



CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS



Reply to: 426 State St.
New Haven, CT. 06510
(203) 777-4811

MINUTES OF THE CACHM MEETING

CBA, Rocky Hill, Conn., December 8, 1994

Present: Rafie Podolsky, Elaine DiNigris, Robert Kor, Houston Lowry, Edward Sanady, Lois Stevenson, Joseph Zibbideo, Miguel Ayala, Nadine Baldetti, Peter Blasini, Glenn W. Falk, Rachel Heerema, Lorraine Martin, Joe Wincze, Carolyn Comerford, Jane Courville, Chip Haslun, Ivan Hirsch, Tito Molina, Richard Tenenbaum, Odessa Young, Morris Czazckes, Linda Drew, Sister Susanne Gebrian, Robin Hammeal-Urban, John McGrath, Carmen Reyes Neale, Tony Robaina, John Rowland

Guests: Suzanne Colasanto, Vic Feigenbaum, Heriberto Villafane, Judy Rothschild-Rippe

And Introducing: Jordan Rothschild-Rippe

1. Preliminary Matters

The meeting was called to order by Chairperson Rafie Podolsky at 2:15 p.m. The members and guests present introduced themselves. Rafie noted that although the current members' terms expire in June, 1995, members would serve until their successors' appointments by Governor-elect Rowland.

The minutes of the last meeting were approved.

The membership approved the submission of the Biennial Report as the final draft of the CACHM, including the newly-appointed members.

2. Introduction to the Housing Court System and CACHM

a. History

Rafie surveyed the history of the housing courts. A study commission led by Patricia Auger of the Capital Region Conference of Churches examined the Boston, Springfield and New York housing courts, and a pilot housing court system based on its findings began operating in the Hartford-New Britain Judicial District in 1977. Surprisingly, landlord and tenant advocates initially opposed creation of a special court; social service agency personnel supported it. Judge Spada, a "streetwise" judge, set the tone for the new court, although he complained that the furnishings at 83 1/2 Lafayette St. in Hartford were inadequate: litigants could see his feet under the desk, etc. Judge Spada generated over 250 written opinions, the genesis of the now more

than two thousand housing court decisions which are widely distributed and cited.

The New Haven-Waterbury Housing Session was established in 1982; Bridgeport-Norwalk followed in 1983; separate advisory councils were merged in 1983; housing prosecutors were authorized in 1984; and extra housing specialists were hired in 1987, so that elements of the housing court system now cover most of the state, even in Geographical Area courts where no Housing Session exists.

Over the years, the Citizens Advisory Council has focused on the recruitment and evaluation of housing court judges, and is now performing the same function for magistrates assigned to small claims housing matters. The CACHM has also devoted its attention to the clerks' offices, promoting public access and pro se forms; to the housing specialist system, with its indispensable mediation and other services; and to the criminal prosecution of housing-related crimes. Currently, the Department of Housing assists the CACHM with its mailings, since we have no staff of our own.

b. Housing Court Clerks

Suzanne Colasanto, Chief Clerk for Housing Matters statewide, is based in New Haven (789-7937). She mentioned that publications available from the clerk's office include A Landlord's Guide to Summary Process, A Tenant's Guide to Summary Process, and Rights and Responsibilities of Landlords and Tenants in Connecticut. Suzanne explained that the housing courts handle not only eviction cases but small claims, housing code enforcement actions, civil collection cases, fair rent appeals, utility company receiverships, criminal housing matters and other kinds of cases. The Legal Services Housing Index to the Housing Court decisions is available at all housing court locations. A clerk's manual for housing matters has also been developed.

c. Housing Specialists

Cynthia Teixeira, Manager for Dispute Resolution Programs of the Judicial Department, is also based in New Haven (789-7937). She reported on the 94% settlement rate of cases referred to the housing specialists for mediation. Among other things, housing specialists work with social workers from the Department of Social Services to resolve housing disputes. Cynthia mentioned that the Rent Bank, a source of much-needed funds for landlords and tenants, is not in Governor Weicker's proposed budget.

d. Housing Prosecutors

Judy Rothschild-Rippe, returning to the New Haven office from parental leave in January, explained that the housing

prosecutors, who now cover most districts statewide, pursue cases involving the state penal code and municipal codes with criminal penalties (as opposed to municipal ordinances enforced by the municipality or private attorneys). While most cases involve the criminal failure to comply with housing codes, the prosecutors also bring criminal actions involving lockouts, termination of utility services, bad checks, destruction of property and trespass. The emphasis is on remediation--getting violations corrected. The housing prosecutors meet periodically to standardize their approach, and work with local police departments and housing code officials to educate them about the law. Until his recent arrest for stalking, the Eastern Connecticut prosecutor spent only about 10% of his time on housing prosecutions. The other 90% went to motor vehicle prosecutions (and other pursuits).

After these presentations, Glenn Falk asked whether the Rent Bank issue might be taken up by the CACHM. Chip Haslun inquired about our position on legislative matters. Rafie stated that the CACHM sometimes got involved with legislation, although it usually focused on the Judicial Department. Lorraine Martin asked about observing the operation of the Housing Court. Rafie commended this idea and encouraged everyone who had not seen the courts to do so through the local subcommittees.

Ed Sanady suggested that line officers in West Hartford might not know that a lockout was a criminal offense. Judy Rothschild-Rippe said that appropriate trainings could be arranged; this was a common problem. Lois Stevenson also asked about lockouts. Judy responded that the offense under Conn. Gen. Stat. § 53a-214 is a Class C misdemeanor. One civil statute governing lockout claims is Conn. Gen. Stat. § 47a-43 et seq. Vic Feigenbaum of the Hartford Housing Session noted that his office could answer questions about lockouts, and Robin Hammeal-Urban put in a plug for legal aid offices as well.

Linda Drew asked about the number of days in a notice to quit. The answer is now five between the date of delivery and the "quitting date".

Chip Haslun wondered whether the Housing Index could be available on Westlaw. Suzanne Colasanto mentioned that Judges Clarence Jones and Kevin Tierney sought to have the older housing court decisions put in to the PITA computer system used by the judicial branch. It was agreed that a computer committee chaired by Houston Lowry and including Chip Haslun and Peter Blasini would examine these issues.

Tito Molina asked for information about landmark cases and new legal developments. Houston Lowry said the state of the law depends on whom you ask. Rafie invited CACHM members to consult each other about such issues. The guidebook for small claims

magistrates is one source of information; so is the Housing Index annual update.

Peter Blasini asked whether the potential demise of the State Department of Housing would affect the CACHM. Rafie answered that it only mails out our meeting notices and prints our biennial report.

3. Council Organizational Matters

a.-b. Officers and Regional Subcommittee Chairs

The current CACHM officers are Rafie Podolsky, Chair; Linda Francois, Secretary; and Barbara Perry, Treasurer. The regional subcommittees are chaired by Robert Kor (Hartford-New Britain); Glenn Falk (New Haven-Waterbury); Joe Wincze (Bridgeport-Norwalk); and Morris Czaczkes (non-housing court districts, primarily Eastern Connecticut).

The widespread sentiment expressed by Peter Blasini, Ed Sanady, Tito Molina and Rachel Heerema was that the above assignments should remain the same for now, to permit new members to get to know their colleagues. Also, there might soon be a change in appointments to the Council by Governor Rowland.

c. Other Committees

It was agreed, aside from the computer committee mentioned above, that Joe Wincze and possibly Barbara Perry would be the convenor(s) of a Magistrate Review Committee, consisting of Ivan Hirsch, Rafie Podolsky, Ed Sanady and maybe Robert Kor. Various discussions have been held with the Judicial Department over the qualifications for such assignments, including the seeming lack of experience of many appointees with housing matters.

There followed a discussion of the Rent Bank and the imminent loss of \$ 1.5 million in next year's State budget for mediation-related programs. Miguel Ayala and Lois Stevenson noted that private owners and property managers would support the program, which was open to people of moderate income who might recently have been laid off, for example. Nadine Baldetti, John Rowland and Jane Courville explained how the Rent Bank facilitates settlement of eviction cases. The program is cost-efficient, keeps children in the same schools, and reduces legal fees and vacancy problems for landlords. In Hartford, a Rent Bank staffer is assigned to the court. A loan program is being developed to supplement the current grant system.

Given the benefits to both landlords and tenants and the urgency of the situation, the CACHM unanimously approved a motion by Lorraine Stevenson, seconded by Rachel Heerema, that the elimination of funding for the Rent Bank be opposed.

Nadine Baldetti will convene a Rent Bank Committee which will include Robin Hammeal-Urban, Lois Stevenson, Jane Courville, Rachel Heerema, Rafie Podolsky and Glenn Falk. The Committee is authorized, based on the urging of Tino Molina, Morris Czaczkes and other members, to make appropriate contacts immediately with the executive and legislative branches to support the continued existence of the Rent Bank.

d. Next Meeting

The next meeting of the entire CACHM will be held in mid-January, details to be announced.

4. Eastern Connecticut Prosecutor

Morris Czaczkes will investigate this matter. The prosecutor was himself arrested for stalking his ex-girlfriend. Susan Naide is handling the Eastern Connecticut prosecutions on an as-needed basis.

The meeting was then adjourned by the Chairperson, and the regional subcommittees met briefly to discuss local concerns.

Respectfully submitted,

/s/ Glenn Falk
Glenn Falk, Acting Secretary



JOHN M. BAILEY
CHIEF STATE'S ATTORNEY

State of Connecticut
DIVISION OF CRIMINAL JUSTICE

HOUSING MATTERS

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January 23, 1995

Glenn Faulk, Esq.
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Citizens Advisory Council for Housing Matters
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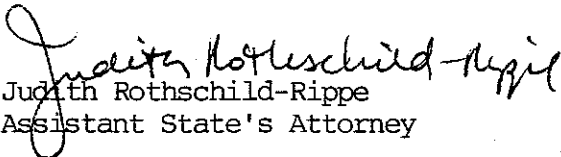
Re: Correction of Minutes of the CACHCM Meeting December 8, 1994

Dear Attorney Faulk:

Please make these corrections to your December 8, 1994 minutes from the Rocky Hill CACHM meeting. Please omit from the second to last sentence of section d. "Until his recent arrest for stalking" as I did not make this statement. I said only "until his recent leave from employment." Please also omit from section d, last sentence, "(and other pursuits)". I did not make this statement either and am aware only of motor vehicle assignments.

Thank you for your attention in this matter.

Very truly yours,


Judith Rothschild-Rippe
Assistant State's Attorney

JRR/lew

c: Domenick Galluzzo, Deputy Chief State's Attorney for Operations
Rafael Podolsky, Chair, Citizens Advisory Council for Housing Matters