



CONNECTICUT ADVISORY COUNCIL ON HOUSING MATTERS



Reply to: 16 Main St., 2nd floor
New Britain, CT 06051
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Notice of the next Advisory Council meeting

2:00 pm

Wednesday, June 14, 2017

Connecticut Bar Association, 30 Bank St., New Britain

Minutes of the meeting of March 8, 2017

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

Council members absent: Richard DeParle, Houston Putnam Lowry, Carl Lupinacci, J. L. Pottenger, Jr., John Rowland, Margaret Suib

Also present: Judith Dicine

The meeting was called to order by the Chairperson, Raphael Podolsky, at 2:41 pm at the Quinnipiac University Law School, Library Commons.

1. Preliminary matters
 - a. Approval of agenda – The agenda was approved unanimously (motion by Loo Dahlke, second by Juan Verdu).
 - b. Approval of the minutes – The minutes of the December 14, 2016 meeting were approved unanimously (motion by David Pels, second by Venoa Fountain)
2. Public comment – none
3. Follow up to 2017 Biennial report
 - a. Small Claims Committee (Kathy Flaherty, chair) – Chairperson Podolsky reported on the Judicial Branch's plan to move small claims cases back to the housing courts. It is not clear whether this move will include additional staffing or how staffing will be organized. Kathy Flaherty will request a follow-up meeting with Roberta Palmer and include committee members. The Council is on record as supporting the return of housing small claims to the housing courts, as long as the housing court clerk's offices are adequately

staffed to handle them. The Council needs more information about what staffing is planned, the impact of e-filing, whether this change involves all small claims or only housing small claims, what happens if someone files a case at Centralized Small Claims, monitoring, and follow-up. The Council continues to support the return of small claims to the housing courts, but it wants to be sure that the process is sufficiently staffed to be able to work.

- b. Public Access Committee (Lynn Taborsak, chair) – The Committee presented proposed language to be placed on the Judicial Branch website to discourage users from making inappropriate use of website information. After discussion, the Council voted unanimously to recommend use of the language below, subject to circulation of this language to members of the Council by email after the meeting to confirm acceptability or receive further comment (motion by Lynn Taborsak, second by Jane Kinney-Knotek). It will then be forwarded to the Judicial Branch as the Council’s recommendation. The language is:

Warning: This database is not intended for the purpose of tenant screening. It does not contain the personal identifying information about the parties necessary for adequate identification. As many different people have the same or similar names, misidentification could occur. Other sources should be used for screening prospective tenants.

The State of Connecticut makes no representations or warranties about the accuracy or completeness of this data. Liability may result from the misuse or misinterpretation of these records. Any use of this information is at your own risk.

- c. Electronics/Computer/ Website Committee (Houston Putnam Lowry, chair) – It is believed that, as of May 1, 2017, the courts will no longer mail notices to appearing attorneys. Questions were raised as to (i) when or whether non-appearing defendants get notices of pleadings and hearings and (ii) how self-represented parties will get hearing notices or find out about case status updates.
- d. Prosecution/Anti-Blight Committee (Jane Kinney-Knotek) – The Committee met in December and will have another meeting. Judith Dicine reported that there have been no new cuts in staff. She has provided training to the Connecticut Conference of Municipalities and to the Municipal Attorneys’ Association regarding code enforcement and the right of entry. The towns

and the state continue to struggle with insufficient staffing to conduct housing inspections.

- e. Movement of summary process cases – The slowdowns in the movement of summary process cases seem to have been significantly reduced.
- f. Other recent changes
 - i. Chief Housing Court Clerk: Bill Pitt (formerly the deputy housing clerk in Hartford) has been hired as the housing clerk for the New Haven Housing Court and the Chief Clerk for Housing. He replaces Suzanne Colasanto, who has retired. It is not clear to the Council why the Chief Clerk position was tied to the New Haven clerk position, rather than allowing any housing court clerk to apply for the position without having to switch courts. It is also unclear whether Mr. Pitt's position in Hartford will be refilled.
 - ii. Summary process G.A. filings: Because of e-filing, summary process cases formerly filed in G.A. locations (e.g., Derby, Bantam, and Danielson) are all being filed at J.D. locations, but the actual hearings and trials continue to be held at the G.A. courthouses. This has sometimes confused self-represented litigants as to which courthouse to go to.

4. Pending state legislation on Housing

a. Report: The chairperson reported on pending legislation. A summary is attached as Appendix A.

b. H.B. 7198: H.B. 7198, which is sponsored by the Judicial Branch, would move West Haven, Orange, and Milford housing cases out of the New Haven Housing Court and into the Ansonia-Milford J.D. court, for which housing cases are being heard in Derby. On motion by Venoal Fountain, seconded by Mary Conklin, the Council unanimously approved the following: "The Council recommends that housing cases from West Haven, Orange, and Milford continue to be heard in the New Haven Housing Court."

c. Statewide housing code: Judith Dicine reported that the Public Safety Committee has held a public hearing on H.B. 5177, which proposes adoption of the ICC Property Maintenance Code as a statewide housing code. The bill is presently still pending in that committee.

5. Other business

a. Bridgeport housing court clerk: It was reported that the housing court clerk in Bridgeport has left and that the Judicial Branch is currently interviewing for a replacement. The Council will follow up with Roberta Palmer regarding the opportunity for involvement in the hiring process. [Post-meeting note: It

appears from subsequent information that the hiring was for the Temporary Assistant Clerk (TAC) position, not for the Bridgeport housing court clerk.]

- b. Hoarding conference: There will be a conference on hoarding at Central Connecticut State University on May 25. A flyer will be out soon.
6. Next meeting – June 14, 2017 at 2 pm at the Connecticut Bar Association, 30 Bank St., New Britain. The previous plan to meet at Quinnipiac Law School was cancelled by Quinnipiac because an all-campus event has made the room unavailable for outside use on that day.
7. Adjournment – At 4:32 pm, the Council voted unanimously to adjourn (motion by Juan Verdu, second by Loo Dahlke).

Respectfully submitted,

Kathleen Flaherty
Secretary

APPENDIX A

Housing Legislation 2017

(partial list)

H.B. 6874	Fair housing notice	Requires that fair housing disclosure be given at time of contracting rather than time of closing	Approved by Housing Committee
S.B. 608	Bill of rights for public housing tenants	Requires housing authorities to post list of tenant rights	Approved by Housing Committee
H.B. 6881	Essential services	Changes "two business days" to "forty-eight hours" in C.G.S. 47a-13	Approved by Housing Committee
H.B. 5448	Possessions of evicted tenants	Ends municipal responsibility for holding tenant possessions after an eviction	Pending in Planning & Development Committee
S.B. 923	Possessions of deceased tenants	Modifies the "safe harbor" procedure for landlords if the only occupant of an apartment dies	Pending in Planning & Development Committee
H.B. 7198	West Haven eviction cases	Removes West Haven, Milford, and Orange from the New Haven Housing Court and places them in the Ansonia-Milford non-housing court district	Pending the Judiciary Committee
H.B. 6603	Study of state elderly/disabled public housing	Studies the impact of elderly and younger disabled persons living in the same public housing developments	Approved by Housing Committee
H.B. 7153	Lead abatement loans	Creates reduced rate loan program in Department of Housing for lead abatement work	Approved by Banking Committee
H.B. 5177	Statewide housing code	Requires that the ICC Property Maintenance Code be incorporated into the State Building Code	Pending in Public Safety & Security Committee