



CITIZENS ADVISORY
COUNCIL FOR HOUSING MATTERS



Reply to: 901 Wethersfield Ave.
Hartford, CT 06114
860-296-4242 x3

NEXT MEETING

2:00 p.m.
Wednesday, December 12, 2001

Connecticut Bar Association
30 Bank St., New Britain
(860-223-4400 for directions)

Meeting Minutes of September 12, 2001

In attendance: J. Andre Fournier, N. George Papallo, Ivan Hirsch, Judith Rothschild, Ken Andrews, JoAnne Bisette, Richard DeParle, Jeff Hammer, Ivan Hirsch, David Pels, Joe Wincze, Raphael Podolsky, Sandra Desrosiers, Suzanne Colasanto, W. Herbert Reckmeyer, Richard Tenenbaum, Frank Dineen, Cynthia Teixeira, Mary W. Campbell.

1. Preliminary Matters:

- a. The meeting was called to order at 2:09 p.m.
- b. The meeting agenda was approved
- c. The minutes of the June 2001 meeting were approved.

2. Housing Court Operations Report

a. *Housing Prosecutor (Judy Rothschild)*

- i. **Prosecution Manual** - Rafie has received a copy of the draft manual. He suggested a committee form to review and comment on it. Chief State's Attorney John Bailey has instructed J. Rothschild to put together a manual to provide continuity in training and procedures of housing prosecution. One purpose of the manual is to give guidance for prosecutors in GA courts when no housing prosecutors are available. Distribution will be by State's Attorney. Rothschild will be providing training to GA prosecutors. Drafts are subject to review and comment. Mr. Bailey will approve or reject. Training will occur subsequent to release of manual. Hoping for fall. David Pels, Richard DeParle, and Rafie Podolsky will be the review committee and will submit comments to J. Rothschild.

- ii. **Police Academy training curriculum** - J. Rothschild provides training for police departments on request. Many requests coming in. Currently working on training primarily on criminal lockouts. Housing training is not currently a part of standard Police Academy curriculum. Once manual is finalized, it is planned that housing will become a part of the Police Academy curriculum. The Council is on record of support of this matter. No other new developments. Trainings include lockouts, no heat and no utilities, and damage to landlord's property. Police departments need all levels of training. She noted that unlawful entry by the landlord constitutes a criminal trespass - a landlord can enter without consent only in an emergency, with a court order, or if the apartment has been abandoned. There was a question as to when an injunction is necessary. The prosecutor does not handle bad check cases, which are to be treated as civil matters. Concern was expressed that Bridgeport police are unresponsive regarding tenants. J. Rothschild has not received requests for training by Bridgeport. Judge Cocco has advised tenants that if they "trash" an apartment upon vacating there will be severe criminal ramifications. To pursue illegal lockout and illegal entry prosecutions in Bridgeport, contact Judy Hayes. Hopefully manuals and training programs will be up and going within a year.
 - iii. **Other developments** - J. Rothschild also working on administrative search warrants. Should be obtained for any code inspector who cannot get consent for the inspection. Towns with pre-occupancy or periodic inspections, such as Meriden, should incorporate a search consent into the application. Code enforcement officials need to be retrained to know what to do. State's Attorney's office thinks administrative warrant is constitutionally required unless consent is obtained. Standard for obtaining such a warrant, however, is very low. Landlord consent not usually needed, since tenant can provide consent both for own apartment and for common area, so landlord consent is usually needed only for vacant apartments.
- b. **Housing Clerks: (Suzanne Colasanto)**
- i. **Bridgeport court**- Ivan Hirsch reports Bridgeport relocated in August. Clerks office is spacious. Noise in courtroom is greatly reduced, and the accommodations in whole are larger and more comfortable. Almost everyone, including Judge Cocco, is pleased. The only problem is that no space was provided for the housing prosecutor, who therefore has to transport her files from old location to new every day. Ivan had a meeting with Mr. Benedict and J. Rothschild. Judge William Rush has offered a room, but it is too small to accommodate housing prosecutor and her secretary. Ivan will continue to look into the matter.
 - ii. **Staffing issues** - S. Colasanto reported that a Data Terminal Operator position in Norwalk is still open. No one outside of Judicial may apply. Nancy Kiersted was working on a few options. Advisory Council will write a letter to Joe D'Alesio.

- iii. **Interpretation services phone-line-** Mr. Willie Alverdas confirmed the availability of the language line for non-Spanish translation (Spanish translation is supposed to go through his office). The clerks and housing specialists do not have a strong familiarity with its availability. They need more information and training to properly use it.
- iv. **Computerization** - J. Hammer is in charge of the Housing Court computerization program. No money is yet available, but the request is in. Jeff has supplied Judicial with all information. Software license is acquired already. New Haven is the next priority.
- v. **Pamphlet update - status of Spanish-language pamphlets** S. Colasanto reports that Spanish translations of Rights and Responsibilities, Tenant Guide and Landlord Guide are complete and will be printed soon. In the interim, she will xerox copies of the preprinted version. Small Claims Process was just recently reprinted and is available. The English versions of Rights and Responsibilities and Tenant Guide are current and available but there are no copies available of newest Landlord Guide.
- vi. **Processing of cases** - Hartford held a blitz at the end of August, and has cleared its docket. The Hartford clerk's office now tells lawyers and pro se to come to court prepared for trial, in an effort to change the mind set that they can get a continuance. They are down to about two weeks if a case does not settle. The Council's position is that cases which do not settle should be tried the same day or, in not possible, then within one week. H. Reckmeyer objected to litigants being told how long the delay will be.
- vii. **Changes to calendar for Hartford and New Britain** - Effective October 1, 2001 Hartford cases will be heard on on Monday, Tuesday, Wednesday and every other Friday. New Britain cases will be conducted Thursdays and every other Friday. Small claims case are heard on Wednesdays in Hartford. Council members expressed some concerns about the schedule changes. The new schedule creates a four-day gap in Hartford (Wednesday to Monday), generates scheduling problems for attorneys who handle multiple courts, and creates some scheduling conflicts for housing prosecution. The Council may want to consider recommending a return to the old schedule next fall.
- viii. **Norwalk parking issues** - It appears that the Norwalk parking problem has been resolved.
- ix. **Notice to quit form** - Ivan Hirsch recommends that the notice to quit form be revised to delete the phrase "your lease is terminated." Ivan will write to S. Colasanto, who will forward the letter to the people at Judicial who develop the forms.

c. Housing Specialists - (C. Teixeira)

Around the state the housing specialists' predominant issue remains that of the need for personal computers for housing specialists.

3. Judicial assignments for 2001-2002

In New Haven, Bridgeport and Hartford, all housing court judges have been appointed for another year.

4. Adjournment - Meeting adjourned at 4:00p.m. The next meeting is scheduled for December 12, 2001, at 2:00 p.m.

Respectfully submitted by:

Sandra Desrosiers