



## State of Connecticut

### HOUSE OF REPRESENTATIVES STATE CAPITOL

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**MEMBER**  
EDUCATION COMMITTEE  
HIGHER EDUCATION AND EMPLOYMENT  
ADVANCEMENT COMMITTEE

**Tuesday, February 10, 2015**

### **Insurance and Real Estate Committee Public Hearing Testimony on HB 5436**

Chairs Senator Crisco, Representative Megna, Ranking Members Senator Kelly and Representative Sampson and members of the Insurance Committee,

My name is Tim Ackert and I Represent the 8<sup>th</sup> District which includes Columbia, Coventry, Vernon and Tolland. Thank you for the opportunity to appear before you today to speak on HB 5436 AN ACT CONCERNING ADVERSE POSSESSION.

To provide that payment in full of real property taxes by an owner of such property shall prevent the fifteen-year period for adverse possession from beginning to run and interrupt the use and possession of land by another, preventing the acquiring of a right thereto.

I ask you if a property owner has been paying property taxes on land and someone else claims it through adverse possession shouldn't the listed property owner be reimbursed at minimum for the taxes they have paid on this property. Why can someone claim property not theirs without paying the assessed value of this property? The process would be very simple have an assessor appraise the value and the listed owner would be paid that value for the time they have owned it.

I would like to read a statement from a constituent:

My name is Louise Napoletano and I have recently stood face to face with the unjust law; Adverse Possession.

What is a deed for, if the law Adverse Possession can void its validity when a neighbor simply claims ownership by encroaching on your property?

Deeds are treaties, a contract, an understanding that should bind. However, it teeters on loose soil when our legal system upholds such a law protecting the rights of the takers over the owners.

I feel this law has outlived its proper use. Today, land being encroached upon and ultimately adversely possessed is usually owned by someone holding a deed of ownership.

I believe the law; Adverse Possession is nothing more than thievery. The only ones who benefit from fighting for what is rightfully yours, are the lawyers who role you through the fruitless procedures that will leave you broke and without.

My sincerest thanks for listening,

Louise Napoletano