

I am writing to urge the following amendments to **HB 5602, *An Act Concerning a Property Owner's Liability for the Expenses of Removing a Fallen Tree or Limb***, proposing a property owner's liability regarding fallen trees.

"Diseased" should be replaced with "hazardous" as defined in the statute (16-234). A diseased tree is not necessarily a hazardous tree.

Due process or a right of appeal should be included. A property owner should be able to hire an arborist for a second opinion and if the opinions do not agree, an opportunity for resolution should exist.

The notice should have a time limitation. There is no time limitation placed on the arborist's assessment so a new owner of the property could be unknowingly liable.

A tree owner may be intimidated into removing a healthy, structurally sound tree that provides environmental benefits to the community if these concerns are not addressed. This bill, which overturns centuries of established case law, if not amended is unlikely to withstand judicial challenge.

Sincerely,

Leslie Lee

64 Hedge Brook Drive

Stamford, CT 06903