

Transcription of Public Hearing held by the  
Citizens Advisory Council for Housing Matters

Thursday, 6:30 p.m., November 15, 1979

Burrill Mutual Savings Bank Community Room  
Main Street, New Britain

The hearing was opened by Chairperson Patricia Augur, who read into the record the first written comment received from the public, a letter from the Housing Code Enforcement Supervisor in the Town of East Hartford, signed also by a Housing Code Inspector. Please see copy attached.

Introductions were made of Advisory Council members present.

Testimony was taken from the following speakers: Andrew J. Harris, Sr., Director of Human Relations for the City of New Britain; Dennis Hamilton, Health Director for the City of New Britain; Stanley Wilk, property owner and former member of the New Britain Property Owners Association.

Non-speaking guests who signed the register included: Susan Latina, Fair Housing Officer, City of Bristol; Frank Simcic, Alderman, City of New Britain; Atty. David Pels, Connecticut Legal Services; Atty. A. McMahon, Bristol Legal Aid.

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My name is Andrew J. Harris, Sr., Executive Director of New Britain Human Relations Office and also Affirmative Fair Housing Officer. In regard to the Housing Court, I say that the Housing Court has been of great significance to the City of New Britain, that it has brought a lot of new information and new contacts between landlords and tenants. In the past each of them thought that they had different rules to go by, and both were not part of the system of housing for everybody. But I think the most significant part of the Housing Court was that when the tenants and the landlords got into the courtroom and found out what was really the actual truth, that they both learned. Tenants learned more about landlords; landlords learned more about tenants. Those that were hardline, they can only be smartened up by continued court cases. But I think that in all the court has done more to alleviate the housing situation as far as altercations between landlords and tenants and this is a great step in solving our housing problems. And I must admit that the attorneys for both sides come well prepared, and as attorneys go, their way of life is words, and if you ever sit in a housing court there are quite a few things that you can learn about individuals, but most of all you learn about yourself because whatever the case is, I found sitting in the court it always relates to a situation that was either was referred or that I took participation in, so I think that overall the housing court is one of the best things that has been introduced in our city.

Dennis Hamilton, Health Director for the City of New Britain. I also would like to mention a few positive points about the housing court that I have noticed and maybe a few questions for the future. I and the Health Department staff and I think <sup>gan</sup> in the city were quite pleased to see that New Britain would have the benefit of such a special session in Superior Court. I think it was very well planned that at least two times a week the court would meet right here in our own city. We have noted over the years numerous, literally <sup>satisfactory</sup> hundreds, of housing concerns that we were unable to bring, in our opinion, to a <sup>satisfactory</sup> resolution, and we viewed this court as a possible remedy to these types of unresolved housing concerns of both tenants and landlords.

Dennis Hamilton comments, continued

It's our belief that the type of unresolved concerns are beginning to be corrected, are beginning to be addressed; the responsibilities are becoming public, owners and tenants are being asked to be accountable. There is, I believe, much more public knowledge about some very specific concerns in our city. We recently, as recent as last week, had an opportunity to sit down with the Chairperson of the Advisory Council, the Housing Court Prosecutor, and one of our staff, and reviewed the nineteen cases that the Health Department has referred from March of this year through as late as possibly last month or early this month. We find one-third of them (approximately, if my counting is correct) are in the court process actively; one-third are back at the Health Department for re-inspections and one-third are pending before the Housing Board of Appeals. We have some concerns about future actions, even though these cases represent nineteen more or nineteen times as many cases as have been referred to the previous process through Superior Court in the last five to seven years. I do have a concern about the amount of time or mediation from the time it's referred from a city body such as the Health Department of others to the time it reaches the Judge. We feel often that we have given due consideration and extensions of time in our work and we are looking hopefully for a speedy review of the facts and hopefully for the parties involved a speedy resolution or prosecution if appropriate. That's really the reason why we would tend to send cases to court is because our hands seem to be tied or we're unable to reach either a satisfactory compromise or resolve an unhealthy or unsafe condition in our city. So I hope we're not mixing responsibilities. We were a little disappointed also that the original concept of the Housing Specialist as the eyes and ears of the Judge and the court does not seem yet coming to full fruition. To add a couple of positive things: we think there was a good deal of care in the selection process, the people we have met have the interests of people in mind; the humanistic approach is welcome; that's notable from the Judge to the clerical staff. It's a pleasure to call someone and have a response, as you have when you call the housing session, such a response from any member of the staff. That's always a bright light when people day in and day out deal with the public in a range of concerns. The last concern I'm not quite sure how this will be taken or related is that I think we all have to bite the bullet so to speak. Very recently there was quite a -- on Tuesday, I believe, November 13th, 1979 -- the New Britain Herald had a special edition on progress in New Britain. And I'm really concerned that the range of involvement in our housing problems is very great. And I think we would all be remiss if we didn't reconfirm the position that the laws of the state and the ordinances of the city have to apply to everyone equally. I'm often afraid that when directives are sent out from our office, it's only the person who can afford a lawyer, or who is somewhat threatened by an official-looking letter, will readily comply. And yet those of us who may be better off may quickly turn to our attorney for advice which sometimes at least in our staff's mind and in the public mind seems to be a series -- an ongoing series of delays -- before any action is taken. I don't wish the court to become one of those steps in the delays. I don't think it was intended to do that, and I will continue to work very hard to help it not to become that. The article I'm referring to which other people may want to review is on page 48; it's quite an article on people who believe in the future of New Britain; and very prominent property owners. I hope that the plaudits on that page will be very true for all the residents of New Britain, and I hope the Housing Court will help us bring about a better environment for all of us and our families to live in. Thank you.

Question from Advisory Council member Atty. Rudolph Arnold:

Mr. Hamilton, you indicated you were a bit frustrated with some of the delays before the cases got to the Judge. Could you amplify that a little bit ?

Mr. Hamilton:

I may have been under a misconception when first hearing about the Housing Court, and our former process in New Britain was a series of extensions of time to remedy certain housing problems. For example, the procedures set up by my predecessors were that normally an owner or tenant was given ninety days to correct just about any kind of condition, or up to ninety days. It was often the case that they were given the full three months. Upon some indication or even a receipt of a letter requesting an extension, another ninety days was granted. On top of that a possible third extension of ninety days was given. So we're talking three-quarters of a year could go by before final action might be taken or consideration for criminal prosecution. Prior to the Housing Court it was even worse. There really wasn't anywhere to turn to because our experience with the Health Department, <sup>their</sup> experience, was that cases were thrown out because of technicalities, or warrants had to be processed along with other very serious matters, murders and etc., so they weren't given a high priority obviously. With the advent of the Housing Court, it was our hope and desire that this would change. We were in the process of trying to implement new revised sections of the city ordinance pertaining to housing, and we took a critical look at the types of situations that would seem to merit ninety days, and we really couldn't find that many -- perhaps a defective roof in the middle of January might merit an extension until such time as weather permitted more extensive renovations. But other than that type of situation, we couldn't see any condition that we normally ran up against in housing inspections that merited more than 30 days. So we decided to cut our extensions in half. The maximum would be 45 (fourty-five) days for really serious type of situations with maximum extension of half that time, or fifteen days to maybe a month, at the most. But after that, that was it. Maybe one extension and then we would hear the parties out, and if there was, for example, a written contract for the work to be done, some very -- or if it was a matter of finishing up a repair situation and good workmanship had been used and it was just a matter of finishing up -- then we could extend it a few more days. But we really feel that, when we are working on it with a party, that we try to allow as much time as is reasonable before we refer it for court prosecution. So when the court decided that their procedure initially would be to alert the defendant and automatically give them an additional extension of time, we were somewhat dismayed, but we went along with that, with the understanding that both our goals and objectives are a resolution of the problem, not necessarily putting someone in jail obviously. However, we also with that procedure became required to do an additional inspection, to verify whether or not after a certain period of time that the prosecutor allowed, work had been completed. In the meantime, we lost several staff, clerical and inspection staff. We appreciate the humanistic approach of the housing court, and hope that perhaps in working on additional cases with the court they will perceive us as humanistic also in trying to work as best as possible and only as a more of a last result referring cases for prosecution, and that summonses will be issued very quickly, and that the facts can be presented to the Judge, and that, at that point, extensions or compromises or resolutions will be effected. That's our hope and perhaps it's one-sided from the Health Department's point of view, but it would seem to be the most efficient use of personnel, limited personnel we are all dealing with.

Stanley Wilk, Property Owner: The problem arises. . . . My name is Stanley Wilk. I originally was a member of the Property Owner's Association but at present I'm not. However, realizing what is going on with the housing industry, I would say this. There's such a thing we hear a lot about that's subsidy. What I would like in all cases would be if we could get subsidy or finding from state or federal government regardless, in the hands of the property owner or association whoever is in charge, so that they could get sufficient rent increases on any kind of

improvements that are being made, to come from the subsidy allocated to the landlords: so they could always hire somebody, always get something done, it would be on the "T", everything would be properly executed. Everyone, if we realize, is getting some kind of subsidy. Now the question that I often found out, being in the Property Owner's Association, what's going on in this city as well as Hartford, all around, is that people are getting good salaries <sup>always</sup> want to live in a cheaper rent. They are always looking for something cheaper. And I found that true. Well, by having a subsidy and having them allocate a certain amount of rent, for a 4-5-6 room housing, the housing, or whoever is in charge, will dominate the price and set a standard price on that, whether it's rented or not, they'll always get that much money. In other words, if it's vacant, they'll get the difference, and that's the way I see it. Because everyone else is getting subsidy. This way here, the housing, and the landlords and whoever is in charge, will always take care of their properties. That's about the only way I can see it.

Patricia Augur, Advisory Council Chairperson: Are you from New Britain, Mr. Wilks ?

Mr. Wilks: Born and raised right here in New Britain.

Patricia Augur: Good, I know of a couple of programs I'd like to tell you about that you might be interested in. There is a new moderate section 8 program that has just been targeted to New Britain. Right now they are focussing on the Broad Street area around Sacred Heart Church. But it's being advertised city wide and although there are only a hundred units available now and they will take Broad Street applications first, they will then consider other applications, and they want people to apply so that they can justify the need for another 150 units. The Housing Authority is taking applications right now. If you own rental property under 8 units that needs fixing up you have a way of increasing your rents not only to pay for whatever repairs are necessary but to give you a profit as a property owner because they write into the loan whatever is required to finance the improvements and then the rent level is set at a level that is higher than the existing section 8 subsidy. A lot of people don't know about it -- it's very new -- and I'd get up to the Housing Authority right away to apply. The technical end is being administered through the city Neighborhood Preservation Program. Also the program that I direct right here in New Britain, which is in the North-Street-Broad Street area at least now for the first couple of years, has a \$300,000 revolving loan fund so that property owners who are not eligible for conventional financing or for other programs can apply to us. We have a rehabilitation specialist on staff and would be happy to talk to you about that later. Also there is a Neighborhood Preservation Program right here at City Hall which is similar to ours. They have grants for commercial properties as well. If you haven't considered making your apartments available to Section 8 tenants on the regular section 8 program, you might want to consider that, because they will bring with them a rent certificate that will give you a higher rent if your property is up to code. You might also want to work with us -- we tried to get legislation last year that would provide the housing court a revolving fund on the state level so that, if a property is very marginal, and the code enforcement is pushed, but there simply is not the financial ability there to renovate and to keep the property on the market, that the Judge could order repairs to be made out of that state revolving loan fund. That bill did not get out of Judiciary Committee, but we will be looking for all the support we can get this time around, in the upcoming legislative session.

Patricia Augur: Would any other guests like to speak, or ask questions, or even to informally comment ? If not, members of the Advisory Council members would be happy to talk with you after the hearing. The hearing was adjourned.