



CONNECTICUT ADVISORY COUNCIL ON HOUSING MATTERS



Reply to: 16 Main St., 2nd floor
New Britain, CT 06051
(860) 616-4472

NOTICE OF THE NEXT MEETING

2:00 pm

Wednesday, March 11, 2020

Quinnipiac University Law School

Room to be determined

370 Bassett Rd., North Haven, CT

Please mark the date on your calendar.

2020 Advisory Council meeting schedule

March 11 ** June 10 ** September 9 ** December 9

Please mark these dates on your calendar.

Minutes of the meeting of December 11, 2019

(assignments for the next meeting in boldface type)

Council members present: Michael Clinton, Kathy Flaherty, Venoal Fountain, Jane Kelleher, Houston Putnam Lowry, Stephanie Ma, Samuel Neves, Raphael Podolsky, J.L. Pottenger, Jr., Dave Purvis, Richard Tenenbaum, John Wirzbicki.

Council members absent: Loo Pacacha Dahlke, Richard DeParle, Carl Lupinacci, David Pels, Margaret Suib.

Also present: Jeff Mastrianni, William Pitt (Judicial), Nancy McGann (Judicial) Judith Dicine (Div. Criminal Justice), V. Edward Quinto

The meeting was called to order by the Chairperson, Raphael Podolsky, at 2:10 pm at the Quinnipiac University Law School, Room 121, 370 Bassett Road, North Haven, CT.

1. Preliminary matters
 - a. Approval of agenda – The agenda was approved unanimously on a motion made by Houston Putnam Lowry, seconded by John Wirzbicki.
 - b. Approval of the minutes – The minutes of the June 12, 2019, meeting were approved unanimously on a motion by Houston Putnam Lowry, seconded by J.L. Pottenger, Jr.
2. Public comment – None at this time.
3. Selection of deputy secretary – Dave Purvis volunteered to serve as Deputy Secretary of the Council. He was so designated.
4. Follow-up to meetings with Judge Bozzuto
 - a. The Chairperson provided an overview of the two meetings held with Judge Bozzuto and staff from the Judicial Branch. There was not much overlap in representation of the Council in the two meetings.
 - b. Particular topics
 - i. Website disclaimer – CACHM has made recommendations regarding revision of the language of the disclaimer. Judicial agreed to revisit the Council’s suggestions on both the placement and substance of the disclaimers. At present, there seemed to be agreement that the placement is not sufficiently visible to users but no agreement as to whether the language of the disclaimer should be changed.
 - ii. Access to online data – CACHM expressed its concern about the dangers that arise from public misuse of online eviction data. The Council did not propose a solution but instead requested further discussion with Judicial. Under current practice, summary process withdrawals and dismissals stay on the website for one year. Other summary process cases stay three years. After removal from the website, however, those cases remain available to anyone who goes to the courthouse to ask for them. Judge Bozzuto agreed to further discussion.
 - iii. Forms revision – The Judicial Branch has an in-house process both for reviewing forms periodically and for reviewing proposals at any time. Because they can be downloaded from the website, no printing is involved and it is possible to make more frequent adjustments to the forms. CACHM requested inclusion in that process on a systematic basis. Judicial would not agree to that. However, the Council is free to provide input/suggestions to Judicial Branch through Nancy McGann at any time. The Council can also obtain information about forms subject to periodic review through Ms. McGann and Bill Pitt. The Council’s committee on forms, of which J.L. Pottenger, Jr., is

chair, has already reviewed the most recent set of new housing forms and is in the process of reviewing all forms used in the housing court.

It will submit its recommendations to the Council and then to Judge Bozzuto, through Ms. McGann.

- iv. Judge Assignment process – CACHM continued to request a process that allows it to focus on a narrower group of judges who are realistically likely to be considered for housing court assignment. This issue was left to further discussion.
- v. Bridgeport Courthouse – More input is needed from people who actively practice in the Bridgeport courthouse
- vi. Primary housing person in clerks' offices – CACHM has expressed concerns that no persons in the clerks' offices in New Britain, Waterbury, and non-housing court districts are formally designated as being primarily responsible for housing. The issue remains open.

5. Other Updates

- a. Computer Data and Research Committee – The Committee is seeking a student or intern to help create the computer structure that will allow the creation of data tables to analyze housing court data.
- b. Clerk's Office and mediator staffing – Tabled.
- c. Lawyer for a day pilots and right to counsel in eviction cases ("civil Gideon") - Tabled
- d. Police and Prosecutor manual – The revision of these manuals is on hold for the time being. The Council will be notified if revision becomes active again.
- e. Small claims booklet – The chairperson is looking for a law student intern to help in the updating.

6. Other projects for next twelve months – tabled

7. Other business

- a. Summary process executions when the courthouse is closed: Edward Quinto presented an issue with the summary process execution statute, Connecticut General Statutes Section 47a-42, that allows a State Marshal to serve the execution and complete the physical move-out of the tenant while the courts are not open, thereby denying the tenant an opportunity to contest the execution at court. Mr. Quinto explained he knew of an instance in which the State Marshal served the execution on a tenant after the close of business on a Friday evening. The State Marshal proceeded to complete the physical move-out of the tenant before the courts reopened the following Monday morning. Members discussed the requirements of the statute, the process by which the State Marshals coordinate the move-out with the municipalities, the possibility of the affected tenant filing a complaint with the State Marshal Commission,

and the possible need for a legislative fix to the statute. No action was taken on this topic.

b. Prosecution update

- i. Changes in area coverage – Housing prosecutor assignments have been reorganized as to make court coverage more efficient. Judith Dicine is now handling Hartford, Tolland, and Windham. John Kirwan is covering Waterbury, New Britain, Litchfield, and Derby. Donna Parker is covering New Haven, Middletown, New London, and Milford. Maura Coyne is covering Stamford/Norwalk, Fairfield, and Danbury.
- ii. Property Maintenance Code -- There will be a presentation on the ICC Property Maintenance Code on December 19 at 10 am to the Criminal Justice Policy Advisory Commission. It will be available on demand from CT-N at <http://ct-n.com/ctnplayer.asp?odID=16979>
- iii. Housing criminal case database – Atty. Dicine noted that the housing prosecution database should be operational soon. It is expected that it will result in data being more easily accessible and better documented. It should also bring in information about cases previously handled “off docket” when prosecutors handle the case without bringing a formal criminal charge.

8. Adjournment: A motion to adjourn was made by Jay Pottenger, seconded by Richard Tenenbaum, and adopted unanimously. The meeting was adjourned at 4:20 pm.

Respectfully submitted,

Kathleen Flaherty
Secretary

With assistance from

Dave Purvis
Deputy Secretary

NEXT MEETING: 2:00 pm, Wednesday, March 11, 2020, Quinnipiac University Law School