



# CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS



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## CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS MINUTES OF JUNE 11, 1997

**Present:** Raphael Podolsky, Richard Tenenbaum, Timothy Sugrave, Jessie Bennett, Joseph Zibbideo, Ivan Hirsch, Houston Putnam Lowry, Robin Hammeal-Urban, Cynthia D. Teixeira, Vic Feigenbaum, Suzanne Colasanto, Elaine DeNigris, Joe Wincze, Frances Dineen, Judy Scanlon, David Pels, Morris Czaczkes, Marie Langan, Heriberto Villafane.

**1. Preliminary Matters.** The meeting was called to order at 2:10 p.m. The agenda and minutes of March 12, 1997 were approved.

### **2. Changes to landlord tenant laws by 1997 General Assembly.**

H. Lowry reported on new housing law changes.

- a. KAPA notice reduced to 15 day notice with concurrent 15 day cure period.
- b. Certificate of occupancy laws -- rent is now recoverable even if a landlord is in violation of CAO laws, however, the municipality may impose penalties.
- c. Notice to Quit time period reduced from 5 days to 3 days.
- d. In commercial execution cases possessions are inventories by the sheriff and forfeited after 15 days. Questions are unresolved on security interests and constitutionality.
- e. Rokolor, Inc. v. Connecticut Eating Enterprises, Inc., 18 Conn. App. 384 (1989) clarified to apply to residential leases. If a residential tenant is evicted based on a long term lease, a landlord may still collect damages for breach of the lease measured by lost rent (but the landlord must mitigate damages).
- f. P.A. 199 - Community Court - Some misdemeanor housing cases and ordinance violations in Hartford may now be referred to it.  
A subcommittee of the following persons: R. Hammeal-Urban, Ch., J. Zibbideo, J. Bennett, R. Podolsky (ex officio) appointed to become involved in setting up the Community Court pilot program.
- g. CACHM's own bill re: fees for code enforcement cases were deleted in committee.

### **3. Housing Court Operations Reports**

a. Clerks: S. Colasanto reported that it will be increasingly difficult to fill vacancies. Answering machines are not yet in place in the housing courts but she is working on it. There is no longer talk of increasing court hours.

V. Feigenbaum reported that the Hartford Summary Process program has been on line since March and is an unqualified success in saving man hours and promoting accuracy. A graphical user interface (GUI) will be implemented to allow it to interface with Windows based systems and make it easier to learn and transfer to other housing sessions.

J. Scanlon reported that the broken elevator in the Bridgeport G.A. makes working difficult. A motion was made and carried to request the judicial branch to get the elevator repaired, including complying with the A.D.A. Subcommittee appointed to implement this: I. Hirsch, Ch., R. Tenenbaum, J. Wincze.

I. Hirsch reported there are now microphones and a sheriff in Bridgeport Courtroom 3C.

b. Housing Specialists: C. Teixeira reported that Marie Langan is retiring. It may take some time to fill the position but it should not be subject to freeze.

c. Housing Prosecutors: J. Bennett reported on difficulties in proving intent in the new criminal damage law. R. Podolsky reported that the law was meant to be an "anti-trashing statute" with high penalties (Class D felony) not a substitute for civil remedies.

#### 4. Magistrates

a. In light of changes in the law, the magistrate's bench book needs revising. R. Podolsky, S. Colosanto and L. François appointed to draft revisions.

b. Magistrate evaluation. J. Wincze and R. Podolsky appointed to meet with Judicial Dept., review current information and decide what should be done next.

#### 5. New Business

Judicial reassignment time approaching. Subcommittees to 1) determine if sitting judges wish to remain; 2) if so, whether we want them to stay; and 3) if not, aggressively search for another judge.

**Hartford:** E. DeNigris, H. Lowry, R. Podolsky

**Bpt./Norwalk:** R. Tenenbaum, I. Hirsch, S. Wincze

**New Haven:** L. François, S. Hosen, P. Blasini, F. Dineen

**Next meeting:** September 17, 1997

**Meeting adjourned at 4:00 p.m.**

/s/ Linda Francois

Linda Francois, Secretary