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**TESTIMONY OF**

**MELANIE HOWLETT  
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TO THE

**JUDICIARY COMMITTEE**

**FRIDAY, MARCH 3, 2006**

**RE: SB 361: An Act Concerning Possessions and Personal Effects of Tenants Evicted from Residential Property**

I am here today on behalf of Mayor John M. Fabrizi. I would like to thank Senator McDonald, Representative Lawlor, Senator Handley, Representative Spallone, ranking members and members of the Judiciary Committee for the opportunity to present testimony to you today on SB 361: An Act Concerning Possessions and Personal Effects of Tenants Evicted from Residential Property. I would also like to recognize Senator Ed Gomes, Bridgeport's representative from the 23<sup>rd</sup> Senatorial District.

The City of Bridgeport is in support of this committee's effort to reform the eviction process and is very grateful for this legislation, which relieves municipalities from the unfunded mandate to retrieve and house the property of evicted tenants. The proposed bill is excellently written, except for Section 5, subsection (a), which states that the possessions and personal effects of such defendant or other occupant may be removed by the plaintiff or an agent of the plaintiff, pursuant to such execution and without liability for such removal, and such possessions and personal effects may be set out on the adjacent sidewalk, street or highway.

The City of Bridgeport requests that the language be amended to indicate that immediately means the "same day" the property is placed on the sidewalk. Otherwise our unlawful depositing ordinance will kick in and the property owner will be fined a \$100 a day.

In April 2004, Bridgeport commenced a *Stop Trashing Bridgeport-It's the Law* campaign to fine residents who dump their unwanted personal effects anywhere and everywhere. Additionally, whenever bulk trash is placed on the sidewalk in a neighborhood it incites others in that block to assume a bulk trash pick up has been reinstated by the City and soon others are leaving their old couches and belongings on the sidewalk. There is also the risk that garbage and debris will also be left with these personal effects, which would create a health hazard for city residents, and would violate the state and local health codes as well as our municipal anti-blight ordinances. This legislation would exempt the property owner from being fined for such violations as the garbage hides under the guise of the tenant's personal effects. At present, the State Marshall takes the time to make the distinction between garbage and personal effects; the property owners will have no incentive to make such a distinction unless they remain liable for health code and anti-blight violations.

In addition, subsection (c) of Section 5 states, if the defendant does not **immediately** remove the property placed on the sidewalk, street or highway, the plaintiff shall notify the municipality and arrange for the collection of such possessions and personal effects by the municipality or other appropriate disposal of such possessions and personal effects.

The City of Bridgeport feels that the responsibility for disposal of such personal effects should lie with the landlord whom is the beneficiary of the revenue from a rental property, not the taxpayer who ultimately pays for the cost of the eviction.

This bill goes along way to reduce the cost to a municipality that is currently required to remove and store a tenant's property. Bridgeport averages 11 evictions a week based on a 48-week year, approximately 525 evictions a year. We also handle public housing evictions, which come in at approximately 75 a year at \$75.00. A city employee must be at the warehouse to accept the personal items from the Marshall. Municipalities incur costs that are impossible to recover including personnel, transportation, processing, storage and ultimately (80% of the time) disposal. This cost is approximately \$324.00 per eviction, \$170,000 a year without reimbursement by the evicted tenant and/or landlord. This cost does not reflect storage or pick up and dumping fees that are incurred by the municipality. In addition, the city does not receive lost costs due to the manpower hours scheduling and rescheduling canceled evictions, which occur 25 % of the time. Of that 25%, approximately

half of those are on the scheduled day or less than 24 hours that prevents reuse of that time slot.

The City of Bridgeport thanks this committee for taking the lead on this issue and absolutely supports SB 361: An Act Concerning Possessions and Personal Effects of Tenants Evicted from Residential Property with the recommended revisions.

Thank you.