

Robert G. Bourassa  
203 Clover St.  
Waterbury, CT 06706  
203-910-7933

Good morning Ladies and gentlemen!

I am here in support of An Act Concerning Real Estate Records Accuracy. As an Appraiser, Realtor and especially a tax paying property owner I know only too well what public harm comes from our city governments having inaccurate, misplaced or unrecorded property information

Problems with city and town property records also stem from public servants being able to add subtract or make changes to recorded information without signing off on and dating what was done to the records.

Various city departments such as the Assessor's Office, the Fire Marshal and Building Inspector's by not sharing information electronically leads to these departments having different records on the same properties.

For example:

I purchased a building several years ago advertised in the MLS as a property with five units and as being described on the assessor's card as a four family with a finished basement. Before purchasing the building I asked the assessor's office, zoning and the building department about the fifth unit in the building. Zoning said it's zoning was legal, the Assessor said the basement was taxed as living area and the building department said there were no violations on the building and that there are many buildings like that and if it is taxed already as living area, has been used as such over the years and is zoned legally, it would be considered grandfathered. The Fire Marshal's office had no violations against the property.

A complaint was filed about the apartment from a disgruntled person from another building and the city building department came out and said they had no record of the apartment and it had to be discontinued and the tenant moved immediately. In addition the building official said finished basements are not allowed in buildings housing more than two families. The Fire Marshal then came out and said the unit did not meet code because of the ceiling height being lower than 7'6" and because the bedroom window was too small. To bring it to code everything would have to be fire rocked and a waiver of height from the State would be needed along with making it into a studio apartment instead of a one bedroom apartment.

If this were the case, why then, was the city taxing the finished basement area for years? If this building was in violation of code, why didn't any violations appear on any records? The Assessor's office said it was not their job to know of or report on the legality of any building but to just record and tax what they see. The now unusable area is still being taxed as living area until it is completely dismantled. I contacted an owner who bought the building in 1953 from a church that used it as an orphanage and then a boarding house with apartments and the city has no record of it and wasn't interested. Witnesses nearby stated they remembered at least 4 to 5 different families that lived in the apartment in question over the years but the city did not want to hear it. I, as the present owner have to suck up the loss.

The State Statutes state that Fire Marshals must inspect multi-family buildings over two families once every year. I asked to see inspection records on file on the building in question along with

several other buildings and the Fire Marshal had none. I then asked if they at least knew when it was last inspected and no one knew. I asked about several other buildings including one that was lead abated and updated by the State of CT and no one knew. I was then told that the Fire Marshal's Office is allowed to purge their records every 5 years. Yet, they did not have 1 record for the past 5 years on the 6 properties I asked about. I asked about the legality of 3 four family houses they had inspected and they didn't know if the apartments were legal. I asked the building department who told me to ask the Fire Department who said they go by the Assessor's records. The Assessor stated their records are for tax purposes only and should not be used because they may not be accurate and their records show the buildings just as three family houses. These buildings are for sale as four unit buildings. I notified the building department and they just said buyer beware.

We are not dealing with the cost of a car here. At times people are putting their life savings into a home or investment. The public records on taxed real estate should be accurate. It is an oxymoron for the City Assessor to give a disclaimer as to the accuracy of records when their Mission Statement says:

"The office of the..... assessor is responsible for insuring that all property identified in the Connecticut general statutes as being subject to local property taxation is appraised at it's market value.....Most importantly, it is responsible for providing accurate data for use by taxpayers and real estate professionals of all types."

Assessors are now jobbing out revaluations to private companies. Instead of fairness and accuracy for a mandate it seems that just raising values for taxation as high as possible is the mandate and these companies use disclaimers as to the accuracy of their records.

Realty records of all departments should be electronically interconnected so every department knows what the other departments are recording about the properties.

Using as example, Waterbury, The City Assessor David Dietsch, City Appraiser Ann Paliulis, E. Gil Graveline the head building department inspector and inspectors under him and several Fire Marshals have stated to me that the biggest records problem they have is that the departments keep their own records and seldom if ever transmit interdepartmentally added, deleted or changed information on properties

Many records are also still keep on hard copy cards and in notebooks. The hired outside assessing companies are putting inaccurate and often unusable information on line without totally verifying the accuracy in order to meet set deadlines and use less money consuming time.

Meanwhile, the attitude is home buyer beware! I have been told that all home buyers should check all departments' records, Zoning, Assessor, Building and Fire Safety departments. I am told the assessor's records should not be considered to be accurate except for tax purposes only, by the assessor and the building department, yet when the building department had no record on a 33 1/2 Congress Avenue in Waterbury, they told me to use the assessor's records. When I asked several Fire Marshals how they determine how many families a building should be, I was told they use the

assessor's records. Most realtors and appraisers use the assessors' records also, which are not accurate on many properties.

When Fire Marshals do a safety inspection of a three family home and find four or five units instead, they do not notify the assessor or building and zoning officials and if it is recorded in their records, the other departments don't know it.

All zoning, assessment, fire and safety and building permit records should be electronically recorded and networked to all departments and the publicly accessed computers that city halls now have. When somebody accesses information on number one Main Street in Hartford, all the information the city has related to that property should appear, zoning, usage permitted, assessments, violations and permits taken out on the property. The information appearing on the internet via the assessment companies hired by the towns and cities should be accurate and state what a building is used for, a one, two, three or more family should be stated as such. Square footage and room counts should be accurate. The only thing you can count on now is that the assessed value will be there and it will be higher than the last value was.

Jobs need to be created in today's market place and could be created by backing and financing CT cities in the hiring of property inspectors and recorders. They do not have to be licensed appraisers to record on a standard form what they see and measure. If a possible violation is noted it should be reported to the proper department. All information should be transferred into a computer program which every department has access to. The archaic departmental way of recording information within individual departments concerning real estate needs to be changed.

To quote Waterbury's Assessor David Dietsch, "We have been trying for years to have the records interconnected and accurate without results. Good Luck in trying to get something done."

During this past week I was told by several Waterbury Officials that the city is going to electronically connect all building departments within the next few weeks so records can be shared. But all city records need to be accurately updated first. Otherwise the basis for the information recorded within the new system will be corrupted by transferring inaccuracies from the old records into the new system.

I would recommend that any improved real estate that is going to be sold has to first be inspected to insure it is an accurately described and legally recorded property with no building or safety violations. A fee could be charged for this mandatory service. This would immediately begin to protect buyers and would accurately provide information on the property. In addition real estate not being sold can be scheduled for inspections and recording.

The manpower hasn't been there for the cities to do this in the past, but now a person in the field records can directly record to a network what they are inspecting. Or mandatory inspections by qualified and certified home inspection companies which would have to fill out recording forms for cities and towns could be obtained to start getting accurate information into the systems.

This past week I checked records on several Waterbury properties that are selling as four and five family units. The assessor's records say they are three's and four's. The Building Department

said some are threes, and two fours, but no fives. Both departments were missing records on a couple properties. Yet they are for sale on the MLS and some one like me is going to end up losing an apartment in the future possibly, because of the way the records have been kept.