



CONNECTICUT ADVISORY COUNCIL ON HOUSING MATTERS



Reply to: 16 Main St., 2nd floor
New Britain, CT 06051
(860) 616-4472

NOTICE OF THE NEXT MEETING

2:00 pm

Wednesday March 14, 2018

Location to be determined.

Minutes of the meeting of December 13, 2017

Council members present: Mary Conklin, Loo Dahlke, Kathy Flaherty, Jane Kinney-Knotek, Stephanie Ma, David Pels, Raphael Podolsky, Richard Tenenbaum, Juan Verdu

Council members absent: Richard DeParle, Venoal Fountain, Friedrich M. Helisch, Houston Putnam Lowry, Carl Lupinacci, J. L. Pottenger, Jr., John Rowland, Margaret Suib, Lynn Taborsak,

Also present: Roberta Palmer (Judicial) Judith Dicine (Div. Crim. Justice), William Pitt (Judicial)

The meeting was called to order by the Chairperson, Raphael Podolsky, at 2:10 pm at the Connecticut Bar Association, 30 Bank Street, New Britain

1. Preliminary matters
 - a. Approval of agenda – The agenda was approved unanimously on a motion made by David Pels, seconded by Loo Dahlke.
 - b. Approval of the minutes – The minutes of the September 13, 2017 meeting were approved unanimously on a motion by Mary Conklin, seconded by David Pels.
2. Public comment –None (no members of the general public present).
3. Judicial branch budget and administrative updates - Report from Roberta Palmer & William Pitt: Hartford Housing Court has one additional person who was reassigned from Centralized Small Claims. It is unlikely that the housing courts will receive any more new staff. There is a new judge in Hartford as of Monday – Judge Rupal Shah. Changes in the Hartford court: Plaintiffs' attorneys are no longer using the clerks' waiting area for negotiations. They are now in the hallway, for which additional furniture has been provided. This gives litigants room in the waiting room to fill out

papers. There is no longer any special scheduling for attorneys with large caseloads. Any preferential treatment of certain attorneys that may have previously occurred is no longer happening.

- a. Question re: appearances and markings – If an appearance is withdrawn, the attorney's name no longer shows up on the docket sheet of the case. Is there any way to show the history of appearances? Also the history of OFF markings. (Example: An attorney represents the tenant in a summary process proceeding; post-judgment the tenant files "in lieu of" appearance and then seeks help from legal services. The docket sheet doesn't show that legal services previously represented the tenant.) Roberta Palmer will follow up with PJ Deak.
- b. Question re: timing of continuances – It can take up to a week for a paper notice, which is needed for self-represented parties, to get to the parties (it is mailed out from Enfield). As a result, continuances are usually for two weeks. For action to be quicker, information needs to be manually entered into the system and notices manually printed, which takes more staff time.
- c. Same-day trials: All courts except Hartford are holding same-day trials of cases that do not settle on the scheduled trial date. The Hartford backlog is being cleared. Hartford now has a Friday docket because the Hartford judge is not covering New Britain. Hartford dockets are on Monday/Tuesday/Friday. There have been problems with getting Hartford housing code inspectors to show up in court in Hartford, even when a subpoena has been issued.
- d. Staffing: Judicial is in a staffing holding pattern. There have been a lot of retirements. They are examining which housing courts need more mediator coverage. Foreclosure mediators are gradually being transferred from funding through the Department of Banking to funding through Judicial, which allows them to handle housing mediations as well as foreclosure mediations. Three foreclosure mediators are now doing some housing mediation; two more are being trained; and it is hoped to eventually cross-train all foreclosure mediators.
- e. Court Operations: Tais Ericson is the new Executive Director of Court Operations as of 12/22/17. She replaces Joseph D'Alesio, who has retired.
- f. New Haven-Waterbury housing court assignment (#5 on the Agenda): Judge Avallone is now a JTR. Until the end of January, he will continue as New Haven/Waterbury housing court judge. He will cover New Haven on Tuesdays and Thursdays, plus one Friday per month. He will cover Waterbury on Wednesdays, plus one Friday per month. What happens after that? Judge Avallone will be on vacation until March. It is possible that Judge Avallone will remain as New Haven/Waterbury housing court judge. It is also possible that a new judge will be assigned. The Chief Justice is retiring 2/5/18. There is a new statewide Administrative Judge for Civil – Judge Abrams, who is a former New Haven/Waterbury housing court judge and is therefore familiar with the housing court system. He is also the New Haven Presiding Judge for Civil. It is also expected that the Governor will appoint additional judges early in the year.

4. Committee reports
 - a. Electronics, Computerization and Website – Tabled (Houston Putnam Lowry absent).
 - b. Public Access to Data – The chairperson made a partial report on behalf of Lynn Taborsak. The Committee has now submitted two recommendations to Judicial concerning of a website disclaimer on the use of Judicial Branch online data. One would modify the text to warn explicitly against the use for the purpose of tenant screening. The other would relocate the existing disclaimer to an easier-to-find location on the website. The chairperson was asked to contact Martin in Judicial Branch Legal Services about these issues.
 - c. Small Claims Committee – The chairperson will distribute a proposed “Stage One” revision of the Small Claims manual for magistrates as soon as it has been reviewed by the other members of the subcommittee – Houston Putnam Lowry, Venoa Fountain, and David Pels. State One updates the manual primarily for legislative changes since 2007. Stage 2 will be a full update. Stage 1 is expected to be on the agenda for the next CACHM meeting.
 - i. Small claims manual – The chairperson will distribute a proposed “Stage One” revision of the Small Claims manual for magistrates as soon as it has been reviewed by the other members of the subcommittee – Houston Putnam Lowry, Venoa Fountain, and David Pels. State One updates the manual primarily for legislative changes since 2007. Stage 2 will be a full update. Stage 1 is expected to be on the agenda for the next CACHM meeting.
 - ii. Update on transfer to housing courts – All housing small claims hearings are now being held in either the housing courts or the J.D. courthouse, except for Danielson and Derby, where the cases are being heard in the GA.
 - iii. Ability to search by property address – Kathy Flaherty will follow up with Roberta Palmer about this. The new small claims court form allows the plaintiff to check if the case is a landlord/tenant matter and, if so, for the town in which the property is located; but it does not ask for the full address. Council members explained why it would be useful to ask for full property address and have a search field for this.
 - d. Prosecution and anti-bligh committee –
 - i. Judith Dicine reported that, based on comments from the public at the last Advisory Council meeting, she will be considering revisions to the Police Training Manual regarding the towing of tenant motor vehicles and lockouts from rented garages.
 - ii. The State Marshal Commission has a manual regarding marshal practices post-judgment. The committee will review the portions of that manual related to execution on summary process judgments.
5. New Haven/Waterbury Housing court (see 3 f, above).

6. CACHM membership – The terms of all Advisory Council members end in June 2018. The chairperson will send out an email to see who is interested in being re-appointed to the Council.
7. Meeting schedule and location for 2018. Meetings will be held on 3/14, 6/13, 9/12, and 12/12. Location: To be determined. The preferred locations are Quinnipiac Law School, if available, or else the Department of Transportation on the Berlin Turnpike. Other suggestions should be submitted to the chairperson. The location should have sufficient space for 25 persons, plus parking (preferably free.)
8. Other business – Judith Dicine reported on other prosecution matters. Steve Lesko, one of the housing prosecutors, has transferred, leaving three full-time prosecutors to cover the entire state. He is, however, still covering JD Middlesex. Donna Parker is covering Fairfield, Stamford, Hartford-New Britain, and New London. The Criminal Justice Division remains short-staffed. They have 61 openings but expect to be able to fill only ten. If they are able to hire another housing prosecutor, it is believed that some current prosecutors may be interested in the position. Atty. Dicine also reported on the progress of the State Health Improvement Program (SHIP). The Connecticut Green Bank offers funding toward the improvement of existing housing, combining energy conservation dollars with Healthy Housing dollars to improve low/middle-income housing. It is a “pay for success” model that can yield profit. DPH, DEEP, DSS, DCF, DOH, OEC are all involved. Green Healthy Homes Initiative is a national organization, and its model is already being used in other states. There will be two pilots this summer, which will be expanded statewide if they are successful. A report from Atty. Dicine will be placed on the agenda for the Council’s March meeting.
9. Adjournment: Motion to adjourn made by Juan Verdu, seconded by Jane Kinney-Knotek, and adopted unanimously.

The meeting adjourned at 3:31 pm.

Respectfully submitted,

Kathleen Flaherty
Secretary

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