

Legal Assistance Resource Center

❖ of Connecticut, Inc. ❖

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H.B. 5730 -- Health district responsibility for relocation assistance

Public Health Committee Public Hearing – March 3, 2008

Testimony of Raphael L. Podolsky

Recommended action: REWRITE OR DELETE SECTION 2

Under the Uniform Relocation Assistance Act (URAA), when a municipal agency issues code enforcement orders that result in the displacement of occupants (usually by condemning a building or a dwelling unit), the agency is responsible for relocation assistance. If, for example, a municipal health department issues such orders, the department and the town are responsible. Some towns, however, do not have their own health departments but are part of multi-town health departments. If a multi-town department issues a displacement order, that department is responsible for relocation assistance. This has been confirmed both by DECD, which administers the URAA, and by the Superior Court. See North Central District Health Department v. DECD, 2007 WL 2039074 (2007). The Hartford legal aid program represented the tenant in that case.

The purpose of Section 2 of this bill appears to be to provide that, in such a case, the town in which the property is located, rather than the multi-town health department, is responsible for providing relocation assistance. Though we do not believe this change is necessary, we also do not object to it, as long as some entity is clearly responsible. As worded, however, Section 2 makes confusing references to "local" health departments and has a tone that may imply that neither the local nor the district health department is responsible. For that reason, we oppose Section 2 unless its wording is changed. If the Committee wishes to adopt the substance of Section 2, we recommend that it be reworded to read as follows:

Sec. 2. Section 19a-206 of the 2008 supplement to the general statutes is amended by adding subsection (f) as follows (*Effective from passage*):

(NEW) (f) When the orders of a district or other multi-town health department cause the displacement of any occupant of a residential dwelling, the municipality in which the dwelling unit is located shall be responsible for all relocation assistance pursuant to chapter 135 of the general statutes, provided such health department notifies the occupants, in writing, of their rights under chapter 135 at the time the displacement order is issued. Such notification shall include the name, address and telephone number of the person authorized by the municipality to take applications for relocation assistance under chapter 135. A district or other multi-town health department that fails to provide such notification is responsible to provide all relocation assistance under chapter 135.