Moses, attorney at law, 229 East Center St., Manchester, Conn. 06040; on or before March 15, 1979.

Bedford Holding Corp. (Stamford)

Present claims to: Paul D. Picinick, attorney at law, 671 Bedford St., Stamford, Conn. 06901; on or before March 15, 1979.

Amelot Hunt Club, Inc. (Manchester)

Present claims to: Dwight A. Johnson, c/o Murtha, Cullina, Richter & Pinney, P.O. Box 3197, 101 Pearl St., Hartford, Conn. 06103; on or before March 15, 1979.

Apricorn of Hartford, Inc. (West Hartford)

Present claims to: David B. Losee, c/o Guion & Stevens, 50 Union St., Thomaston, Conn. 06787; on or before March 20, 1979.

Griswold Industries, Inc. (Jewett City)

Present claims to: Griswold Industries, Inc., c/o The United Piece Dye Works, 111 West 40th Street, New York, New York 10018; on or before March 15, 1979.

Collinghurst & Co. Inc. (Stamford)

Present claims to: T.R. America Chemicals Inc., 122 East 42nd St., New York, New York 10017; on or before March 31, 1979.

Looney Rehabilitation Associates, Incorporated (Woodbury)

Present claims to: Albert Louis Weinstein, attorney at law, 115 Main St., Bridgeport, Conn. 06604; on or before April 15, 1979.

Levey Warehouse Corp. (Stratford)

Present claims to: Bergmann, Horowitz, Reynolds, DeSarbo & Mauceri, P.C., 900 Chapel St., P.O. Box 426, New Haven, Conn. 06502; on or before February 28, 1979.

Fortle Enterprises, Inc. (West Hartford)

Present claims to: Nathan & Clayman, its attorneys, 57 Wintonbury Mall, Bloomfield, Conn. 06002; on or before March 21, 1979.

Star Manufacturing Company, Inc. (Danbury)

Present claims to: Star Manufacturing Company, Inc., c/o Pinney, Payne, VanLenten, Burrell, Tyler, Wolfe & Dillman, P.C., 28 West St., Danbury, Conn. 06810; on or before March 15, 1979.

The Storrs Welding Co. (Meriden)

Present claims to: Guy R. DeFrances, attorney at law, c/o Griglun & DeFrances, Kennedy Building, 71 Catlin St., Meriden, Conn. 06450; on or before March 1, 1979.

11/14 11/21

Allied Electric Supply of New Britain, Inc. (New Britain)

Present claims to: Walter B. Kozloski, attorney at law, P.O. Box 36, New Britain, Conn. 06050; on or before March 15, 1979.

Polycor, Inc. (East Hampton)

Present claims to: Poliner & Poliner, attorneys at law, 516 Main St., Middletown, Conn. 06457; on or before March 13, 1979.

F. P. Nanni, M.D., P.C. (Waterbury)

Present claims to: Zehnder & Kolesnik, attorneys at law, 111 West Main St., Waterbury, Conn. 06702; on or before March 12, 1979.

Sentree, Ltd. (New Haven)

Present claims to: Marcus & Burns, attorneys at law, 38 Trumbull St., New Haven, Conn. 06510; on or before March 15, 1979.

Sakewood Aviation, Inc. (Waterbury)

Present claims to: Robert E. Mellon, attorney at law, 49 Leavenworth St., Waterbury, Conn. 06702; on or before April 1, 1979.

Drive Apartments, Inc. (West Hartford)

Present claims to: Gersten & Gersten, 234 Pearl St., Hartford, Conn. 06103; on or before April 5, 1979.

Magic Mirror, Incorporated (New Britain)

Present claims to: Stephen J. Anderson, attorney at law, 253 Main St., New Britain, Conn. 06051; on or before March 15,

Marine Research and Development, Inc. (Stonington)

Present claims to: Hawthorne, Ackerly & Dorrance, attorneys at law, P.O. Box 937, New Canaan, Conn. 06840; on or before April 1, 1979.

The Niantic Theater Corporation (East Lyme)

Present claims to: The Niantic Theater Corporation, c/o Andrew Brand, attorney at law, 325 State St., New London, Conn. 06320; on or before February 28, 1979.

Nova Dynamics Inc. (Newtown)

Present claims to: Thomas E. Medvecky, attorney at law, 99 Greenwood Ave., Bethel, Conn. 06801; on or before April 1, 1979.

Service Press, Inc. (Hartford)

Present claims to: Lawrence E. Smith, Jr., 137 West Road, Canton, Conn. 06020; on or before April 1, 1979.

Sigourney Burk, Inc. (Simsbury)

Present claims to: Brody & Jump, attorneys at law, 452 Storrs Rd., Mansfield Center, Conn. 06250; on or before March 31, 1979.

The Southwestern Connecticut Library System, Inc. (Fairfield)

Present claims to: Allan P. Cramer, attorney at law, 38 Post Road West, Westport, Conn. 06880; on or before April 30, 1979.

Tishman Stamford, Inc. (Hartford)

Present claims to: Tishman Stamford, Inc., 666 Fifth Ave., New York, New York 10019; on or before March 30, 1979.

Warmaug Realty Co. (Warren)

Present claims to: Sturges & Mathes, its attorneys, 244 Main Street South, Woodbury, Conn. 06798; on or before March 1, 1979.

Watertown Industrial Development Corporation (Watertown)

Present claims to: Robert L. Chase, attorney at law, 111 West Main St., Waterbury, Conn. 06702; on or before April 30, 1979.

11/21 11/28

PERSONNEL NOTICES

Affirmative Action Employer

Assistant Clerk for Housing Matters, Superior Court, Judicial District of Hartford-New Britain

Applications are now being accepted for two full-time positions of assistant clerk for housing matters at the Superior Court, Judicial District of Hartford-New Britain, created pursuant to P.A. 78-365. All applicants must be members of the Connecticut bar. The ability to speak Spanish is desirable. Duties include supervision of handling of housing matters filed with the court, organization of the housing docket, maintenance of court records and assisting pro se litigants. Appointment is for a term of nineteen months, commencing December, 1978. Annual salary: \$18,058 plus fringe benefits. Please send resumes to: Hon. Leo Parskey, Administrative Judge, Drawer D, Station A, Hartford, Connecticut 06106, no later than December 1, 1978.

Deputy Assistant State's Attorney, Superior Court, Judicial District of Hartford-New Britain

Applications are being accepted for the position of Deputy Assistant State's Attorney to prosecute housing code violations and other criminal housing matters on the special housing docket of the Superior Court, Judicial District of Hartford-New Britain, created pursuant to P.A. 78-365. All applicants must be members of the Connecticut Bar and should have a commitment to the maintenance of decent, safe, and sanitary housing and to effective housing code enforcement. The ability to speak Spanish is desirable. Appointment will be made for a term of eighteen months commencing January 1, 1979. Salary: \$18,946 plus fringe benefits. Please send resumes to: Hon. Leo Parskey, Administrative Judge, Drawer D, Station A, Hartford, Connecticut 06106, no later than December 1, 1978.

Judicial Department
Affirmative Action Employer

HOUSING SPECIALIST, SUPERIOR COURT, JUDICIAL DISTRICT OF HARTFORD-
NEW BRITAIN.

Applications are now being accepted for three full-time positions of housing specialist created pursuant to Public Act 78-365 in the Superior Court, Judicial District of Hartford-New Britain. Applicants must be knowledgeable in the maintenance and rehabilitation of dwelling units and the federal, state and local laws pertaining to landlord-tenant matters, and housing discrimination, and safety, health and building codes in general. They must also be able to advise owners, landlords and tenants in the financing of resolutions to housing problems. The ability to speak spanish is desireable. Duties include: screening and evaluation of housing matters coming before the court, making housing inspections and investigations, interviewing parties, and assisting in the formulation of agreements between the parties. Appointments will be for a term of nineteen months. Salary: At least Grade 25, (\$18,000 to \$22,000) plus fringe benefits. Please send resumes to: Honorable Leo Parsky
Administrative Judge
Drawer D, Station A
Hartford, CT 06106

1978 advertisement

JOB CRITERIA

HOUSING SESSION ASSISTANT CLERK

1. Knowledge and/or experience in the following areas:
 - a. State and local housing, building and fire codes and enforcement procedures.
 - b. Criminal and civil aspect of the Landlord and Tenant Act, Uniform Relocation Assistance Act, Tenement and Lodging House Act, Unfair Trade Practice Act and statutory provisions relating to the provision of heat and utility service, housing discrimination, lead-based paint, retaliatory rent increases and eviction actions, certificates of occupancy, forcible entry and detainer and utility terminations and rent receiverships.
 - c. Fair Rent Commissions within the district, their powers and procedures and related civil and criminal provisions.
2. Ability to be fair and patient with large numbers of pro se litigants.
3. Ability to communicate with and be sensitive to persons of diverse ethnic, religious, economic backgrounds. Ability to speak Spanish is desirable.
4. Commitment to the maintenance of decent, safe and sanitary housing.
5. Ability to develop simplified procedures, and forms for pro se civil litigants and criminal complaints.
6. Ability to develop informational literature on the housing session and housing-related civil and criminal law.
7. Ability to assist pro se litigants in preparation of pleadings, compliance with Practice Book rules and statutory requirements.

JOB CRITERIA

DEPUTY ASSISTANT STATES ATTORNEY

1. Knowledge and/or experience in criminal prosecutions generally.
2. Knowledge and/or experience in housing-related criminal prosecutions under the Landlord and Tenant Act, Tenement and Lodging House Act, and statutes relating to the provision of heat and utility service, and Fair Rent Commission order violations.
3. Commitment to the maintenance of decent, safe and sanitary housing.
4. Familiarity with the district, its housing market and housing problems.
5. Ability to communicate with and be sensitive to persons of diverse ethnic, religious and economic backgrounds. Ability to speak Spanish is desirable.
6. Freedom from social business and political ties which might create a conflict of interest or an appearance thereof.

JOB CRITERIA

HOUSING SPECIALISTS

1. Knowledge and/or experience in the following areas:
 - a. Maintenance and rehabilitation of dwelling units.
 - b. State and local housing, building and fire codes and inspection and enforcement procedures.
 - c. Criminal and civil aspects of the Landlord and Tenant Act, Uniform Relocation Assistance Act, Tenement and Lodging House Act, Unfair Trade Practices Act and statutory provisions relating to the provision of heat and utility service, housing discrimination, lead-based paint, retaliatory rent increases and eviction actions, certificates of occupancy, forcible entry and detainer and utility terminations and rent receiverships.
 - d. Fair Rent Commissions within the district, their powers and procedures and related civil and criminal provisions.
 - e. State and federal housing programs including federally funded low income housing, state moderate income housing, state and federally funded housing for the elderly and handicapped, Section 236 and 221(d)(3) multifamily housing, Section 8, Section 23 and the statutory and regulatory provision of these programs relating to security deposits, rent increases, housing quality standards, utility allowances, eviction and grievance procedures.
 - f. Funding or other assistance available to owners, tenants and landlords for housing rehabilitation and repair, relocation and housing and utility assistance for low-income persons and state, local or federal benefit and assistance program recipients.
2. Ability to make housing inspections and investigations throughout the district.
3. Ability to act as an arbitrator of landlord and tenant disputes.
4. Ability to be fair and patient with large numbers of pro se litigants.
5. Ability to communicate with and be sensitive to persons of diverse ethnic religious, economic backgrounds. Ability to speak Spanish is desirable.
6. Freedom from social, business and political ties which might create a conflict of interest or an appearance thereof.
7. Ability to communicate orally and in writing.
8. Familiarity with the district and its housing market and housing problems.
9. Commitment to the maintenance of decent, safe and sanitary housing.

APPENDIX C

CRITERIA FOR SELECTION OF JUDGE HOUSING SESSION

AS APPROVED BY THE ADVISORY COUNCIL AT ITS MEETING OF NOVEMBER 2, 1978

- 10 Openmindedness and capacity for fairness
- 10 Humility and sensitivity to social, ethnic, religious and economic differences
- 10 Absence of established association with social, business and political ties which might create a conflict of interest or appearance thereof
- 10 Integrity
- 8 Potential for judicial leadership
- 8 Patience and objectivity under pressure
- 8 Experience and familiarity with social issues of the community
- 6 Administrative ability
- 6 Reputation and skill as a lawyer
- 6 Reputation and skill in other fields
- 6 Amount and type of trial experience
- 4 Experience in community and court in which interested
- 4 Knowledge of community of court

96 Points

Note: In eliminating "Age and number of years of practice" as a criterion, no effort was made to redistribute weighted points.

PROPOSED REVISION OF CRITERIA WEIGHTS FOR RECOMMENDATION OF HOUSING SESSION JUDGE

Submitted by Raphael Podolsky, May 29, 1980

I.	Fairness, patience, and tolerance		30
	a.	Open-mindedness	10
	b.	Sensitivity to pro se litigants and to social, economic, and ethnic diversity	10
	c.	Patience, tolerance, understanding, and humility	10
			<u>30</u>
II.	Integrity and neutrality		20
	a.	Absence of established association with social, business, political, or professional ties or background which might create an actual or potential conflict of interest, or the appearance of conflict.	10
	b.	Reputation for integrity	10
			<u>20</u>
III.	Legal and administrative ability		30
	a.	Writing skills	10
	b.	Potential for leadership	5
	c.	Administrative ability	5
	d.	Articulateness	5
	e.	Trial skills and experience	5
			<u>30</u>
IV.	Commitment to housing and to the community		20
	a.	Commitment to public policy goals of the court	10
	b.	Experience in and knowledge of community and sensitivity to its problems	10
			<u>20</u>
			<u>100</u>

APPENDIX D

REPORT OF THE FORMS COMMITTEE OF THE CITIZEN'S ADVISORY COUNCIL FOR HOUSING MATTERS

December 28, 1979

as amended, December 9, 1982

INTRODUCTION

The Forms Committee has attempted to identify types of forms which would be desirable to use in the Housing Court and to draft them in language that is both simple and legally sufficient. This has not always been easy. Of the 23 forms recommended in this report, only one of them (Form A-1) requires a change in the Superior Court rules. All others are within the power of the Housing Court to develop and use without the need for outside approval.

This report is divided into two parts, based upon the subject of the forms proposed. Part A consists of forms for use in eviction cases (summary process). These represent by far the largest part of the court's caseload, making suitable forms especially important. Part B attempts to develop forms to cover typical tenant complaints, for which no forms presently exist. It is designed to make civil enforcement of basic tenant rights as easy as possible.

BASIC THEMES

There are a number of patterns which run through the forms recommended in this report. Before the forms are reviewed individually, it will be helpful to explain changes which are common to many forms:

(1) Personal pronouns: Whenever practical, forms use personal pronouns ("I" and "you"). This is generally recognized as one of the key aspects of plain language drafting and will be required in Connecticut consumer contracts after June 30, 1980, by section 2(b)(3) of P.A. 79-532.

(2) Where to turn for help: No matter how simply a court paper is written, there will still be many people who do not understand it. It is therefore essential that papers generally tell the recipient what to do. That is the basis for Form A-1, which tells the person receiving the form how to find legal help. It is also the reason for the notice on many of the forms, telling the recipient to call the clerk's office if he has questions. We recognize that the clerk's office may be less than enthusiastic about receiving such telephone calls. Nevertheless, the philosophy behind the Housing Court, which encourages pro se litigation, requires the clerk's office to be active in providing information to litigants. It is essential that such litigants be encouraged to contact that office if they are unsure of what legal papers require of them.

(3) Avoidance of defaults: It ought to be the policy of the Housing Court to minimize the likelihood of default judgments. In a real sense, it is never too late to ask the court to be heard, even after a default judgment has been entered. Some of the forms include notices warning defaulting parties

that they must quickly contact the court if they wish to avoid or minimize the consequences of a default.

(4) Thinking like a recipient: Forms are commonly viewed as messages to the court. They are, however, also a way in which the parties communicate with each other. We have tried, as much as we could, to think about each form from the point of view of the person receiving the form. For example, we have therefore included a notice to the tenant on the summary process default forms, since the true purpose of mailing those forms to the defendant is to give a chance to respond and perhaps avoid default. Similarly, we have included an explanation, in the form of a warning, on the injunction forms, so that the recipient will know the consequences of ignoring an injunction.

(5) Certifications: Pleadings generally must be certified as having been sent to the opposing party. See sections 121-123 of the Practice Book. Although the Practice Book does not require that the parties be named, we think it best that pro se forms have the party state the name and address to which the pleading was sent. This maximizes the chance that the pro se litigant indeed understands that he must mail a copy of the pleading. In addition, it creates a record in case there is doubt as to whether or not the copy of the pleading was received by the opposing party.

We have also attempted in the form certification to explain that the copy goes to the opposing party's lawyer, unless the opposing party has no lawyer, in which case it goes to the party. Some pro se litigants, failing to understand this, will send the copy to the opposing party, even though the party is represented by counsel.

(6) Orders: Unfortunately, section 196 of the Practice Book requires that each motion and application have annexed to it "a proper order." This is often a source of confusion to pro se litigants, since it often appears to a person receiving a motion in the mail that the order has already been granted, since the motion contains an order. For this reason, the order form includes "DENIED" as well as "GRANTED," in an effort to dispel the notion that it has already been granted.

We have also changed the relative positions of the order and the certification. By putting the certification first, it allows the litigant filing the pleading to fill in each form, from the top down through the certification. The final portion, the order, is then left for the court.

(7) Identification of actions and parties: We have generally used the word "eviction" rather than the phrase "summary process"; and we have usually referred to the parties as "landlord" and "tenant" instead of "plaintiff" and "defendant." No matter which way forms are drafted, there will be some room for confusion. On balance, however, we think that the use of the simpler and more commonly understood words will be a benefit to litigants.

PART A -- EVICTION FORMS

Form A-1, Notice of suit: This form, which would become the first page of every summary process writ in the Housing Court, is based on a so-called "street summons" used in the Detroit Housing Court. It is derived most directly from H.B. 6919 of the 1977 session of the Connecticut General Assembly, which was favorably reported to the floor by the Judiciary Committee but recommitted because of opposition from the Judicial Department.

It is unlike the civil summons, Form JD-CV-1 Rev. 12-77, because its focus is on warning the defendant that something important is happening and on providing basic information on how to get help.

The use of this form would require a change in the Superior Court rules. This can be accomplished by adding to section 49 of the Practice Book the following new language:

In addition to the other requirements of this section, every summary process action returnable to the housing session of the superior court for the judicial district of Hartford-New Britain shall include Form A-1. The form, which shall be a sheet of paper separate from all other pages of the writ, summons, and complaint, shall be stapled or otherwise firmly attached to the top of the writ, summons, and complaint so as to constitute its first page. It shall be served upon the defendant in the same manner as the writ, summons, and complaint.

Form A-2, Eviction complaint: We have attempted to make this form as simple as possible. The only form prepared was for evictions based upon non-payment of rent, which are the most common evictions. It would be possible to develop a similar form for evictions based upon other grounds, especially, upon lapse of time; but it was felt that the large number of possible variations did not justify the creation of a form.

Form A-3, Motion for default for failure to appear: The standard motion has been revised to tell the tenant receiving the motion what he has failed to do that is causing the default. A warning that he must act immediately is also included. The certification is to the defendant only (not to his lawyer), since, by definition, a defendant who has not appeared will have no counsel of record.

Form A-4; Motion for default for failure to plead: Because this motion is really a warning to the tenant, a notice to the tenant is included.

Form A-5, Motion for order of payments into court: On this form, as with other forms, the certification precedes the order. The landlord would fill in the first page only.

Form A-6, Notice of payments into court: This form, unlike the first five forms, would be issued by the court, not by the opposing party. It is really an expanded version of the "order" section of Form A-5.

We have not been consistent in the way in which the clerk's office is identified in each of the forms. This form comes from the Hartford clerk's office only. If used in this manner, a separate form would be necessary for New Britain cases. An alternative, and equally acceptable, approach would be to follow the model of Form A-4 and give the numbers of both clerk's offices on all forms, thereby permitting the printing of a single form.

Form A-7, Notice of failure to make payments into court: Section 53 of P.A. 79-571 (formerly section 47a-26) requires the entry of a default judgment if the tenant fails to make a court-ordered payment and also fails to close the pleadings within four days. To make the deadlines clear to the tenant, this form requires the clerk to insert the date by which the tenant's answer must be received.

Form A-8, Tenant's answer and special defenses: This form includes, as checkable items, the six major tenant defenses in eviction cases. The retaliation defense is based on the four subcategories of C.G.S. 47a-20. The housing code defense is based on C.G.S. 47a-7(a)(1) and section 10 of P.A. 79-571 (formerly section 47a-4(c)). The answer is written so that the question of whether the violations are severe enough to justify a non-payment of rent is left to the court to determine at trial.

Form A-9, Notice of judgment (non-payment): The notice of judgment form presently in use is confusing and virtually unreadable. Part of the confusion comes from trying to combine non-payment judgments with others on the same form. We have separated these into two different notice forms, each keyed to the appropriate law. The form also includes a space for the clerk to identify the date on which the statutory stay of execution ends.

Form A-10, Notice of judgment (other): This is the companion to Form A-9. The time limits applicable to this form are found in C.G.S. 47a-36. The time limits for Form A-9 appear in section 47a-35.

Form A-11, Application for stay of eviction: The form is based on the requirements of C.G.S. 47a-36. Section 47a-37 requires the court to inform each defendant of the right to apply for a stay of execution. No certification is included on this form, because the statute requires the clerk, not the applicant, to mail a copy to the opposing party.

Form A-12, Motion to reopen judgment: This form is based upon C.G.S. 52-212 and section 377 of the Practice Book. Both of these sections require that the applicant swear to the truth of the statements made.

PART B -- OTHER FORMS

Form B-1, Application for waiver of fees: This form is based on section 50 of the Practice Book, which allows indigents to apply for a waiver of fees and other costs.

Form B-2, Financial affidavit: We rejected the use of Practice Book Form 501.1, which is commonly used in dissolution of marriage actions, as too complicated for a pro se litigant to complete on his own. In particular, it is our experience that income and assets, not expenses, are the elements most crucial to a judge in determining whether the application should be granted. Almost no one has the kind of records from which he could honestly complete the expenses section of Form 501.1. As a result, that portion of the form is greatly simplified.

Form B-3, Lock-Out complaint: Lock-outs, heat shut-offs, and housing code violations appear to be the most common actions which tenants may affirmatively want to bring to the Housing Court. This form, and Forms B-4 and B-5 which follow, provide basic pro se complaints. The authority for the lock-out complaint comes from the entry and detainer statute (C.G.S. 47a-43), the statutory limits on the landlord's right of entry (C.G.S. 47a-16), the prohibition against self-help evictions (C.G.S. 47a-4(a)(5)), and the prohibition against the distraint of property for unpaid rent (C.G.S. 47a-4(a)(6)). There is also case law supporting these rights, which precedes the adoption of the Landlord-Tenant Act in 1976. In addition, the allegation of irreparable injury satisfies the requirement of C.G.S. 52-473 for obtaining an ex parte temporary injunction.

The request for an ex parte temporary injunction is based on C.G.S. 52-473 and the waiver of bond on 52-472. The order for a hearing within eight days is authorized by C.G.S. 47a-43. C.G.S. 47a-46 permits the award of double damages. Section 25 of P.A. 79-571 (formerly C.G.S. 47a-18(b)) establishes minimum damages of one month's rent and permits the award of attorney's fees.

Form B-4, No heat complaint: This form is based on sections 47a-13, 47a-7(a)(6), and 19-65. The 65° heat minimum appears in C.G.S. 19-65. Paragraph 3 of the complaint has been drafted as a checkable alternative to cover both the situation in which heat is included in the rent and the situation in which the landlord provides only the heating facility (e.g., a working furnace).

The request for injunctive relief is authorized by C.G.S. 52-471 and the issuance of an ex parte temporary injunction without bond by 52-473 and 52-472. C.G.S. 47a-13(b) authorizes attorney's fees.

Form B-5, Housing code violations: This form is based on C.G.S. 47a-7(a). The authority for injunctive relief is the same as cited for Form B-4. The power to order that rentals be paid into court and the power to appoint a receiver are within the equitable powers of the Superior Court.

Form B-6, Statement of amount in demand: This form is the same as Form 101.1 of the Practice Book. Its inclusion in a complaint seeking money damages is required by C.G.S. 52-91 and by Practice Book section 131. We would have preferred to simplify the language in this form, but it is possible that the precise words used must be included. This is because the explanation of Practice Book Form 101.1 says that "the foregoing statement must be included..." It is not clear whether this means the exact statement or whether a simplified paraphrasing would be sufficient.

Form B-7, Order to appear: This is a simplified show cause order, which would be used in conjunction with Forms B-3, B-4, and B-5. It contains a warning to the landlord, so that he will understand the importance of responding to the order.

Form B-8, Temporary injunction (lock-out): This form is the temporary injunction which goes with the lock-out complaint. It contains a warning to the landlord of the consequences of ignoring the injunction, which is an order of the court.

Form B-9, Temporary injunction (no heat): This is the comparable temporary injunction form for a no heat complaint. No permanent injunction form has been drafted because it is expected that such an injunction would be prepared by the court in an individualized, non-form manner.

Form B-10, Temporary injunction (housing code violations): This is the comparable temporary injunction form for a housing code violation complaint.

Form B-11, Motion to reopen judgment and stay execution: This form is equivalent to Form A-12 but is drafted for use in non-eviction cases. Depending on the case, it could be used by either a landlord or a tenant.

Submitted by:

Raphael L. Podolsky
for the Forms Committee

FORMS ADDED, DECEMBER 9, 1982

Form A-13, Motion to add party defendant: This form addresses the problem which arises when an eviction is brought against a person who has moved out and the apartment is being occupied by a successor tenant. It allows the actual occupant to seek to be made a party to the case.

Form B-3a, Complaint for illegal entry: This form is based primarily on section 47a-16, which prohibits the landlord from entering a tenant's apartment without permission except under certain limited circumstances. The checkable alternatives of paragraph 3 of the complaint are drawn from section 47a-16.

Form B-12, Affidavit supporting a criminal lockout complaint: Form B-3 can be used by a tenant to make a lockout claim on the civil side of the court. A lockout is also an explicit criminal violation under P.A. 81-24; and the housing court prosecutor is authorized to receive complaints directly from the victim of the crime. This form provides a simple affidavit which can be used by the prosecutor.

Form B-13, Affidavit supporting a criminal no hot water/no heat complaint: This is the criminal version of form B-4. Violations of section 19-65 of the general statutes are criminal and can be handled directly by the prosecutor. This form provides a suitable affidavit.

LIST OF PROPOSED HOUSING COURT FORMS

Part A -- Eviction forms

- A-1: Notice of suit.
- A-2: Eviction (summary process) complaint based on non-payment of rent.
- A-3: Motion for default for failure to appear and judgment for possession.
- A-4: Motion for default for failure to plead and judgment for possession.
- A-5: Motion for order of payments into court.
- A-6: Notice of payments into court.
- A-7: Notice of failure to make payments into court.
- A-8: Tenant's answer and special defenses.
- A-9: Notice of eviction judgment (non-payment of rent and nuisance).
- A-10: Notice of eviction judgment (general).
- A-11: Application for stay of eviction order.
- A-12: Motion to reopen judgment and stay execution.

Part B -- Other forms

- B-1: Application for waiver of fees.
- B-2: Financial affidavit.
- B-3: Lock-out complaint and application for temporary injunction.
- B-4: No-heat complaint and application for temporary injunction.
- B-5: Housing code violations complaint and application for temporary injunction.
- B-6: Statement of amount in demand.
- B-7: Order to appear.
- B-8: Temporary injunction (lock-out).
- B-9: Temporary injunction (no heat).
- B-10: Temporary injunction (housing code violations).
- B-11: Motion to reopen judgment and stay execution.

Forms added, December 9, 1982

- A-13: Motion to add party defendant.
- B-3a: Complaint for illegal entry.
- B-12: Affidavit supporting a criminal lockout complaint.
- B-13: Affidavit supporting a criminal no hot water/no heat complaint.

NOTICE

IMPORTANT !!! YOUR LANDLORD
WANTS TO EVICT YOU. THIS IS
A COURT PAPER.

You should get legal help right away. If you ignore these papers, the court will proceed without you and you may be evicted without presenting your side of the case.

HOW TO GET HELP:

- (1) Call your own lawyer.
- (2) If you do not know a lawyer, call the Lawyers' Referral Service. The telephone number of the Lawyers' Referral Service for your town is _____.
- (3) If you have no money for a lawyer, call a legal aid or legal services office. The telephone number of the offices for your town is _____.
- (4) If you wish to handle your own defense without a lawyer, you should contact the Housing Court clerk's office immediately for information. The telephone number of the clerk's office is _____.

IT IS IMPORTANT THAT
YOU ACT ON THIS NOTICE
PROMPTLY.

A V I S O

!!!IMPORTANTE!!!. EL DUEÑO DE SU EDIFICIO LO QUIERE EXPULSAR DE SU APARTAMENTO. ESTE ES UN DOCUMENTO DE CORTE.

Usted debe de obtener ayuda legal inmediatamente. Si usted no hace caso de estos papeles, la corte procederá en ausencia suya y lo pueden expulsar de su apartamento sin presentar su parte en el caso.

COMO OBTENER AYUDA:

- (1) Comuníquese con su abogado.
- (2) Si usted no conoce un abogado, llame a la agencia "Lawyers Referral Service". El teléfono de esta agencia de acuerdo a su localidad es _____.
- (3) Si no tiene dinero para pagar gastos de abogado, comuníquese con las agencias "Legal Aid" y "Legal Services". El teléfono de estas agencias de acuerdo con su área es _____.
- (4) Si usted desea llevar a cabo su propia defensa sin un abogado, comuníquese con el oficial de la Corte de Viviendas ("Housing Court") inmediatamente y pida información. El teléfono es _____.

ES IMPORTANTE QUE USTED TOME ACCION

SOBRE ESTE AVISO INMEDIATAMENTE.

Traducido: Sandy V. Pickard
Neighborhood Legal Services, Inc.

Return Date: _____

SUPERIOR COURT

Landlord (plaintiff)

HOUSING SESSION

vs.

AT _____
Hartford or New Britain

Tenant (defendant)

COMPLAINT FOR EVICTION BASED UPON NON-PAYMENT OF RENT

1. On or about _____, I rented to you the premises at the
Date following address:

Street Number Apt. No.

Town State

2. The lease was: _____ a written lease to continue until _____
Date
_____ an oral month-to-month lease.

3. You agreed to pay rent of \$ _____ per month, which was due on the
_____ day of each month.

4. You have failed to pay the rent for the month of _____.

5. On _____, I had a notice to quit possession served on
Date you, instructing you to move out by _____. A copy of
Date the notice is attached.

6. Although the time given in the notice to quit has passed, you still continue
to occupy the premises.

I THEREFORE ASK THE COURT TO GIVE ME IMMEDIATE POSSESSION OF THE PREMISES.

LANDLORD (plaintiff)

Date

Case No. _____

SUPERIOR COURT

Landlord (plaintiff)

HOUSING SESSION

vs.

AT _____
Hartford or New Britain

Tenant (defendant)

EVICTON CASE

MOTION FOR DEFAULT FOR FAILURE TO APPEAR AND JUDGMENT FOR POSSESSION

- 1. More than two days have passed since the return date in this eviction case, but you have still not filed an appearance form with the clerk's office of the Housing Court.
- 2. I therefore request that a default be entered against you for failure to appear and that judgment for possession of the premises be entered in my favor.

LANDLORD

Signature

Date

NOTICE TO TENANT

If you object to being evicted, you must contact the Housing Court immediately at 566-8550 (Hartford), or 827-7111 (New Britain).

MILITARY AFFIDAVIT

I swear or affirm that no defendant in this case is in the military or naval services of the United States. I know this because:

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

Signature

Signed and sworn to before me on _____ in _____.

Assistant Clerk/Notary

CERTIFICATION

I certify that I mailed a copy of this motion to all defendants

on _____ at the following address:
Date

Street

Apt. No.

Town

State

Zip Code

Signature of landlord

ORDER

This motion is ordered to be GRANTED/DENIED.

Judge/Assistant Clerk

[Heading]

EVICTON CASE

MOTION FOR DEFAULT FOR FAILURE TO PLEAD AND JUDGMENT FOR POSSESSION

1. You are in default because you have not filed an answer or other pleading.

2. I therefore request that a default be entered against you for failure to plead and that judgment for possession of the premises be entered in my favor.

LANDLORD

Signature

Date

NOTICE TO TENANT

If you object to being evicted, you must contact the Housing Court immediately at 566-8550 (Hartford) or 827-7111 (New Britain).

CERTIFICATION

I certify that I mailed a copy of this motion to the tenant's lawyer. If the tenant does not have a lawyer, I have sent it to the tenant instead. The copy was mailed on _____ and was sent to the following name and address:

date:

Name (tenant's lawyer or tenant)

Street Number Apt. or office no.

Town State Zip Code

Signature of landlord

ORDER

This motion is ordered to be GRANTED/DENIED.

Judge/Assistant Clerk

[Heading]

EVICTON CASE

MOTION FOR ORDER OF PAYMENTS INTO COURT

I request that the court order the tenant to deposit with the court payments for the use and occupancy of the premises while this case is pending.

LANDLORD

Signature

Date

CERTIFICATION

I certify that I mailed a copy of this motion to the tenant's lawyer. If the tenant does not have a lawyer, I have sent it to the tenant instead. The copy was mailed on _____ and was sent to the following name and address:

Name (tenant's lawyer or tenant)

Street No. Apt. or Office No.

Town State Zip Code

Signature

ORDER

1. It is ordered that the tenant deposit \$ _____
per month with the clerk's office of the Housing Court.

2. The first payment must be received by the clerk on or before
_____.

3. Additional terms (if any):

Judge/Assistant Clerk

[Heilig]

NOTICE OF PAYMENTS INTO COURT

To the tenant:

The court has ordered you to make the following payments to the clerk of the court as long as your eviction case is pending:

Amount: \$ _____

Due dates: _____

Other terms (if any): _____

Each payment must be received by the clerk by the due date.

Payment may be in cash or by check or money order. Checks and money orders should be made out to "Clerk, Housing Session, Superior Court" and delivered or mailed to the clerk's office. Do not send cash through the mails.

WARNING
If you do not make these payments on time, you may lose your eviction case automatically.

BY THE COURT

Judge/Assistant Clerk
83 1/2 Lafayette St.
Hartford, CT. 06106
566-8550

IF YOU HAVE QUESTIONS, CONTACT THE
CLERK'S OFFICE IMMEDIATELY AT 566-8550.

[Heading]

NOTICE OF FAILURE TO MAKE PAYMENTS INTO COURT

To the tenant:

1. You were ordered to pay \$ _____ into court by, _____, but no such payment has been received.
2. You are therefore required to file your answer to the eviction complaint immediately.

WARNING.
If your answer is not received by the clerk
by _____, you will
Date four days after mailing date
lose your case automatically and judgment will
be entered against you.

BY THE COURT

Judge/Assistant Clerk

83 1/2 Lafayette Street
Hartford, CT. 06106
566-8550

IF YOU HAVE QUESTIONS, CONTACT THE
CLERK'S OFFICE IMMEDIATELY AT 566-8550.

[Heading]

TENANT'S ANSWER TO EVICTION COMPLAINT

1. I admit that the following paragraphs of the landlord's complaint are true (circle them):

1 2 3 4 5 6 7 _____

2. The following paragraphs of the landlord's complaint are either partially or entirely false (circle them):

1 2 3 4 5 6 7 _____

3. I don't know whether the following paragraphs of the landlord's complaint are true or false (circle them):

1 2 3 4 5 6 7 _____

SPECIAL DEFENSES

I should not be evicted because (check any which apply):

() 1. PAYMENT: All rent has been paid in full to the landlord.

() 2. TENDER: Rent was offered to the landlord on or about

_____ but it was refused.
date

() 3. NO AGREEMENT: The landlord raised the rent without my permission or consent and I refused to pay the higher rent.

() 4. LEASE: I have a lease that does not end until

date

() 5. FAILURE TO MAKE REPAIRS: I did not pay rent because the landlord failed to make repairs. If you claim this defense, check one or more of the lines below

() a. I notified the landlord of the conditions requiring repair on or about _____ date.

() b. I notified the Health Department or other government agency of these conditions on or about _____ date.

() c. The landlord knew or should reasonably have known of these conditions.

() 6. RETALIATION: I am being evicted because, during the last six months check any that apply

() a. I made a good faith complaint to the Health Department, Fair Rent Commission, or other government agency.

() b. The Health Department, Fair Rent Commission, or other government agency issued a notice or order against the landlord.

() c. I made a good faith request to the landlord to make repairs.

() d. I joined a tenants' union.

() 7. OTHER:(specify): _____

TENANT (defendant)

Tenant's signature

Date

CERTIFICATION

I certify that I mailed a copy of ~~my~~ answer and special defenses to the landlord's lawyer. If the landlord does not have a lawyer, I have sent it to the landlord instead. The copy was mailed on _____, _____, and was sent to the following name and address:

Name (landlord's lawyer or landlord)

Street no. Apt. or office no.

Town State Zip Code

Signature of tenant

[Heating]

NOTICE OF EVICTION JUDGMENT
Non-payment or nuisance

1. On _____ the housing court issued an order giving your landlord permission to have a sheriff evict you.

2. The eviction can take place at any time on or after _____, if you have not moved out by then. You will receive no further warnings from the court.

3. If you have any questions, you should contact the clerk's office immediately at 566-8550.

BY THE COURT

Judge/Assistant Clerk

83 1/2 Lafayette Street
Hartford, CT. 06106
566-8550.

[Hearing]

NOTICE OF EVICTION JUDGMENT
General

1. On _____ the housing court issued an order giving your landlord permission to have a sheriff evict you.

2. The eviction can take place at any time on or after _____, if you have not moved out by then. You will receive no further warnings from the court.

3. If you need more time in which to move, you must complete the enclosed application form and bring or mail it to the clerk's office. You will be notified of the date for the hearing on the application.

4. If you have any questions, you should contact the clerk's office immediately at 566-8550.

BY THE COURT

Judge/Assistant Clerk
83 1/2 Lafayette Street
Hartford, CT. 06106
566-8550

[Handwritten]

APPLICATION FOR STAY OF EVICTION ORDER

- 1. An eviction judgment has been entered against me.
- 2. I need more time in which to move.
- 3. I am willing to pay reasonable use and occupancy for any extra time the court allows me.
- 4. I have used due diligence and reasonable effort to try to find other comparable housing but have been unable to find such housing.
- 5. I am making this application in good faith and will comply with the terms that the court orders.

TENANT

Signature

Date

NOTE: You must submit three copies of this form.

ORDER

It is ordered that a hearing be held on this application at the following time and place:

Time: _____

Date: _____

Location: _____

BY THE COURT

Judge/Assistant Clerk

[Faint handwritten text]

MOTION TO REOPEN JUDGMENT AND STAY EXECUTION

I move that the judgment in this eviction case be reopened and that the eviction be stopped for the following reasons:

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

Signature of tenant

Signed and sworn to before me on _____ in _____,
_____.

Assistant Clerk/Notary

CERTIFICATION

I certify that I mailed a copy of this motion to the landlord's lawyer. If the landlord does not have a lawyer, I have sent it to the landlord instead. The copy was mailed on _____, and was sent to the following name and address:

Name (landlord's lawyer or landlord)

Street no. Apt. or office no.

Town State Zip Code

Signature of tenant

ORDER

This motion is ordered to be GRANTED/DENIED.

Judge/Assistant Clerk

CASE NUMBER: _____ :

SUPERIOR COURT

(Plaintiff/Landlord)

: HOUSING SESSION

v. _____ :

AT HARTFORD/NEW BRITAIN

(Defendant/Tenant)

: _____
(Date)

MOTION TO ADD
PARTY DEFENDANT

_____ moves that he/she be added as a
(Name)

defendant in this case for the following reasons.

1. He/she is an adult occupant of the apartment.
2. He/she was not named as a defendant in this case.
3. (State any other reasons)

BY _____

(Name)

(write your address and
telephone number)

O R D E R

The foregoing motion having been heard, it is hereby
GRANTED/DENIED.

BY THE COURT,

Judge/ Clerk

C E R T I F I C A T I O N

I hereby certify that a copy of this motion was mailed
on _____ to the plaintiff/landlord
(Date)
or his/her attorney at the following address: _____
_____.

BY _____
(Name)

O R D E R

The foregoing motion having been heard, it is hereby
GRANTED/DENIED.

BY THE COURT,

Judge/ Clerk

C E R T I F I C A T I O N

I hereby certify that a copy of this motion was mailed
on _____ to the plaintiff/landlord
(Date)
or his/her attorney at the following address: _____
_____.

BY _____
(Name)

[Housing]

APPLICATION FOR WAIVER OF FEES

1. I wish to file a lawsuit in the Housing Court. A copy of the complaint is attached.

2. I do not have enough money to pay the filing fee, cost of service of court papers, and other necessary court expenses. These fees and costs are:

- a. Entry fee \$ _____
- b. Service of process \$ _____ (estimated)
- c. Other costs Amounts unknown

3. Unless these fees are waived and the costs are paid, I will be unable to bring this lawsuit. A copy of my financial statement is attached.

4. I therefore request that I be permitted to file this action without paying the filing fee and that the costs of service of process and other necessary court expenses be paid by the the Housing Court.

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

Signature

Signed and sworn to before me on _____ in _____, _____.

Assistant Clerk/Notary

ORDER

This application is ordered to be GRANTED/DENIED.

Judge/Assistant Clerk

FINANCIAL AFFIDAVIT OF _____
Name

<u>INCOME</u> (Fill in all lines that apply. Include income of all family members who reside with you.)	<u>Weekly/monthly amount</u>
1. Primary job _____ Name of employer	\$ _____
2. Second job _____ Name of employer	\$ _____
3. Welfare	\$ _____
4. Social Security or SSI	\$ _____
5. Unemployment compensation	\$ _____
6. Support or alimony	\$ _____
7. Dividends or interest	\$ _____
8. Rental income	\$ _____
9. Other (specify) _____	\$ _____
TOTAL INCOME	\$ _____

ASSETS:

1. Do you own your own home? ___ Yes ___ No. If yes, what is its address?

Street number and town
2. Do you own any other land, buildings, or real estate? ___ Yes ___ No.
If yes, what is its address? _____
Street number and town
3. Do you own any cars, trucks, or other motor vehicles? ___ Yes ___ No.
If yes, list them:

Year	Model
Year	Model
4. How much money do you have in the bank (add all of your accounts together)? \$ _____.
5. What other assets do you have (other than household goods and furniture)?

EXPENSES: My expenses are equal to or greater than my income.

LIABILITIES: I owe money to the following businesses:

	<u>Business owed</u>	<u>Approximate amount</u>
1.	_____	\$ _____
2.	_____	\$ _____
3.	_____	\$ _____
4.	_____	\$ _____
5.	_____	\$ _____
6.	_____	\$ _____

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

Signature

Signed and sworn to before me on _____ in

_____, _____.

Assistant Clerk/Notary

_____ : SUPERIOR COURT/HOUSING SESSION
 (tenant's name)
 vs. : AT HARTFORD
 _____ : _____
 (landlord's name) (date)

LOCK-OUT COMPLAINT
 (entry and detainer)

AND APPLICATION FOR TEMPORARY INJUNCTION

To the judge of the Housing Session of the Superior Court for the Judicial District of Hartford-New Britain:

1. Since _____ I have lived in the dwelling unit at the following address:

 Street No. Apt. No.

 Town State

2. My landlord is named _____ and lives or had a place of business at:

 Street No. Office or Apt. No.

 Town State

3. On _____ my landlord entered that dwelling unit and locked me out without a court order, without my consent, and against my will.

4. Since that date, my landlord has unlawfully kept me from occupying that dwelling unit.

5. My landlord has damaged, removed or taken possession and control of my personal property, including (but not limited to) the following items:

6. All of these actions are causing and will continue to cause me irreparable injury.

7. By his actions, my landlord has violated Conn. Gen. Stat. Sections, 47a-43(a), 47a-18 and 42-110 a et seq.

I REQUEST THAT THE COURT:

1. Immediately issue an ex parte temporary injunction enjoining (an order stopping) my landlord and his agents from depriving me of the dwelling unit and the personal property described in the complaint.

2. Waive the requirement of posting a bond.

3. Summon my landlord to appear before this court within eight days of the filing of this complaint.

4. After hearing, issue an order enjoining (stopping) landlord and his agents from depriving me of the dwelling unit and the personal property in the complaint.

5. Order my landlord to pay me double the cost of the damages I have suffered. (Conn. Gen. Stat. Section 47a-46).

6. Order my landlord to pay my costs and attorney's fees. (Conn. Gen. Stat. Sections 47a-18, 42-110g (d)).

7. Order my landlord to pay punitive damages. (Conn. Gen. Stat. Section 42-110g(a)).

8. Provide any other legal or equitable relief that the Court thinks proper.

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

(Signature)

Signed and sworn to before me on _____, in

_____, _____.

Assistant Clerk/Notary Public

 (Tenant's name) : SUPERIOR COURT/HOUSING SESSION

vs. : AT HARTFORD

 (Landlord's name) : _____
 (Date)

COMPLAINT FOR ILLEGAL ENTRY

To the judge of the Housing Session of the Superior Court for the Judicial District of Hartford-New Britain:

1. Since _____ I have lived in the dwelling unit at the following address:

 Street No. Apt. No.

 City Connecticut

2. My landlord is named _____ and lives or has a place of business at:

 Street No. Apt. No.

 City State

() 3a. On _____, the landlord or his or her agent entered my dwelling unit without reasonable advance notice to me _____ without my consent. An emergency condition did not exist. and/or

() 3b. On _____, the landlord or his or her agent entered or attempted to enter my dwelling unit at _____, an unreasonable hour.

() 3c. The landlord or his or her agent has harassed me by repeatedly entering my dwelling unit or by frequently requesting to enter my dwelling unit.

4. By his or her actions, the landlord has violated Conn. Gen. Stat. Sections 47a-16, 42-110b.

PURSUANT TO CONN. GEN. STAT. SECTION 47a-18a, I REQUEST THAT THE COURT:

() 1. After hearing, issue an order enjoining my landlord and his or her agents from entering my dwelling unit unless the landlord provides reasonable advance notice and obtains my consent, except in case of emergency; enters only at reasonable hours; and enters only in order to inspect the unit, make repairs, supply services, or exhibit the unit.

() 2. After hearing, issue an order enjoining my landlord from abusing his or her right of entry or from harassing me by repeatedly entering my dwelling unit or frequently asking for my consent to enter my dwelling unit.

3. Order the landlord to pay me the value of all damages I have suffered, not to be less than \$ _____, the sum of one month's rent. (Conn. Gen. Stat. Section 47a-18)

4. Order the landlord to pay my costs and attorney's fees. (Conn. Gen. Stats. Sections 42-110g, 47a-18).

5. Order the landlord to pay punitive damages (Conn. Gen. Stat. Section 42-110g).

6. Provide any other legal or equitable relief that the Court thinks proper.

I swear or affirm that the statements above are true, to the best of my knowledge and belief.

(Signature)

Signed and sworn to before me at _____, Connecticut,
this _____ day of _____, 198 .

Assistant Clerk/Notary Public

[Heading]

NO HEAT COMPLAINT

AND APPLICATION FOR TEMPORARY INJUNCTION

To the judge of the Housing Session of the Superior Court for the Judicial District of Hartford-New Britain:

1. Since _____ I have lived in the dwelling unit at the following address:

Street No. _____ Apt. No. _____

Town _____ State _____

2. My landlord is named _____ and lives or has a place of business at:

Street No. _____ Office or Apt. No. _____

Town _____ State _____

Check either
a. or
b.

- () 3.a. My rent includes heat, but since _____ date the landlord has failed to provide me with at least 65° of heat.
- () 3.b. I pay for my own heat. Since _____ date the furnace has not worked or the landlord has otherwise failed to have heating equipment capable of providing me with at least 65° of heat.

4. The landlord's failure to provide adequate heat is causing and will continue to cause irreparable injury to the health and safety of me and such other persons as occupy the dwelling unit.

I REQUEST THAT THE COURT:

1. Immediately issue an ex parte temporary injunction requiring the landlord promptly to provide adequate heat and/or heating facilities, as required by law.

2. Waive the requirement of posting a bond, because of the immediate danger to health and safety.

3. Summon my landlord to appear before this court to explain why this injunction should not be granted.

4. After hearing, issue an order requiring my landlord to provide adequate heat and/or heating facilities, as required by law.

5. Order my landlord to pay me the value of all damages I have suffered.

6. Order the landlord to pay my costs and attorney's fees.

7. Provide any other legal or equitable relief that the Court thinks proper.

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

Signature

Signed and sworn to before me on _____, in

_____.

Assistant Clerk/Notary

[Heading]

COMPLAINT TO COMPEL COMPLIANCE WITH THE HOUSING CODE

AND APPLICATION FOR TEMPORARY INJUNCTION

To the Judge of the Housing Session of the Superior Court for the Judicial District of Hartford-New Britain:

1. Since _____ I have lived in the dwelling unit at the following address:

Street No. _____ Apt. No. _____

Town _____ State _____

2. My landlord is named _____ and lives or has a place of business at:

Street No. _____ Office or Apt. No. _____

Town _____ State _____

3. My dwelling unit contains health or housing code violations, which the landlord has failed to correct. These violations include, but are not limited to, the following List as many as you can, starting with the most important ones:

4. These violations are contrary to law and are causing and will continue to cause irreparable injury to me and such other persons as occupy the dwelling unit.

I REQUEST THAT THE COURT:

1. Immediately issue an ex parte temporary injunction requiring the landlord promptly to remedy the code violations referred to in my complaint.

2. Waive the requirement of posting a bond, because of the immediate danger to health and safety.

3. Summon my landlord to appear before this court to explain why this injunction should not be granted.

4. Order my landlord to make all repairs and do whatever is necessary to bring my dwelling unit into compliance with all health and housing codes and to put and keep the premises in a fit and habitable condition.

5. If my landlord is unwilling or unable to comply with the order described in paragraph 4, appoint a receiver to perform that order.

6. Order that future rental payments be paid to the clerk of the court.

7. Order my landlord to pay me the value of all damages I have suffered.

8. Provide any other legal or equitable relief that the Court thinks proper.

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

Signature

Signed and sworn to before me on _____, in

_____.

[Heading]

STATEMENT OF AMOUNT IN DEMAND

Check one:

- The amount, legal interest or property in demand is less than \$7500.00, exclusive of interest and costs.
- The amount, legal interest or property in demand is not less than \$7500.00, exclusive of interest and costs.

Signature

Date

[Hearing]

ORDER TO APPEAR

To the landlord:

You are ordered to appear for hearing at the following time and place to explain why the relief requested by the tenant should not be granted:

Time: _____
Date: _____
Place: _____

BY THE COURT

Judge/Assistant Clerk

IF YOU HAVE QUESTIONS, CONTACT THE CLERK'S OFFICE IMMEDIATELY AT 566-8550 (Hartford) OR 827-7111 (New Britain).

WARNING
If you ignore this order, the Court can hear the case, even in your absence.

[Hearing]

TEMPORARY INJUNCTION
LOCK-OUT

To the landlord (defendant):

You and your employees, agents, and officers, and anyone else acting on your behalf, are ordered as follows:

1. You shall immediately stop depriving the tenant (plaintiff) of the dwelling unit and the personal property described in the complaint. If you have changed the locks or barred the door, you shall immediately allow the tenant to return to the dwelling unit and live there. If you have taken his ^{or her} property, you shall immediately give it back.

2. You shall not deprive the tenant of occupancy of his dwelling unit, without permission of the court.

3. You shall not deprive the tenant of his personal property, nor shall you remove, destroy, or otherwise dispose of it.

4. These orders shall remain in effect until a hearing is held on the tenant's application for an injunction and until further order of this court.

BY THE COURT

Judge/Assistant Clerk

WARNING

If you violate these orders, you
may be found in contempt of court,
for which you can be fined or
jailed.

If you have questions, contact the clerk's office
immediately at 566-8550 (Hartford) or 827-7111 (New
Britain).

[Heading]

TEMPORARY INJUNCTION
NO HEAT

To the landlord (defendant):

You and your employees, agents, and officers, and anyone else acting on your behalf, are ordered as follows:

You shall immediately provide the tenant in the dwelling unit described in the complaint with heating facilities capable of maintaining a temperature in the dwelling unit of at least 65° and with at least 65° of heat. You shall continue to provide such facilities and heat as long as this order is in effect. This order shall remain in effect until it is modified or terminated by this court.

BY THE COURT

Judge/Assistant Clerk

WARNING

If you violate these orders, you
may be found in contempt of court,
for which you can be fined or
jailed.

If you have questions, contact the clerk's office
immediately at 566-8550 (Hartford) or 827-7111 (New
Britain).

[Heading]

TEMPORARY INJUNCTION
CODE VIOLATIONS

To the landlord (defendant):

You and your employees, agents, and officers, and anyone else acting on your behalf, are ordered as follows:

1. You shall immediately make all repairs and do whatever is necessary to bring the dwelling unit described in the tenant's complaint into compliance with all health and housing codes.
2. You shall put and keep the premises in a fit and habitable condition.
3. These orders shall remain in effect until they are modified or terminated by this court.

BY THE COURT

Judge/Assistant Clerk

WARNING

If you violate these orders, you
may be found in contempt of court,
for which you can be fined or
jailed.

If you have questions, contact the clerk's office
immediately at 566-8550 (Hartford) or 827-7111 (New
Britain).

[Heading]

MOTION TO REOPEN JUDGMENT AND STAY EXECUTION

I move that the judgment in this case be reopened and that any wage or property execution be stopped for the following reasons:

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

Signature

Signed and sworn to before me on: _____, in
_____.

Assistant Clerk/Notary

CERTIFICATION

I certify that I mailed a copy of this motion to the other party's lawyer. If the other party does not have a lawyer, I have sent it to the party himself instead. The copy was mailed on _____, and was sent to the following name and address:

date

Name (opposing party's lawyer or opposing party)

Street No.

Office or apt. no.

Town

State

Zip Code

ORDER

This motion is ordered to be GRANTED/DENIED.

Judge/Assistant Clerk

TOWN OF)
)
COUNTY OF)

Date: , 198__

AFFIDAVIT SUPPORTING A
CRIMINAL LOCKOUT COMPLAINT

1. I am over 18 years old and understand the meaning of an oath.

2. I have been a tenant at _____,
Street Floor or Apt. #
Connecticut since _____ 19__
City/Town

3. My landlord's name is _____ and
his/her address is _____
City/Town
Connecticut.

4. On _____ 198__, my landlord or his/her agent, without
my consent:

- () locked me out of my apartment;
- () deprived me of my personal property.

5. My landlord or his/her agent:

- () has refused to let me back into my apartment;
- () has refused to return my personal property

6. My landlord has not obtained a judgment against me in an eviction
case.

Signature of Tenant

Present Address

Telephone No.

Subscribed and sworn before me at _____, Connecticut

this _____ day of _____ 198__.

Clerk/Notary Public/Commissioner of the
Superior Court



TOWN OF)
COUNTY OF)

DATE:

, 198__

AFFIDAVIT SUPPORTING A CRIMINAL
NO HOT WATER/NO HEAT COMPLAINT

1. I am at least 18 years of age or older.

2. I have been a tenant at _____
(Street)

(Floor or Apartment #) _____ (City / Town)

Connecticut, since _____, 198__.

3. My landlord's name is _____

My landlord's address is _____
(Street)

_____, Connecticut.
(City / Town)

4. () My rent includes heat, and/or hot water, but since _____
the landlord has failed to provide me with at least 65° of
(Date)
heat and/or hot water.

5. () I pay for my own heat and/or hot water Since _____ (Date)
the landlord has failed to provide a heating system capable of providing
me with at least 65° of heat and/or hot water.

4c. () If neither of the above statements adequately describes your heating and/or hot water problem, summarize the facts here.

5a. () I notified my landlord of the heating and/or hot water problem on _____, but my dwelling unit still does not have a least 65° of heat and/or hot water.
(dates)

5b. () I attempted to notify my landlord of the heating and/or hot water problem on _____, but I have been unable to contact the landlord through no fault of my own.
(Dates)

TENANT

Subscribed and sworn to before me at _____, Connecticut,
this _____ day of _____, 198__.

ASSITANT CLERK/NOTARY PUBLIC

() 5a. The landlord's failure to provide adequate heat and/or hot water is causing and will continue to cause irreparable injury to the health and safety of me and such other persons who occupy the dwelling unit.

() 5b. The landlord's failure to provide a heating system which provides adequate heat and/or hot water is causing and will continue to cause irreparable injury to the health and safety of me and such other persons who occupy the dwelling unit.

6. The conduct of my landlord is an unfair trade practice (Conn. Gen. Stat. Section 42-110b).

I REQUEST THAT THE COURT:

1. Immediately issue an ex parte temporary injunction (an order) requiring the landlord promptly to provide adequate heat/or hot water or heating facilities, as required by law.
2. Waive the requirement of posting a bond, because of the immediate danger to health and safety.
3. Summon my landlord to appear before this Court to explain why this injunction should not be granted.
4. After hearing , issue an order requiring my landlord to provide adequate heat and/or hot water, hearing facilities, as required by law.
5. Order my landlord to pay me the value of all damages I have suffered.
6. Order the landlord to pay my costs and attorney's fees. (Conn. Gen. Stat. Section 42-110g).

7. Order the landlord to pay me punitive damages. (Conn. Gen. Stat. Section 42-110g).

8. Provide any other legal or equitable relief that the Court thinks proper.

I swear or affirm that the above statements are true, to the best of my knowledge and belief.

(Signature)

Subscribed and sworn to before me at _____, Connecticut,
this _____ day of _____, 198 .

Assistant Clerk/Notary Public

APPENDIX E



THE CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS

FOR THE HOUSING SESSION OF THE HARTFORD - NEW BRITAIN JUDICIAL DISTRICT OF THE SUPERIOR COURT

Respond to: 111 Oak Street
Hartford, Connecticut 06106
(203) 525-6604

Approved by Citizens Advisory
Council,
September 8, 1982

RECOMMENDED HOUSING COURT PROSECUTION GUIDELINES

Overall Purpose

It is the goal of these housing court prosecution guidelines to promote the full and prompt compliance with all statutes which affect residential housing, including local housing codes and statutes concerning housing discrimination and lockouts.

Categories of Cases

The prosecutor should receive and prosecute complaints including, but not limited to:

- a. Housing, building, electrical, plumbing, fire, and similar municipal code violations, if they affect residential housing.
- b. No-heat and no-hot water complaints (C.G.S. Section 19-65).
- c. Lockouts (P.A. 81-24).
- d. Housing discrimination cases (including discrimination against families with children).

Initiation of Cases

1. Housing code enforcement cases, except for emergencies, should be initiated by a summons to appear within 14 days of the issuance of the summons.

2. No-heat cases, no-hot water cases, lockouts, and all other emergency cases should be initiated by warrant.
3. The affidavit upon which a prosecution is based should ordinarily come from a housing code official. In appropriate cases, including lockouts and housing discrimination cases, the prosecutor should initiate prosecution upon the affidavit of the victim.
4. Since all housing code referrals for prosecution are based upon continuing violations of the housing code, affidavits should be drafted so as to support a prosecution for violations occurring on more than one day, thereby giving the prosecutor the option of seeking a higher fine in appropriate circumstances.
5. The pendency of a civil or administrative case (e.g., an eviction or a fair rent commission case) should not be a bar to prosecution on a criminal charge.
6. Cases against entities other than individuals (e.g., partnerships or corporations) should be processed in the same manner as other prosecutions.

Continuances

1. Unless there are exceptional circumstances, a defendant should have to appear in court to request a continuance.
2. Continuances should be short. They should not exceed one week, except for unusual circumstances, and should not exceed two weeks except in highly unusual circumstances.
3. If it will reasonably take more than one or two weeks to complete repair work, continuances should still not exceed the time period in Paragraph 2, so that the court and prosecutor will be aware of the progress of repairs and will be alerted early to a lack of work in progress.
4. Whenever a case involving house code prosecution appears on a court calendar, a report should be made to the court on the record as to the extent to which alleged housing code violations have been corrected. Such report should be made without regard to whether the case is to be continued or to receive final disposition.

5. Cases in which compliance is not obtained by the first court appearance should proceed quickly to trial. Sentencing should be deferred, however, until repair work is completed.

Nolles and Dismissals

1. Nolles and dismissals should be the exception and not the rule.
2. Except in unusual circumstances, a nolle should be given if all work is completed by the owner by the first court appearance date. The summons should indicate this policy.
3. If all work is done by the second court appearance date, a nolle should be considered by the prosecutor but should not be given automatically, i.e., it should depend upon circumstances.
4. Nolles should not be given unless all work is completed by the second court appearance date.
5. If the work is done by the city because of the emergency nature of the circumstances, the case should be treated as one in which the landlord did not make the repair.
6. Sale or abandonment of a building, without having made repairs, should not be the ground for a nolle or dismissal.
7. No case should be nolleed without written confirmation from the code enforcement agency that all violations have been corrected.
8. If a case is nolleed but the defendant is cited for another violation within thirteen months, the nolleed case should be restored to the court's docket.

Sanctions

1. Sanctions should be used as a way of assuring that repairs will be made.
2. No file should be closed until full code compliance has been obtained. In an extraordinary case in which

full compliance is impossible (e.g., because the defendant no longer owns the building), sanctions may be imposed, after which the file may be closed, without full compliance.

3. Fines should be graduated, depending on the severity of the offense, whether the defendant is a repeat offender, and the extent of delay prior to repair.
4. No fine should be for less than \$50. Fines for defendants who do not repair until the case has been in court four to eight weeks should be in the \$100 to \$250 range. Fines for defendants who delay for longer periods of time should be in the \$250 to \$500 range.
5. A fine should ordinarily not be imposed until the repair work has been completed. If, in unusual cases, this is not practical, some form of conditional sentencing should be used (e.g., a large fine, of which a portion will be remitted if repairs are completed before a particular date).
6. Fines should be structured so that a defendant is not rewarded for delay. The mere fact that repairs have been made should not justify disposition without a fine unless the defendant has acted exceptionally promptly.
7. Jail sentences should be used only in extraordinary cases.
8. Repeat offenders should receive higher fines than first offenders. The prosecutor should automatically check the court's records on each criminal referral to identify prior offenders.
9. The court should experiment with agreements to rebate rent to tenants as part of a plea bargain in which a voluntary rebate is coupled with a reduced fine.
10. An arrest warrant should be issued against any person not appearing in court when due. Excuses should be accepted only if compelling. Continuances against persons arrested for failure to appear in response to a summons should be brief, and such a case should ordinarily be continued only to the earliest available court date, which need not necessarily be a day regularly assigned to criminal cases. Violations of §53a-173, if willful, should be prosecuted.

Relationship to Code Enforcement Agencies

1. The prosecutor should seek full compliance with all housing code enforcement orders and should not close a file until compliance has been obtained.
2. The code enforcement agency should be notified by the prosecutor of each time a case which it referred is on the court docket; and a representative of the agency should be encouraged to be present in court on each such hearing date so as to respond to questions about the case.
3. The housing code enforcement agency should be notified promptly of the disposition of each case which it referred.

Relationship with the Community

1. The prosecutor should meet with all agencies in the judicial district likely to refer cases for prosecution and should encourage the use of such referrals. These include, as a minimum, housing code enforcement agencies; police departments which handle no-heat, no-hot water, and lockout cases; the Commission on Human Rights and Opportunities; and other agencies which handle housing discrimination complaints.
2. Individual victims who initiate prosecutions by filing affidavits should be notified each time that their case is on the court docket.
3. The prosecutor should be available to speak at community meetings dealing with housing court prosecution issues.
4. Criminal cases should be scheduled for a fixed time, to be heard in court. Negotiations concerning those cases should, to the maximum extent practicable, take place before that time, so that members of the public may know at what time to attend court to observe the criminal docket.
5. The Citizens Advisory Council to the Housing court should be consulted in the establishment of prosecution guidelines.

Prosecution Guidelines

1. The prosecutor should maintain a written copy of the prosecution guidelines in the Housing Session Clerk's Office in both Hartford and New Britain. The copy should be available for public inspection.
2. The guidelines should be altered only after prior notice and an opportunity for comment is provided to the Citizens Advisory Council, housing code enforcement officials within the judicial district, and other interested persons.
3. The guidelines should be reviewed annually.

APPENDIX F

CITIZENS ADVISORY COUNCIL TO THE HOUSING SESSION OF THE SUPERIOR COURT FOR THE JUDICIAL DISTRICT OF HARTFORD-NEW BRITAIN

PROPOSED PROCEDURES FOR HANDLING NO HEAT COMPLAINTS December 19, 1980

I. PROSECUTION POLICY

No heat complaints should be handled expeditiously and as priority matters. Prosecution should be handled in a manner which promotes prompt restoration of heat and, where wilful violations of C.G.S. 19-65 are involved, discourages repeat violations. Hearings should be held on any weekday needed (not necessarily on housing court "criminal" days only), and continuances, if necessary, should always be short, at least until it is clear that heat has been effectively restored and will remain on.

Because of their urgency, no heat prosecutions should be instituted by arrest, rather than by summons. The prosecutor should be available during court business hours to receive complaints and request warrants. He or she should notify the housing court staff and municipal enforcement agencies of the phone number and location where s/he is reachable during those hours. When the prosecutor is at G.A. 14, arrangements with G.A. 14 clerical staff should be made so that prompt contact with the housing prosecutor can be made there.

The prosecutor should take warrant requests from either municipal enforcement agencies or individual complainants, although the latter should ordinarily be advised to try to get enforcement through the municipal enforcement agency first. The prosecutor should also be available to municipal police departments on a 24-hour basis for telephone consultations.

No heat warrants should be issued with arraignment scheduled for the next business day in the housing court, and the prosecutor should arrange with housing court staff for appropriate scheduling. The prosecutor should also arrange with the state's attorney's office for the necessary release of time from G.A. 14 so as to be present at the housing court for such arraignments, even on non-"criminal" days.

When a no heat case is initiated by arrest, rather than by warrant, arraignment should also be the next business day; and the prosecutor should notify municipal police departments

to properly notify defendants. Although it would be preferable to have these arraignments in the housing court, it appears that getting the police to bring paperwork to that court would present practical problems. Until a way to overcome such problems can be devised, arraignments in no heat cases begun by arrest rather than warrant should be held in the appropriate G.A. court. At that hearing, the case should be ordered immediately transferred to the housing court with a continuance of one day only. The housing court clerks should make arrangements with the G.A. clerks for same-day transfer of the file so that the case can be heard in the housing court the next day.

II. HOUSING COURT STAFF POLICY

The housing court staff should identify, for each town in the judicial district, the municipal enforcing agency or enforcing officer who handles no heat complaints (either the code enforcement agency or the health director) and the telephone number at which the agency or person can be reached. A list should be prepared and kept easily available to all court personnel who receive telephone calls.

When no heat complaints are received at the housing court, the caller's name, address, and telephone number should be recorded in a log book. Callers should be advised to try first to reach the landlord, then the local agency (for which a phone number should be provided), and then the police. They should be told that if this does not produce restoration of heat, they should re-contact the court. On a second call, the housing court staff should refer the call to the prosecutor.

III. MUNICIPAL ENFORCEMENT POLICY

When the municipal enforcing agency is available to respond to no heat complaints (during normal business hours and during any extended hours in which enforcing agency personnel are assigned to receive emergency calls), complaints should be directed to the agency. During all hours in which agency personnel is not available, complaints should go to the municipal police department.

The agency with responsibility during that time period (i.e., the enforcing agency or the police) should promptly investigate and take action to have the heat restored. If police investigation is made and there is reason to believe that C.G.S. 19-65 is being violated, an arrest should be made. If the municipal enforcing agency does the investigating and believes that C.G.S. 19-65 is being violated, its response should

Page 3

depend upon the time of day. If these events occur during housing court business hours, an affidavit requesting a warrant should be hand-delivered to the housing court prosecutor immediately. If events occurred during extended hours when the courts are closed, the enforcing agency should contact the municipal police, which should make an arrest.

In any case in which the municipal enforcing agency believes that there is a violation of C.G.S. 19-65 and, for any reason, the police fail to make an arrest, the agency should hand-deliver to the housing court prosecutor an affidavit for issuance of an arrest warrant.

APPENDIX G



THE CITIZEN'S ADVISORY COUNCIL FOR HOUSING MATTERS

FOR THE HOUSING SESSION OF THE HARTFORD - NEW BRITAIN JUDICIAL DISTRICT OF THE SUPERIOR COURT

Respond to: 111 Oak Street
Hartford, Connecticut 06106
(203) 525-6604

September 25, 1981

Hon. Robert Satter, Judge
Hartford Housing Court
83 1/2 Lafayette St.
Hartford, CT. 06106

Re: Housing code enforcement

Dear Judge Satter:

At its meeting on September 23, 1981, the Citizens Advisory Council again reviewed the effectiveness of housing code enforcement through the housing court. I am enclosing a copy of a report prepared by Marie Langan, chairperson of our Code Enforcement Committee and president of the Connecticut Association of Housing Code Enforcement Officials, which was the basis for our discussion.

Ms. Langan compiled the report by examining docket sheets for eight criminal calendars at the housing court (the sheets are attached to the report), identifying those cases which received final disposition on those dockets (i.e., guilty plea, trial, nolle, or dismissal), and contacting local code enforcement officials for their evaluation of each such case.

We are aware of the limitations of this type of survey, since there is no way for us to know of particular unique circumstances which might have influenced the handling of an individual case. Nevertheless, a number of patterns emerge which suggest the continuing presence of serious problems. Not all of these are within the control of the housing court. For example, there appear to be enforcement problems within some code enforcement agencies, particularly the one in Hartford, over which the housing court has no control.

Nevertheless, the bulk of these problems are within the control of the housing court. We strongly urge you to address the following problem areas, which we consider particularly important and which we have been able to identify from the Langan Report:

(1) Continuances seem to be given out too easily and for excessively long periods. This is reflected in several ways:

(a) There are numerous examples of repeat continuances. For example, CRH-8102-340, which was begun in February 1981 and must therefore already have had many continuances by May, was continued on May 26, June 9, July 14, and July 21, the last one being a

seven-week continuance to September 8. CRH-8105-381 was continued from May 26 to July 28 to August 4 to September 29. CRH-8102-343, another February case which the Langan Report picks up in May, was continued May 26, July 14, August 25, with the last continuance being until September 15. It seems quite common for the same case to see continuance after continuance.

(b) The continuances tend to be for fairly long periods of time: A review of the seven docket sheets in the Langan Report from May 26 through August 25 indicates that half of the continuances were for four weeks or more. One fifth of them were for eight weeks or more. This means that, in half of the continued cases, the defendant could go for at least a month without having to answer to the court. Many of those long continuances cannot even be justified as final continuances, since they were followed by still more continuances. By my count, the breakdown is:

1 week	7	16%
2 weeks	7	16%
3 weeks	8	18%
4-7 weeks	12	27%
8-11 weeks	5	11%
12+ weeks	4	9%
Unknown	1	2%
	<u>44</u>	<u>99%</u>

(c) A very high percentage of each court calendar is continued, rather than disposed of. About 66% of all docket listings resulted in continuances -- two out of every three. Only 15 out of 67 listings (22%) were dispositions.

The heavy use of continuances tends to drag cases out, undermines the credibility of local code officials, and invites use of the time for owner retaliation against the complainant in the case.

(2) Nolles seem to be given, even in cases with multiple continuances. We had understood from previous discussions that the court was to be following a policy in which a nolle would be given only if the violations were corrected either before the summons date or by the end of the first continuance. A review of the Langan Report indicates that in some cases this policy is not being followed. For example, CRH-8106-389, which was nolleed, shows a minimum of three continuances. CRH-8103-352 received a nolle five months after it was filed, for which there must have been a minimum of two continuances and though the repair work had apparently not yet been done (although the referral to a rehabilitation program may have made this an exceptional case). On the other hand, it does seem that the use of nolles has diminished significantly from 1980; and this does suggest a change of some significance in enforcement procedures.

(3) The amount of fines is unreasonably low. The Council agrees that fines should not be set so high as to draw critical money from the repair of the building. On the other hand, fines that are little more than nominal provide no significant incentive for making prompt and adequate repairs. This is especially true in light of the ease with which continuances are given, thereby eliminating any real incentive to repair rather than delay. In addition, it seriously undermines the credibility of the court when it purports to demand prompt repair. Finally, since fines are only imposed when the owner has failed to comply (a) within the municipal agency, which will ordinarily not turn a case over until at least a month has passed, (b) by the summons date, which will add another two weeks, and (c) by the first continuance date, which averages another month, it should be clear that an owner subject to a fine has already proved himself resistant to voluntary compliance.

With this in mind, the Langan Report's sample found that the seven fines issued all ranged between \$20 and \$60, none of which can be considered a substantial amount. The average fine was \$39. These seven cases were based on 145 counts, an average of 22 counts per case, although guilty pleas appear to have been taken on only one to three counts per case. This indicates, however, that these were fairly serious cases. The fines seem disproportionately low.*

(4) It appears that an owner can still avoid a penalty if the building is vacated or if ownership changes. Selling the car will not get a driver out of a traffic ticket, and disposing of the building should not be a way to avoid a fine. In combination with frequent continuances, this policy encourages an owner to delay maintenance, thereby allowing the building to deteriorate further, while either evicting the tenants, selling the building, or awaiting the nearly inevitable fires which hit buildings that are seriously deteriorated. I am told, for example, that the Gionfriddo case (which is related to CRH-8012-329) is just such a case.

*The Council as a body has taken no formal position on what size fines ought to be. Since cases in which prompt repairs are by court policy excluded from fines, however, in my personal opinion a fine of less than \$50 ought never to be appropriate. A \$20 or \$30 fine can hardly be viewed as a "penalty" for months of delay and non-compliance. I would therefore think that \$50 ought to be the bottom fine. Defendants who require two or three continuances to comply might be fined in the \$100 to \$200 range; more than that ought to be around \$250; and landlords who would rather pay the fine than make the repair should be fined perhaps \$250 to \$500. As a general rule, the severity of a fine should be related to (a) the severity of the violations and (b) the length of time they were permitted to exist without correction. An owner who delays repair for a significant period of time and then sells the building should be fined in a manner similar to one who still owns the building, even though the fine at that point can no longer be used for leveraging purposes.

(5) If the city corrects a violation because of failure of the landlord to do so, the court seems to treat the case as if the landlord had voluntarily corrected it. This appears to be the case with CRH-8104-362, which was nolle, although the Langan Report finds that the violation was corrected by the city, not by the owner.

(6) Cases continue to be closed before work is completed. We had discussed before the use of deferred sentencing as a way of assuring compliance. An analogous approach is the use of remission of a fine, in which the sentencing takes place at the time of the guilty finding but a portion of the fine is remitted if the repairs are promptly made. The Langan Report indicates, for example, that in both CRH-8103-350 and CRH-8106-383 the court files were closed while some violations were still outstanding. For either of these approaches to work, however, the court must be prepared to have its bluff called. If an owner does not make prompt repairs, then the fine must be high. For example, if the fine were \$250, with \$150 remitted if work is completed with one week, the court must be prepared to stand by its \$250 fine if the owner fails to repair, rather than accept excuse after excuse for further extensions.

I want to make clear that the Advisory Council is not advocating that the court take a punitive approach to code enforcement. Even the higher fine amounts which I have described are not high by objective standards. The Council agrees that the goal of code enforcement is building repair. It is critical, however, that there be significant disincentives for refusal to repair and dilatory conduct, because they are what will in the long run produce voluntary compliance with agency orders, without need to bring cases to the housing court. In addition, it should also be remembered that many landlords own more than one building, so that they learn very directly from one experience in the housing court what they can safely get away with. If the court makes it cheaper to bank the money for six months than to make repairs, and imposes no significant penalty, it is almost certain that some owners will delay work as long as possible. It is those owners against whom the court should focus its enforcement efforts.

I do not know whether a further meeting on these issues would or would not be helpful to you. If you think that such a meeting would be useful, the Council, or its Code Enforcement Committee, would be most pleased to talk about the continuing problems which we have described in this letter.

Sincerely,

Raphael L. Podolsky
Chairperson, Citizens Advisory Council

cc: Raymond Weizalis
Marie Langan

APPENDIX H



THE CITIZEN S ADVISORY COUNCIL FOR HOUSING MATTERS

FOR THE HOUSING SESSION OF THE HARTFORD - NEW BRITAIN JUDICIAL DISTRICT OF THE SUPERIOR COURT

Respond to: 111 Oak Street
Hartford, Connecticut 06106
(203) 525-6604

October 28, 1982

REPORT ON HOUSING COURT PROSECUTION

(1) Repair of buildings: It has been difficult to obtain conclusive evidence of the extent to which files are being closed without confirmed repair of the building. I spot-checked seven cases which had recently been closed by the prosecutor by calling the code inspectors and asking whether the repairs had been completed. In five they had. In two the inspector reported that he had never been asked to make a final inspection and that, as of his last inspection, violations still existed. In addition, inspectors reported and complained of lengthy delays in action by the prosecutor. The failure to assure that repairs are made has, to a large extent, stymied the ability of the Hartford code enforcement agency to do effective follow-up work, since inspectors do not reinspect a building turned over for prosecution unless requested to do so by the prosecutor. Indeed, the Hartford city administration has been discussing using civil rather than criminal proceedings to enforce the code because of dissatisfaction with the prosecutor. Because the code inspectors have no choice, they are doing their best to cooperate with the prosecutor; but all seem to be quite unhappy with the manner in which cases are being handled. The Council believes that the present problems are, in many ways, more severe and more harmful to the court than those which existed a year ago when Raymond Weizalis was the prosecutor.

(2) Overview of cases: We have updated our analysis of case dispositions to include cases through September 28. A copy is enclosed. In reality, the report is current through today, since only one 1982 case has been disposed of in the last month (see ¶4 below). The report shows no significant improvements. The conviction rate is 11%. Only one fine all year has exceeded \$100, even though 49% of the cases cited 11 or more violations. There is almost an inverse correlation between sanctions and such factors as (a) length of disposition time, (b) number of court dates required to complete case, and (c) number of violations. Thus, there were no convictions in any of the 12 cases which took the longest to dispose of (Table 10); no convictions in the 11 cases which were continued most frequently (Table 8); and no convictions in the 7 cases which cited more than 25 violations of the code (Table 9).

(3) Prosecution guidelines: At our meeting, we gave you a copy of a proposed housing court prosecution policy. We submitted that draft to both the prosecutor and to the state's attorney for comment and review. Mr. Bailey made several suggestions, most of which were adopted by the Council and incorporated into its recommended guidelines. A copy is enclosed. It is our

understanding that, with a few very minor exceptions, Mr. Bailey is quite comfortable with the guidelines. The prosecutor, in contrast, refused to offer any comments on the proposal, did not attend the meeting at which they were discussed, has refused to discuss them since then, and is apparently ignoring them totally. He appears to have abandoned any use of the long-standing housing court practice of using code prosecutions to leverage building repairs.

(4) Processing of cases: In the last month, the initiation of code prosecution cases seems to have come to a virtual halt. The Hartford code enforcement agency has reported to us that in calendar year 1982 it has sent 103 cases to the housing court for prosecution. As of October 26, only 49 such cases have appeared on any housing court calendar. Of the 54 without docket numbers, 50 had been referred more than three weeks previous and 40 more than five weeks previous. There has been only one criminal calendar in the last month, and it contained just one case.

(5) Community reaction: The Advisory Council is being faced with a growing community reaction against the manner in which the criminal docket of the housing court is being handled. Although to you the Advisory Council may seem "radical," the fact is that the Council has always tried to work cautiously through the system and to approach housing court problems from the perspective of professionals in the field of judicial administration. I have been told that both HART and the Hartford Neighborhood Housing Coalition have made their dissatisfaction with the housing court criminal docket into priority matters; and the Hartford city government, as I have already said, is searching for ways to circumvent the criminal docket. I have been contacted repeatedly in the last two weeks by reporters. I do not think that the kind of negative community response which is likely to be publicized is desirable for either the housing court or the Judicial Department. If the criminal docket were functioning well, then public comment can be freely ignored. But the fact is that it is functioning very badly and, in my opinion, the bulk of community criticism is well justified. I think that you would be wise to try to meet some of this criticism, at least part way.

(6) Assignment of prosecutor: The Council continues to believe that it is critical that prosecutors be assigned to the court because of their interest and/or understanding in regard to housing problems. We continue to reaffirm our view that a G.A. 14 vacancy should be filled by advertising for a person who is interested in spending part of his or her time on housing prosecution work, as was done in 1978 when the first prosecutor was hired. Until this is done, the Advisory Council would be most willing to speak with prosecutors at G.A. 14 or elsewhere in the J.D. Hartford-New Britain to explore which of them might be interested in working at the housing court.

Raphael L. Podolsky
Chairperson

Supplemental memorandum, November 15, 1982

In my October 28 letter to you, I noted that "the initiation of code prosecution cases seems to have come to a virtual halt." I have reviewed the docket sheets again and am quite concerned by what they show.

Since we met on August 17 there have been 12 Tuesdays. Tuesday is criminal docket day in the housing court, and in the past there has normally been a docket every Tuesday. According to my records, however, there have been criminal dockets on only 5 of those 12 Tuesdays; and only four new cases have been initiated by the prosecutor since August 17! What is remarkable about this is that, between August 17 and October 6, 1982, the Hartford housing code enforcement agency referred forty-six cases for prosecution. We do not know why the prosecutor has failed to prosecute them.

Effective housing code prosecution is the centerpiece of the housing court. In all honesty, we are unable to understand this near abandonment of prosecution which seems to be the primary identifiable consequence of our meeting with you. It is exactly the opposite of what at the time we were led to believe would happen. We continue to appeal to you, as administrative judge for the district, to use your authority to rectify this situation, which a wide range of persons involved in housing in the Hartford area believe to be most detrimental both to the reputation of the housing court and to needed housing policy.



THE CITIZEN'S ADVISORY COUNCIL FOR HOUSING MATTERS

FOR THE HOUSING SESSION OF THE HARTFORD - NEW BRITAIN JUDICIAL DISTRICT OF THE SUPERIOR COURT

October 8, 1982

Respond to: 111 Oak Street
Hartford, Connecticut 06106
(203) 525-6604

PROSECUTION OF HOUSING CODE VIOLATIONS IN THE HARTFORD HOUSING
COURT -- Jan. 19, 1982 - Sept. 28, 1982

Prepared by Raphael L. Podolsky

Research note: The information in this report comes from the housing court's criminal docket sheets for cases filed from Jan. 19, 1982 through Sept. 28, 1982.

Table 1 -- Disposition of cases (N = 58)

<u>Disposition</u>	<u>Number</u>	<u>%</u>
Guilty	6	11.3%
Nolle	46	86.8%
Dismissal	1	1.9%
	<u>53</u>	<u>100.0%</u>
Transfer	3	
Pending	2	
	<u>58</u>	

Table 2 -- Amount of fines (N = 6)

<u>Amount</u>	<u>Number</u>	<u>% of fines</u>	<u>% of dispositions (N = 53)</u>
\$50	1	16.7%	1.9%
\$75	2	33.3%	3.8%
\$100	2	33.3%	3.8%
\$150	1	16.7%	1.9%
	<u>6</u>	<u>100.0%</u>	<u>11.4%</u>

Median: \$87.50

Table 3 -- Number of violations (N = 55)

<u>Counts</u>	<u>Number</u>	<u>%</u>
1	9	16.4%
2-5	9	16.4%
6-10	10	18.2%
11-15	10	18.2%
16-25	9	16.4%
26-35	3	5.5%
36-45	3	5.5%
45-55	2	3.6%
	<u>55</u>	<u>100.2%</u>

First quartile: 4
Median: 10
Third quartile: 18

Table 4 -- Town of prosecution (N = 55)

<u>Town</u>	<u>Number</u>	<u>%</u>
Hartford	48	87.3%
Enfield	3	5.5%
East Hartford	2	3.6%
Windsor	2	3.6%
	<u>55</u>	<u>100.0%</u>

Table 5 -- Number of court dates per case (N = 53)

<u>Court dates per case</u>	<u>No. of cases</u>	<u>%</u>	
1	12	22.6%	
2	17	32.1%	First quartile: 2 court dates
3-4	13	24.5%	Median: 2 court dates
5-6	7	13.2%	Third quartile: 3 court dates
7-8	4	7.5%	
	<u>53</u>	<u>99.9%</u>	

Table 6 -- Length of continuances (N = 108)

<u>No. of days</u>	<u>No. of continuances</u>	<u>%</u>	
7	34	31.5%	
14	38	35.2%	First quartile: 7 days
21	24	22.2%	Median: 14 days
28	5	4.6%	Third quartile: 21 days
29-56	6	5.6%	
57+	1	0.9%	
	<u>108</u>	<u>100.0%</u>	

Table 7 -- Length of disposition time (N = 53)**

<u>No. of days</u>	<u>No. of cases</u>	<u>%</u>	
16	12	22.6%	
23	4	7.5%	
30	9	17.0%	First quartile: 23 days
37	8	15.1%	Median: 37 days
44	3	5.7%	Third quartile: 65 days
45-72	6	11.3%	
73-99	5	9.4%	
100-127	5	9.4%	
128+	1	1.9%	
	<u>53</u>	<u>99.9%</u>	

** Based on assumption that file opened 15 days before first scheduled court appearance.

Table 8 -- Disposition as function of number of court dates (N = 53)

<u>No. of court dates</u>	<u>Guilty</u>	<u>Nolle/dismissal</u>	<u>Conviction rate</u>
1-2	5 83.3%	24 51.1%	17.2%
3-4	1 17.7%	12 25.5%	7.7%
5-6	0 0.0%	7 14.9%	0.0%
7-8	0 0.0%	4 8.5%	0.0%
	<u>6 100.0%</u>	<u>47 100.0%</u>	

Table 9 -- Disposition as function of number of counts (N = 53)

<u>No. of counts</u>	<u>Guilty</u>	<u>Nolle/dismissal</u>	<u>Conviction rate</u>
1-5	3 50.0%	15 31.9%	16.7%
6-15	0 0.0%	19 40.4%	0.0%
16-25	3 50.0%	6 12.8%	20.0%
26+	0 0.0%	7 14.9%	0.0%
	<u>6 100.0%</u>	<u>47 100.0%</u>	

Table 10 -- Disposition as function of length of disposition time (N = 53)

<u>No. of days</u>	<u>Guilty</u>	<u>Nolle/dismissal</u>	<u>Conviction rate</u>
16-23	4 66.7%	12 25.5%	25.0%
24-37	1 16.7%	16 34.0%	5.9%
38-65	1 16.7%	7 14.9%	12.5%
66-93	0 0.0%	6 12.8%	0.0%
94+	0 0.0%	6 12.8%	0.0%
	<u>6 100.1%</u>	<u>47 100.0%</u>	

Table 11 -- Cases with disposition times of more than 65 days (N = 12)

<u>Case No.</u>	<u>Town</u>	<u>No. of counts</u>	<u>Disposition time</u>	<u>No. of court dates</u>	<u>Disposition</u>	<u>Date of disposition</u>
#522	Hartford	52	163 days	8	Nolle	7-13-82
#506	Hartford	13	114 days	6	Nolle	4-27-82
#511	Hartford	14	114 days	7	Nolle	4-27-82
#537	Hartford	20	114 days	5	Nolle	6-22-82
#518	Hartford	31	107 days	5	Nolle	5- 4-82
#532	Hartford	8	107 days	8	Nolle	5-25-82
#555	Hartford	9	93 days	6	Nolle	9-14-82
#531	Hartford	8	86 days	7	Nolle	4-27-82
#550	Hartford	12	86 days	5	Nolle	5-25-82
#540	Hartford	13	79 days	6	Nolle	5-11-82
#557	Hartford	13	79 days	3	Dismissal	9-14-82
#545	Hartford	1	72 days	5	Nolle	5-11-82