



CONNECTICUT ADVISORY COUNCIL  
ON HOUSING MATTERS



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**NOTICE OF NEXT QUARTERLY MEETING**

**3:00 p.m.**

**Wednesday, March 13, 2024**

Please mark your calendars. The meeting will be held electronically on Zoom.

**Minutes of the Meeting of December 13, 2023**

Council members present: Denise Chancey, Michael Clinton, Nilda Rodriguez Havrilla, Jane Kelleher, Vanessa Liles, Carl Lupinacci, Stephanie Ma, Raphael Podolsky, David Purvis, Margaret Suib, John Wirzbicki

Council members absent: Richard DeParle, Kathleen Flaherty, Catharine Freeman, Samuel Neves, Venoal Fountain, Jr., Houston Putnam Lowry, Cyd Oppenheimer

Public officials: William Pitt (Chief Housing Clerk), Rebecca Schmitt (Judicial Branch), John Kerwin (Chief Housing Prosecutor), Randi Pincus (Department of Housing)

Members of the public: Jeff Gentes, V. Edward Quinto, H.G. Tollo, Sally Zanger

Call to order: The meeting, on Zoom, was called to order by the Chairperson, Raphael Podolsky, at 3:03 pm.

1. Preliminary matters

- a. Review of Zoom rules for the meeting: The Zoom rules were summarized by the Chairperson.
- b. Approval of the agenda: The agenda was approved without objection (motion by Michael Clinton, second by John Wirzbicki).
- c. Minutes of the September 13, 2023 meeting: The minutes of the September 13, 2023 meeting were approved (motion by Michael Clinton, second by David Purvis; absention by Vanessa Liles and John Wirzbicki).

2. Public comment:

V. Edward Quinto expressed concern regarding the lack of an emergency call-in number or contact person to address eviction issues when the courts are closed. Mr. Quinto provided an example of a residential eviction in which the commercial execution form was improperly used in a residential eviction, resulting in the landlord, and not the municipality, taking physical possession of the tenant's belongings. Mr. Pitt noted that the tenant's remedy is an emergency injunction and that a judge has the power to stop an eviction, even after it has started.

3. Department of Housing and related matters:

- a. DOH Forms: Randi Pincus reviewed the two new housing forms prepared by the Department of Housing under P.A. 23-207 -- the pre-occupancy walk-through checklist and the notice of rights under C.G.S. §47a-23c to seniors and tenants with disabilities in buildings with five or more units. Under P.A. 23-207, a landlord must offer the opportunity for a walk-through to the tenant before the tenant's occupancy of the unit and, if the tenant requests the walk-through, must use the DOH checklist form. The §47a-23c notice form must be given to all tenants in a building covered by the statute at the time of move-in and at the time of each lease renewal. Michael Clinton raised several questions regarding the §47a-23c notice, such as whether one notice per unit is sufficient or whether each occupant must receive a notice and whether the notice at "renewal" is meant to mean "annual" for month-to-month tenants. At the Chairperson's suggestion, further discussion of the §47a-23c notice was referred to the Forms Committee for discussion. Both forms are posted on the Department of Housing website. They can be found at: <https://portal.ct.gov/DOH/DOH/Policy-and-Research/Public-Act-23-207-Forms>
- b. Other P.A. 23-207 requirements, including reducing the time in which landlords must return of security deposits to 21 days instead of 30 days and the limitations on how much landlords can charge for late fees, application fees, and tenant screening reports were discussed. P.A. 23-207 can be found at <https://www.cga.ct.gov/2023/ACT/PA/PDF/2023PA-00207-R00SB-00998-PA.PDF>.
- c. Eviction Prevention Fund guidelines: The Chairperson observed the Fund now has funding available through 2024 and into mid-2025. The Moving Assistance Program, which provides security deposit assistance, is also available to tenants who reside in subsidized housing. The links to the programs are:
  - i. <https://portal.ct.gov/DOH/DOH/Programs/Eviction-Prevention-Fund>
  - ii. <https://portal.ct.gov/DOH/DOH/Programs/UniteCT-Moving-Assistance-Program>

4. Forms Committee report: Forms Committee Chairperson David Purvis reported:

- a. CARES ACT Affidavit: The Judicial Branch recently revised the CARES Act affidavit substantially along the lines recommended by the Council. The revised affidavit, despite having more questions to be answered, is easier to follow than

the previous version, with step-by-step directions. The link to the revised CARES Act Affidavit is here: <https://www.jud.ct.gov/webforms/forms/HM041.pdf>.

- b. Other Forms Committee matters: The Committee is working primarily on three tasks currently. The first is a draft a pro se landlord form under C.G.S §47a-18, which allows for judicial relief if a tenant unreasonably refuses the landlord entry into the unit and a corresponding pro se tenant answer form. The second is a review of the summary process summons form, JD-HM-32, to consider whether the form, which contains a wealth of information, is in sufficiently plain language to be understandable to a pro se party. The third is the ongoing review of the computer-generated form notices used by Judicial in an effort to improve the overall readability and the formatting of the notices.

5. Housing Court updates

a. Housing prosecution:

- i. Eviction execution guidance to police departments: To provide assistance to local police departments regarding evictions, John Kerwin, the Chief Housing Prosecutor, has prepared “A Guide for Law Enforcement Assisting State Marshals During Evictions.” The general consensus of the discussion was that it is good for the police to have a resource to consult while dealing with eviction matters. The Chairperson noted the Guide appears to present execution as the absolute end of the process, which is not always the case, since a tenant may be able to obtain an injunction or a writ of audita querela to stop an impending physical move-out. The Guide was referred to the Forms Committee for review and comment.

- b. Clerks’ offices: The Chairperson presented the revised standing order regarding Housing Code Enforcement cases under C.G.S. §47a-14h (“Payment into Court”). See the link below. Bill Pitt described the overall process of the Payment into Court cases. He noted, the role of the court is to oversee the repairs process in these cases. Here is the link to the revised Standing Order:

- i. C.G.S. §47a-14h standing order:  
[https://jud.ct.gov/external/super/Standorders/housing/Housing\\_Code\\_Enforcement\\_Standing\\_Order\\_Final\\_1123.pdf](https://jud.ct.gov/external/super/Standorders/housing/Housing_Code_Enforcement_Standing_Order_Final_1123.pdf)

- c. Housing mediators: Rebecca Schmitt reported that the two vacancies in Litchfield and Waterbury have been filled.

6. Fair rent commission update: The Chairperson presented additional materials regarding the Fair Rent Commissions. See the links below.

- a. Fair rent commission PowerPoint with list of fair rent commission towns:



PowerPoint  
11-16-23 - FINAL.ppt

- b. Fair rent commission Toolkit: <https://www.pschousing.org/files/FRC-Toolkit.pdf>

Michael Clinton requested the topic of the Fair Rent Commissions be an item on a future agenda.

7. Other matters

- a. 2024 Council meeting schedule: The Chairperson raised the topic of future Council meetings in 2024. It was moved that the Council should continue the quarterly meeting format, with meetings being held in March, June, September and December in 2024, starting at 3:00. The meetings will continue via Zoom until the Council can provide simultaneous in-person and Zoom accessibility (motion by Michael Clinton, second by Margaret Suib). Carl Lupinacci moved to amend the start time to 4:00 instead of 3:00. On a voice vote, the motion to amend was defeated. The principal motion was then approved unanimously.

8. Adjournment: A motion to adjourn was adopted unanimously (motion by Michael Clinton, second by Carl Lupinacci). The meeting was adjourned at 4:48 pm

Respectfully submitted,

David Purvis  
Deputy Secretary

NEXT MEETING March 13, 2024 at 3 PM. Remote unless we find a physical location with hybrid access.