Judiciary Committee
March 3, 2006
S.B. No. 361- An Act Concerning Possessions and Personal Effects of Tenants Evicted from Residential Property

My name is Joel Hall and I am a Paralegal Advocate with the **Connecticut Legal Rights Project**- a statewide non-profit organization which provides free legal services for low-income individuals who have, or are perceived as having, psychiatric disabilities on treatment related issues and civil rights.

I have come before you today to express my strong opposition to S.B. 361 which would transfer responsibility for overseeing the possessions of an evicted tenant from the municipalities to the landlord. I believe the proposed legislation could cause significant harm to CLRP clients. The existing law provides protection for those with psychiatric disabilities from being exploited by landlords who primarily rent to low income individuals. The proposed legislation would transfer the control of the process to the landlord who has evicted the tenant and consequently, already has an inherent conflict of interest.

I can understand that cities and towns would prefer to absolve themselves of an obligation that was established in 1895. To many, I'm sure, this administrative duty may seem to be an outdated burden that we simply cannot afford to continue. However, the fact remains that keeping this process under the control of a "neutral third party" represents the only real protection for low income tenants whose lives may be disrupted by emergencies or illness that is no fault of their own. Even when our clients are actively engaged in treatment, there can be medication problems or other difficulties that result in their sudden hospitalization. All too often this traumatic event is compounded by an eviction and potential loss of their personal possessions.

An example of how this law protects our clients is that I once was referred a case where a client and her family were evicted. The company that the town had contracted to store the apartment's belongings was able to work out a payment plan with our client to collect some of the items that were most important to her and her family. These items included things like family photos, children's clothing and her children's school books. The relationship between the landlord and the family was quite toxic, and if the landlord had control of their personal possessions, the landlord may have either immediately thrown their items in the garbage or charged an unobtainable amount to have their items returned.

Connecticut must remember that these possessions are more than just material items but represent the tenant(s) individual history, culture and heritage. These items are not merely "junk" to be tossed into the garbage or sold for a profit. These personal possessions are often essential to the recovery of people with mental illness for often they represent some of the best periods in a persons life as they struggle to recover through some of their toughest. It is my belief that the current law enacted over 100 years ago, was designed to protect the most vulnerable of CT's citizens from people with dubious intentions. I believe the circumstances that created this protection in 1895 are as true now as they where then, this is why I strongly oppose this legislation.