



AN ACT CONCERNING DEATH OF A TENANT.

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

1 (NEW) (a) If the sole occupant of a dwelling unit subject to a
2 monthly lease or a lease for a term has died and the landlord has
3 complied with any provisions of any such lease permitting termination
4 upon the death of the occupant, the landlord may send notice to the
5 next of kin of such occupant at the last-known address both by regular
6 mail, postage prepaid, and by certified mail, return receipt requested,
7 stating that (1) the occupant has died, (2) the landlord intends to
8 remove any possessions and personal effects remaining in the
9 premises and to rerent the premises, and (3) if the next of kin does not
10 reclaim such possessions and personal effects within forty-five days
11 after the date of such notice, such possessions and personal effects will
12 be disposed of as permitted by this section. The notice shall be in clear
13 and simple language and shall include a telephone number and a
14 mailing address at which the landlord can be contacted.

15 (b) If notice is sent by the landlord to the next of kin, as provided in
16 subsection (a) of this section, the landlord, not later than five days after
17 such notice is sent, shall file an affidavit with the Probate Court having
18 jurisdiction concerning the possessions and personal effects of the
19 deceased occupant. Such affidavit shall include the name and address
20 of the deceased occupant, the date of death, the terms of the lease, the
21 names and addresses of the next of kin, and an inventory of the
22 possessions and personal effects remaining in the premises.

23 (c) If the landlord complies with the provisions of this section, the
24 landlord shall not be required to serve a notice to quit as provided in
25 section 47a-23 of the general statutes and bring a summary process
26 action as provided in section 47a-23a of the general statutes to obtain
27 possession or occupancy of the dwelling unit. Nothing in this section
28 shall relieve a landlord from complying with the provisions of sections
29 47a-1 to 47a-20a, inclusive, of the general statutes and sections 47a-23
30 to 47a-42, inclusive, of the general statutes, if the landlord knows, or
31 reasonably should know, that the dwelling unit has not been
32 abandoned.

33 (d) The landlord shall inventory any possessions and personal
34 effects of the deceased occupant in the premises and may not remove
35 them until thirty days after the date of the notice to the next of kin.
36 Thereafter, the landlord may remove and store such possessions and
37 personal effects for an additional fifteen days. The next of kin may
38 reclaim such possessions and personal effects from the landlord within
39 such forty-five-day period. If the next of kin does not reclaim such
40 possessions and personal effects by the end of such forty-five-day
41 period, the landlord may dispose of them in accordance with section
42 47a-42 of the general statutes.

43 (e) If an application for probate of a will or letters of administration
44 is filed with the Court of Probate having jurisdiction concerning the
45 possessions and personal effects of the deceased occupant within forty
46 days of the filing of the affidavit of the landlord as provided in
47 subsection (b) of this section, the Probate Court shall immediately
48 notify the landlord of such filing and the provisions of this section
49 shall not apply.

50 (f) No action shall be brought under section 47a-43 of the general
51 statutes against a landlord who takes action in compliance with the
52 provisions of this section.

Statement of Legislative Commissioners:

Subsection (b) was rewritten for clarity.

JUD *Joint Favorable Subst.*