

CONNECTICUT LEGAL RIGHTS PROJECT

P.O. Box 351, Silver Street, Middletown, CT 06457
Telephone (860) 262-5030 · Fax (860) 262-5035

Testimony of Sally R. Zanger, Staff Attorney
Connecticut Legal Rights Project

Committee Bill No. 591

An Act Concerning Personal Property of Evicted Tenants
Judiciary Committee Public Hearing March 14, 2007

Connecticut Legal Rights Project (CLRP) urges the Committee not to support the proposed amendment of General Statutes' Section 47a-42.

CLRP is a legal services organization that advocates for low-income individuals in institutions and in the community who have, or are perceived to have, psychiatric disabilities. We promote initiatives that integrate clients into the community. An important part of our work is protecting people's housing, which includes representation in summary process.

CLRP opposes this bill for the following reasons:

- **The bill would shift the responsibility for securing and storing the property of evicted tenants (who have not moved out on their own) from the municipality to the landlord, giving the evicting landlord complete control over the tenant's personal property. In addition:**
- While the number of evictions that result in a marshal's execution is not high, the tenants affected tend to be the most vulnerable--people who were hospitalized during the eviction action, who do not understand or did not receive notice of the execution, or who mistakenly believed that they had made an arrangement with the landlord.
- Tenants may lose all of their possessions: valuables, essential, family heirlooms, important papers and sentimental keepsakes like photo albums. The crisis of eviction and possible homelessness is increased by the need to replace essential household goods. Loss of documents can delay or prevent obtaining benefits and new housing. Loss of family heirlooms and photo albums increases trauma.
- The involvement of the town as a neutral party is necessary. An eviction that results in an execution with a tenant's property placed in the street by a marshal needs a neutral party to protect and control the tenant's personal property. The involvement of the town has been an appropriate municipal responsibility in Connecticut for over a hundred years and should continue.
- The proposed bill does not protect the tenant from a landlord who charges exorbitant storage and redemption fees, or who demands back rent or other fees. It does not require that the landlord auction the goods and return any excess after payment of storage fees to the tenant—a process that is required in all other property seizures.
- **The damage and disruption that this change would cause to those tenants in Connecticut who are least able to protect themselves and assert their rights is not worth any small savings it might bring to some municipalities.**