Testimony of LaDonn Barros
Opposing S. B. No. 591 An Act Concerning Personal Property of Evicted Tenants

Good afternoon, Chairman McDonald, Chairman Lawlor and members of the Judiciary Committee. My name is LaDonn Barros. I am a social worker with the Department of Children and families, as well as a student at the University of Connecticut School of Social Work. I am here to speak in opposition of Senate Bill # 591, An Act Concerning Personal Property of Evicted Tenants.

In my capacity as a social worker I have worked with many families that have been evicted or were facing eviction. Many of them report the most frustrating part of the eviction process is maintaining contact with the landlord, once the eviction process is initiated. They have reported landlords to be inaccessible and unwilling to talk to them. Another concern reported by tenants is the fact that they are unable to locate new housing and pay for moving costs, in a timely manner, once an eviction judgment is entered against them, thus resulting in families moving to shelters or other temporary housing arrangements. Most often, the people facing eviction are poor and living below the poverty level.

Presently, under existing law, once an eviction judgment is entered the tenant has five days to vacate the premises. If the tenant fails to remove their possessions from the apartment within the allotted time frame, a marshal will remove the property. The property is then stored by the town for 15 days. It becomes the tenant's responsibility to contact the town to reclaim their possessions. They are required to pay the moving and storage fees prior to receiving their belongings. Oftentimes, the tenant is able to make arrangements with the town to obtain personal items, as the town has no interest in keeping them. If the tenant does not reclaim the property or make storage arrangements within 15 days, then the town sells the items in a public auction. The auction is advertised thus giving the tenant another opportunity to retrieve their property.

The proposed bill would eliminate the town's role in storing the property, thus forcing landlords and tenants to resolve the issue without any regulations. The landlord would be required to store the property for 15 days and return it to the tenant if the tenant pays for the storage within the allotted time frame. However there are no set storage fees in place, thus the landlord could potentially charge any fee. Landlords may demand payment of back rent and court fees as a condition of releasing the possessions and the tenants would have not recourse to fight the unreasonable demands. Although landlords would be required to hold the possessions for 15 days, there is no guarantee that the tenant would be able to obtain the items from the landlord within the 15 day timeframe due to landlords being inaccessible or unwilling to make reasonable arrangements. Lastly, the landlord is not required to store the belongings in a safe place, thus the items maybe to subject to unsafe conditions resulting in damage or loss.

The proposed bill has the potential to leave Connecticut's poorest families with only the clothes on their backs. Once the possessions become the property of the landlord, he is free to do whatever he sees fit with the items, ie keep valuables, throw items away, sell them or give them to others. Tenants will be faced with loosing valuable items such as furniture, jewelry, and electronics, as well has irreplaceable items such as family photos or children's toys. Many people have items in their homes which are of no cash value, but hold sentimental value. These possessions in the hand of landlords could be viewed a junk and thrown away. Tenants will be forced to not only come up with money for a new home, but also replace all of their belongings.

The proposed bill also has the potential to fuel existing conflicts between landlords and tenants, thus creating an unsafe environment for both landlords and tenants.

For these reason, it is necessary for the town to remain the neutral party in this equation. The current system has been effective for over 100 years, and adequately protects the rights of the tenant as well as the landlord. The proposed bill has the potential to leave families with no possessions, as well as leave landlords liable for damages and placed in unsafe situations.

Based on the reasons outlined, it is my hope that you would not support the proposed bill, thus leaving the current system in place.

Thank you for your time and attention. I would be happy to answer any questions that you may have.