

CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS



Reply to: 104 Beacon St.
Hartford, CT. 06105
(203) 232-7748

MINUTES OF THE MEETING OF OCTOBER 22, 1990

Call to Order:

The meeting was called to order by Chairperson Raphael Podolsky. The meeting was held in the conference room of the Connecticut Bar Association in Rocky Hill. There were twenty members and six non-members present. (See attendance list)

Agenda and Minutes:

The current agenda and the minutes of the previous meeting were approved.

Election of Secretary:

Mr. Podolsky nominated Pam Kuczo to fill the position of Secretary. No other nominations were made. A vote was taken. Approved.

Housing Court Update:

1. Court Security - The Judicial Department's Planning & Building Department had attempted to enhance the level of security in courthouses by installing glass dividers at Clerk's counters. The Council opposed this action, and the plans have been dropped.
2. Norwalk Court - Diana Crouse reported positive changes in the Housing Court staff's quarters. The long term plan is to move the Housing Court to Stamford. Representatives from the Norwalk and Bridgeport Courts will be in touch with William Sadek.
3. Windham County - Murray Czaczkes reported that there is a problem in Windham County with the lack of judges being assigned to housing cases. He suggested that some system be created to alleviate this problem. He proposed the following motion:

MOTION: "In the Judicial District of Windham, even if a judge is only available on a bi-weekly basis, a Housing Specialist should be scheduled every week to hear housing cases."

Vote taken. Motion approved.

Housing Court Prosecutions:

Raphael Podolsky arranged for clerks in six Housing Courts to send docket sheets for the past year, including the disposition of each case. However, the information did not contain details on the reasons for disposition.

Discussion on the findings of the Preliminary Conclusions Data:

Comments were made about the timing of eviction proceedings and procedural delays, particularly where evictions are justified. There is a need for quicker resolution of landlord-tenant disputes. Members also discussed landlord sanctions, the number of nollied cases and continuances, and the need for more detailed information.

Susan Naidi, speaking on behalf of the Chief State's Attorney's Office, disagreed with the conclusions reached. They believe the report is inaccurate; that we did not use a representative sampling. Ms. Naidi said the numbers were not accurate - for example, 95% of the Eastern District cases are settled before they reach the docket. In addition, the report does not look into the reasons behind the continuances. Ms. Naidi said it is important that the prosecutors not be held to blame for time problems within the system.

Mr. Podolsky said that the report was done in a professional manner. He would like to meet with the prosecutor's office. If they feel the data is inadequate for analysis, perhaps they could clarify what more we need to do.

Pro Se Rent Form:

Karin Nigol reported that Kevin Tierney has drafted a form which was presented to the Committee members.

Comments on the proposed form:

Suzanne Calsanto said they didn't see a need for it in New Haven. Raphael Podolsky said that we should decide whether to support this form on its merits, rather than how often it will be used.

Robert Kor said that even if one person benefits from this form, it is worth doing. David Pels said, in response to those who don't see a need, this simplified form may bring out more cases.

Joseph Wincze raised the point that this type of case might not be taken by Connecticut Legal Services since they would be initiating rather than defending a suit, and for that reason, this form would be beneficial. Karin Nigol proposed the following motion:

MOTION: "The Council supports the use of the Pro Se Rent Form."

Vote taken. Motion approved.

Foreclosures:

Members discussed whether foreclosure cases should be dealt with in Housing Court, rather than in regular Civil Court, since a foreclosure raises the same issues as an eviction.

Murray Czaczkes suggested forming a committee to further investigate this issue. The Council voted to create a committee consisting of Mr. Czaczkes, Karin Nigol, Linda Francois, Joelen Gates, and Barbara Perry. They will report back at the next meeting on the following:

1. What should the judicial role be with regard to mortgage delinquency clients, both for single homeowners and tenants in multi-family dwellings?
2. When a foreclosure affects tenants, should there be mediation in Housing Court by a Housing Specialist?
3. Should the Council recommend changes in Mortgage Foreclosure Laws to treat tenants affected by foreclosures in the same way as those involved in evictions?

1991 Biennial Report:

Discussion of the final draft of the report to the General Assembly due in January. The following motion was proposed:

MOTION: "The Council recommends that where state law requires a Town to aid the homeless, the State should reimburse the Town 100% of costs plus administrative fees."

Discussion of motion:

Robert Ker said this is a good policy and makes sense because: (1) smaller towns may not have the tax base to support such aid programs, (2) it would discourage towns from sending citizens to larger municipalities for assistance, and (3) it would encourage towns to develop more aid programs for its own residents.

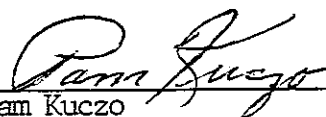
Vote taken. Motion approved.

Chairman Podolsky scheduled a meeting three weeks from today to continue work on the report.

Adjournment:

Motion to adjourn. Seconded.

Signed,


Pam Kuczo
Secretary

ATTENDANCE LIST

Members Present:

Diana Crouse
Morris Czaczkes
Elaine DeNigris
Glen Falk
Linda Francois
Joelen Gates
Mellanee Harris
Sheldon Hosen
Robert Kor
Pam Kuczo
Karin Nigol
Carmen Padilla
Barbara Perry
Raphael Podolsky
Peter Rotella
Walter Simmers
Joseph Stafford
Fred Wallace
Joseph Wincze
Joseph Zibbideo
Sr. Suzanne Gebrian

Others present:

W. Boardman
Suzanne Colasanto
Gerald Gore
Susan Naidi
David Pels