



**Testimony of
Bart Russell, Executive Director
Connecticut Council of Small Towns
Before the Planning & Development Committee
MARCH 1, 2011**

The Connecticut Council of Small Towns (COST) *opposes* H.B. No. 6464 (RAISED)
AN ACT CONCERNING THE POSSESSIONS OF EVICTED TENANTS.

Last year, in an effort to give towns and cities some small measure of relief from unfunded mandates, the legislature adopted legislation relieving towns from the cost and burden associated with removing the personal possessions of evicted tenants. Unfortunately, the cost to store the possessions is still borne by the towns and cities.

A 2006 report prepared by the Office of Legislative Research (OLR) indicates that “In the overwhelming majority of the 37 states that we researched, a landlord may dispose of personal property that a tenant leaves in dwelling units by selling it after first notifying the tenant of his intent and storing the property for a period prior to the sale.” Under Connecticut law, however, the responsibility for storing the property is shifted to the municipality, which places a heavy financial burden on our towns and cities. The requirement that towns store an evicted tenant’s possessions is extremely costly and burdensome, particularly at a time when towns are struggling to provide residents with services without raising property taxes. There are an estimated 2,500 residential evictions per year. Storage costs average between \$10 and \$15 per day, per eviction, for an average of 15 days. This can range from approximately \$12,000 to \$165,000 per municipality.

This bill requires municipalities to reimburse landlords for the cost of moving the possessions out of the proceeds of the auction even though the municipality has incurred significant costs in storing the possessions and organizing and advertising the auction. In almost all cases, the proceeds of the auction are not sufficient to cover the cost of storing the possessions. It is not fair then, to reduce the small amount a town may be able to recoup by requiring them to reimburse the landlord.

Instead, the bill should be amended to ensure that storing the evicted tenants’ possessions is the responsibility of the landlord, which is a party to the transaction, and not the town. The proceeds of any auction could then be used to reimburse the landlord for these costs.