Testimony before the Planning and Development Committee
Monday, February 23, 2009

SUBJECT MATTER: Protection of Tenant/Former Owner's Possession after Eviction

Senators, Representatives:

My name is Rhoda Micocci. I have taken personal leave from work to share some hard- earned knowledge with you today. Thank you for this opportunity.

I strongly urge you to keep in place, in fact to find ways to support, the current system for protecting tenants' possessions after eviction. Specifically, I am asking you to vote against SB 373, HB 5538, HB 5871 and the changes to current law set out in Sec 21 of HB 6388.

The system now in place ensures that a critically important civic function happens in our cities and towns precisely at those times of agonizing and extremely volatile transition in the lives of tenants and former homeowners who are being evicted, and of their neighbors who are watching. That civic function is nothing less than the tangible, visible, rule of law, fair and –above all- aware of its own disproportionate power.

My hard-earned knowledge comes from the last thirteen years in which, as a lawyer, I have counseled thousands of clients at Statewide Legal Services, the statewide legal services hotline for low-income people in Connecticut. I do not speak for that organization, but as a lawyer who has learned something deeper about the law from her clients.

The execution part of an eviction –and that really is the legal word for the minutes and hours when a former homeowner or tenant is being dispossessed of their shelter and their belongings- that part is excruciatingly painful. The incidents of their identity are being ripped away from them. A person with the mental, physical or social network ability to avoid it will do so. The people who are executed after the court process of eviction are the weakest or the poorest of us, or both.

The one thing that means something to them, the one thing that makes their looming …not just homelessness but 'physical skinlessness'….bearable is that the town/ the city/ the *government*, will *hold* their things, the vestiges, the remnants of their identity - for fifteen days. Not the landlord, not their neighbors, not the trash collectors, but the city, the civic body. Because…it is not just their things that are protected for that short space of time; it is their identity, their dignity as human beings and fellow citizens.

This is the operation of law at its best: where the needs of the owner and the tenant or former owner are both met, but above all where the needs of all the rest of us are met- needs for there to be an orderly eviction process that is accepted, for firmness and clarity in the law that is tempered with respect and understanding, and above all for a system *we* –personally and individually- can live with if or when, evictions happens to us. We have the strong, balanced law we need now. Please don't change it, just as the times become more perilous.

Thank you.

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