

CONNECTICUT COALITION OF PROPERTY OWNERS

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TESTIMONY OF
THE CONNECTICUT COALITION OF PROPERTY OWNERS
BEFORE
THE LEGISLATURE'S JUDICIARY COMMITTEE
FRIDAY, MARCH 3, 2006

Good afternoon, my name is Paul Rosow. I am the President of the Connecticut coalition of Property Owners and am here today to testify in support of ***Senate Bill 361 AAC Possessions And Personal Effects Of Tenants Evicted From Residential Property.***

The Connecticut Coalition of Property Owners ("CCPO") is the largest landlord organization in Connecticut and has several chapters, including the:

- Bridgeport Property Owners' Association,
- Greater Hartford Property Owners' Association,
- Stamford Property Owners' Association, and the
- Connecticut Association of Real Estate Investors.

Collectively, we represent more than 15,000 rental units in Connecticut.

SB 361 balances the interests of landlords, tenants, our cities and towns, and taxpayers. SB 361:

- Requires mandatory plain language notice to a tenant that they are responsible for the removal of their possessions and personal effects if the Court enters judgment against them. The notice shall be prominently included in the Notice to Quit, the Writ Summons and Complaint, the Notice of Judgment and the Order of Execution.
- Gives landlords the option of disposing of the former tenant's abandoned property without further liability.
- Requires the landlord to notify the municipality if such abandoned property is to be placed at the curb.

Additionally, we would suggest that the bill be amended to require the same mandatory plain language notice to be included in all written leases after the effective date of the act.

Currently, when the Housing Court enters judgment and orders the eviction of a tenant from a rental unit, after extending full due process rights, the landlord must pay a marshal to execute the Court's Judgment. Then the landlord must pay a mover to move any

possessions that the former tenant has left behind, to a municipal facility.

Now the municipality must pay to store the property for a minimum of fifteen days. At the end of the fifteen days, the municipality also must pay to publish a legal notice and to conduct an auction regarding the abandoned property. Only now may such property be disposed of.

This process costs the owner of the rental unit approximately \$700 to move out a two bedroom unit. Please understand that this is in addition to several months of lost rent and legal and court costs.

More than 90% of all evictions are for nonpayment of rent. If a property owner does everything right, the earliest a tenant can be evicted is about 65 days after service of the complaint. In other words, after a landlord has not been paid rent for several months, and after at least another 65 days of court proceedings without rent, the landlord must pay another \$700 to get his or her property back. Further rent will be lost while time and money are spent to make the unit suitable to rent again. Where is the equity in making the landlord pay to move the former tenant's abandoned property?

Also, where is the equity in forcing the city to pay the costs of storing and auctioning the abandoned property? According to employees of the Cities of Hartford and New Haven, it annually costs those municipalities more than \$700,000 and \$500,000 respectively to deal with evicted tenants abandoned property. Conservative estimates place the cost to all Connecticut municipalities of at least \$4,000,000 annually.

We believe that our cities can better use \$4,000,000 per year for education, police and fire protection, public works, youth and elderly programs.

The current law unfairly imposes expenses on landlords and taxpayers for no fault of their own. Wherever possible, property owners have the choice of trying to recover those costs, most often through rent increases on other tenants who have paid their rent. Municipalities have to recover those costs in the form of higher taxes or reduced services.

SB 361 properly shifts the responsibility for a tenant's abandoned property to where it belongs, the former tenant. It recognizes that a tenant, against whom judgment has entered, has had months of notice that they are responsible for removing their property from the rental unit if the Court enters judgment against them.

For public safety reasons, it is important that the marshal continue to be required to serve the necessary legal notice and to serve the execution.

In summary, we respectfully ask that you favorably report SB 361. It is an equitable approach to resolving a situation that drives up rents and taxes. It maintains public safety, assists in keeping neighborhoods

clean and extends an unprecedented number of notices to tenants to protect their interests.

This completes my testimony. Thank you for your consideration.