



**TESTIMONY**

of the

**CONNECTICUT CONFERENCE OF MUNICIPALITIES**

to the

**JUDICIARY COMMITTEE**

March 14, 2007

The Connecticut Conference of Municipalities appreciates the opportunity to testify on the following bills of interest to towns and cities:

- S.B. 591, “An Act Concerning Personal Property of Evicted Tenants”**  
**S.B. 823, “An Act Concerning the Recovery of Municipal Expenses Incurred in the Removal, Storage and Sale of Unclaimed Possessions and Personal Effects of Evicted Tenants”**

S.B. 591 would relieve municipalities of the unfunded state mandate to remove and store the personal property belonging to evicted residential tenants. Municipalities were relieved in 1997 of the mandate to remove and store the possessions of evicted commercial tenants.

S.B. 823 would allow municipalities to sue evicted tenants and landlords for costs associated with removing, storing and selling personal property.

The tenant evictions mandate is costly to municipalities. It is estimated that there are about 2,500 residential evictions per year. This might be a conservative estimate: last year, Bridgeport alone estimated 672 evictions.

And, storage costs average \$10 per day, per eviction, for an average of 15 days. The costs for storage alone – *excluding staff, vehicles and other administrative costs* – can range from approximately \$9,000 to \$147,900.

The mandate takes up considerable time on the municipal level. When a person has been evicted, municipalities must (1) secure a moving vehicle to pick up property and take it to a storage facility, and (2) store the possessions for at least 15 days. Municipalities are allowed to try to recoup some of the costs by auctioning off the items. However, municipalities must incur costs associated with conducting an auction (including publicizing the auction, etc.). And, usually the possessions are not sellable. According to one municipal official involved in this process, the belongings are reclaimed in only about 10% of the cases.

Bridgeport estimates that the mandate costs this struggling city upwards to \$1.5 million per year. (Please see attached Connecticut Post editorial on tenant evictions.)

Last year, Danbury spent an estimated \$70,000 on labor, storage, transportation and other costs associated with eviction proceedings. This year the City is switching to a contractor, due to concerns about the physical safety of municipal employees. In the past, employees have been screamed at, bitten by dogs and been in other harmful situations.

In Manchester, in 05/06, \$20,000 was budgeted for evictions. The labor, storage, etc. is contracted out so this money goes directly to that company. The actual amount of money needed however, was \$41,000. For FY 07, \$20,000 was again budgeted for evictions and already, \$32,000 has been used. This cost does not include the monthly auction that the town conducts and the time that it takes for staff to coordinate it.

For the last few years, Waterbury has paid more than \$238,000 each year for the labor, storage, transportation, and disposal of property from evicted tenants. This number has actually gone up as the disposal rate per ton and the rate to the contractors, who move and store the items, have increased. Waterbury has about 30-40 evictions per month. An auction doesn't usually take place because the items have no monetary value.

Municipalities should not be thrown in the middle of what is essentially a landlord-tenant issue.

CCM urges the Committee to examine the Office of Legislative Research's "Research Report", Number 2006-R-0164. Entitled, "State Laws on Landlord's Treatment of Abandoned Property", the report shows that, of the 37 states researched, *Connecticut is the only state that mandates that municipalities remove and store the possessions of evicted tenants.* In other states, landlords or sheriffs have the responsibility.

The argument of those who want the municipal mandate to continue rings hollow: since the mandate has been in effect for over 100 years, it must have merit. This law represents the kind of unfunded mandate that exists now simply because municipalities tend to be a convenient catchall for situations that the State wants to address.

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If you have any questions, please call Ron Thomas, CCM's Manager of State and Federal Relations, or Gian-Carl Casa, CCM Director of Legislative Services, at (203) 498-3000.

Attachment