

CAHS

The Connecticut Association for Human Services
110 Bartholomew Avenue · Suite 4030
Hartford, Connecticut 06106
www.cahs.org

Michael Rhode, President
James P. Horan Executive Director
860.951.2212 x 235
860.951.6511 fax

Testimony before the Planning & Development Committee
Re: S.B. 373 – An Act Concerning Storage of Personal Items of Evicted Tenants
H.B. 5538 – An Act Eliminating the Property Storage Mandate on Town Regarding the Disposition and Storage of Possessions and Personal Effects of Evicted Tenants
H.B. 5871 – An Act Concerning Responsibility for the Disposition of Possession and Personal Effects of Evicted Tenants
H.B. 6388 (Sec. 21) – An Act Providing Mandate Relief to Municipalities
Submitted by Maggie Adair, Policy Director
Connecticut Association for Human Services
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The Connecticut Association for Human Services (CAHS) is submitting testimony in opposition to **S.B. 373, H.B. 5538, H.B. 5871, and Section 21 of H.B. 6388**, all of which eliminate the duty of towns to protect tenant possessions after an eviction

CAHS is a statewide nonprofit organization that works to end poverty and to engage, equip, and empower all families in Connecticut to build a secure future. We promote policies that support families as they move along an economic continuum, from meeting basic needs, learning how to manage a family budget, avoiding predatory lending, building income and assets, obtaining an education, and landing a good-paying job.

The bills would apply to *every tenant in the state* – public housing tenants, mobile home park residents, students, seniors, and the disabled. The bill impacts low-income individuals the most because a majority of low-income people are renters.

This bill would change the long-standing practice that protects the possessions of the poorest tenant families. Under existing law, if a tenant is evicted and fails to vacate before the marshal comes to carry out the judgment, the marshal removes the tenant's property from the apartment. This happens only about 15 percent of the time—in most cases, tenants vacate before the actual eviction. When they do not, the municipality takes and stores the tenant's property for 15 days. The tenant can reclaim the property during that time. If the tenant does not, the municipality auctions it off.

Municipalities play a critical role in the last stages of the eviction process by picking up and holding the possessions of evicted tenants for at least 15 days so that they have a chance to get them back. These two bills would remove the cities and towns from the process and leave the tenants at the mercy of landlords – the very entities evicting the tenant.

CAHS urges you to oppose this bill for the following reasons:

- The landlord is not a neutral party in the matter, and has no particular interest in working with the tenant to return the goods.

- The relationship between the landlord and tenant is not equal; the landlord has the upper hand.
- The landlord may not be easily accessible for the tenant to contact and discuss the issue. Many landlords do not have offices, and some do not even live in the state.
- There is heightened risk of violent confrontation when the landlord and tenant are left to settle the matter without a mediating party.
- The tenant may have failed to vacate prior to eviction for a variety of reasons, including: not understanding the legal process, language barriers, being hospitalized and not receiving the papers in time, or simply having no place to go (note that emergency shelters cannot store a tenant's property).
- Tenant property often holds meaning and value, including family albums and personal papers.
- Allowing the landlord to keep the property can be inequitable. The possessions could be worth more than the rent owed by the tenant (furthermore, not all evictions involve non-payment of rent.).

Tenants who have been evicted and do not vacate are likely to be among the poorest people in our society. Some do not understand what is happening or have any place to go. Changing a law that has been in place since 1895 will simply add to their burden following an eviction. Existing law, with its 15-day redemption period and the involvement of the municipality, protects tenants and is not unduly burdensome. Municipalities have a duty to prevent violent confrontations and to protect evicted tenants from becoming totally impoverished. The existing system is fair, balanced, and aligns responsibilities and liabilities among landlords, tenants, and the municipality.

Thank you for the opportunity to testify on this important issue.