



General Assembly

January Session, 2001

**Committee Bill No. 5400**

LCO No. 3817

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING DEATH OF A TENANT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 47a-11b of the general statutes is repealed and the following  
2 is substituted in lieu thereof:

3 (a) For the purposes of this section, "abandonment" means the  
4 occupants have vacated the premises without notice to the landlord  
5 and do not intend to return, which intention may be evidenced by the  
6 removal by the occupants or their agent of substantially all of their  
7 possessions and personal effects from the premises and either (1)  
8 nonpayment of rent for more than two months, or (2) an express  
9 statement by the occupants that they do not intend to occupy the  
10 premises after a specified date, or the occupants have died as  
11 evidenced by a certified copy of a death certificate.

12 (b) If all the occupants abandon the dwelling unit or the occupants  
13 have died, the landlord may send notice to each occupant or next of  
14 kin at [his] the last-known address both by regular mail, postage  
15 prepaid, and by certified mail, return receipt requested, stating that (1)  
16 [he] the landlord has reason to believe that the occupant has

17 abandoned the dwelling unit or has died, (2) [he] the landlord intends  
18 to reenter and take possession of the dwelling unit unless the occupant  
19 or next of kin contacts [him] the landlord within ten days of receipt of  
20 the notice, (3) if the occupant or next of kin does not contact [him,he]  
21 the landlord, the landlord intends to remove any possessions and  
22 personal effects remaining in the premises and to rerent the premises,  
23 and (4) if the occupant or next of kin does not reclaim such possessions  
24 and personal effects within thirty days after the notice, they will be  
25 disposed of as permitted by this section. The notice shall be in clear  
26 and simple language and shall include a telephone number and a  
27 mailing address at which the landlord can be contacted. If the notices  
28 are returned as undeliverable, or the occupant or next of kin fails to  
29 contact the landlord within ten days of the receipt of the notice, the  
30 landlord may reenter and take possession of the dwelling unit, at  
31 which time any rental agreement or lease still in effect shall be deemed  
32 to be terminated.

33 (c) If the occupants of the dwelling unit have died, the landlord  
34 shall file an application with the Probate Court having jurisdiction  
35 concerning such possessions and personal property of the decedent  
36 not later than five days after the notice is sent by the landlord to the  
37 next of kin as provided in subsection (b) of this section.

38 ~~[(c)]~~ (d) The landlord shall not be required to serve a notice to quit  
39 as provided in section 47a-23 and bring a summary process action as  
40 provided in section 47a-23a to obtain possession or occupancy of a  
41 dwelling unit which has been abandoned. Nothing in this section shall  
42 relieve a landlord from complying with the provisions of sections 47a-  
43 1 to 47a-20a, inclusive, and sections 47a-23 to 47a-42, inclusive, if the  
44 landlord knows, or reasonably should know, that the occupant has not  
45 abandoned the dwelling unit.

46 ~~[(d)]~~ (e) The landlord shall inventory any possessions and personal  
47 effects of the occupant or deceased in the premises and shall remove  
48 and keep them for not less than thirty days. The occupant or next of

49 kin may reclaim such possessions and personal effects from the  
50 landlord within said thirty-day period. If the occupant does not  
51 reclaim such possessions and personal effects by the end of said thirty-  
52 day period, the landlord may dispose of them as [he] the landlord  
53 deems appropriate. If the next of kin does not reclaim such possessions  
54 and personal effects by the end of the thirty-day period, the landlord  
55 may dispose of the property in accordance with section 47a-42.

56 [(e)] (f) No action shall be brought under section 47a-43 against a  
57 landlord who takes action in compliance with the provisions of this  
58 section.

**Statement of Purpose:**

To provide that the procedures for the removal of personal property of a tenant who has died shall be the same as removal of personal property of a tenant who has abandoned the dwelling unit.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. DOYLE, 28th Dist.