



CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS



Reply to:

80 Jefferson St.
Hartford, CT 06106
860-278-5688 x13

NOTICE OF MEETING

2:00 p.m.

Wednesday, June 15, 2005

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

Minutes of March 16, 2005 Citizens Advisory Council meeting

Attendees: David Pels, Rocco Guarnieri, Jeff Hammer, Suzanne Colasanto, Geroge Papallo, Richard Tenenbaum, Rich DeParle, Cynthia Teixeira, Judy Dicine, Raphael Podolsky, Penny Trick, Robyn Johnson, Sharon Levy

(1) Call to order: The meeting was called to order at 2:15 p.m.

(2) Approval of minutes: Approval of the minutes of the December 15, 2004, meeting was tabled until the next meeting.

(3) Clerks' office issues:

(a) Incomplete reporting of housing court decisions by on-line case-reporting services: The matter was tabled due to the absence of Houston Putnam Lowry.

(b) Spanish language booklet for landlords: Suzanne Colasanto reported that the booklet is drafted and is now in final review. It should be available soon.

(c) Clerks' office staffing: Hartford is down two clerical positions (half of the clerical staff), presenting serious problems. It has resulted in slowdowns in telephone response time, lunchtime coverage, case scheduling time, sickness and vacation coverage, etc. The Judicial Branch has authorized filling the positions by promotion or transfer only, but the housing court has received no suitable applications. The Council unanimously approved a motion directing the chair to write the Judicial Branch asking that the positions be filled and that outside applications be solicited.

(d) Small claims centralization: Jeff Hammer reported on Judicial Branch plans for a statewide centralization of small claims as part of the conversion of small claims to a paperless system. The physical location of the statewide system will probably be at 80 Washington St. in Hartford. The staff will be specialized and will deal only with small claims cases. Housing small claims, which at present are not part of the regionalized small claims

system, will become part of the new system. According to Jeff, the initial filing of housing cases will still be at the housing court, but all subsequent events will be through the central system, and the cases will not be separated from other small claims cases. The system will have a toll-free call-in number, and it may have extended hours. Contested cases will be heard by magistrates at regional locations (not in the housing courts). Jeff says that the housing courts could still provide counter advice and computer access to the cases but that the cases would not be at the housing court or part of housing court files. The staff is in favor of the new system, and Jeff is on the Judicial Branch panel that is planning it. The Judicial Branch hopes to implement the system by January, 2006, so the next few months are critical in terms of planning.

Individual Council members expressed a number of concerns about moving housing small claims cases out of the housing courts. These included the desirability of having all housing cases heard and processed in the same location; the interrelation of small claims and eviction cases; the ability of pro se litigants to get adequate counter assistance, including the loss of face-to-face contact for pro se litigants that might occur (most litigant contact with the clerk's office would be by telephone); and the transportation difficulties in getting to a regional court (particularly in lower Fairfield County). Penny Trick was appointed convener of a committee to review the proposal and to offer comments.

(4) Prosecution issues:

(a) Property owner address: Judy Dicine reported on H.B. 6539, a bill which allows towns to require rental property owners to provide the town with their current residential address. An actual address (rather than a post office box address) is necessary for code officials and prosecutors to make proper service of notice so as to have orders that they can prosecute if there is no compliance. She asked for Council endorsement of the bill. After discussion, the Council endorsed the bill by a vote of 5-1.

(b) Prosecution and police training manuals: Judy will distribute a revised draft of the prosecutor manual to the Council's Prosecution Committee as soon as possible. She would like to have a final draft which she can use for a training in June. In regard to the police training manual, she is waiting for the Committee to propose draft language on a question-and-answer sheet for police officers.

(c) Police records in nuisance evictions: Requests for release of police records in nuisance evictions will be handled case-by-case by the housing prosecutors. Such records will be released unless the release would adversely affect a pending prosecution.

(d) Hartford prosecution: Robyn Johnson was introduced as the new Hartford-New Britain housing prosecutor.

(e) Other prosecution staff: Jennifer Barry, the eastern Connecticut prosecutor, is presently working part-time on housing. Judy is attempting to have housing made her sole assignment. Judy is also asking for the hiring of an investigator to work with the prosecutors.

(f) Lockouts: Judy suggested the possibility of statutorily spelling out the meaning of the phrase "otherwise defined by law" in the definition of "tenant" in the Landlord-Tenant Act. For the time being, however, the Council will address the issue

through its draft question-and-answer sheet for police officers (see Paragraph (b) above).

(5) Housing specialist issues:

(a) Printers: It appears that the Judicial Branch is considering providing additional printers for the housing specialists.

(b) Norwich: A second docket per week has been added in Norwich.

(6) Military affidavits: Rocco Guarnieri questioned the procedure requiring military affidavits for John Doe defendants. There was a lengthy discussion, but no conclusions were reached.

(7) Adjournment: The meeting was adjourned at 4:10 pm.

Respectfully submitted,

Raphael Podolsky, Chairperson