



# MarLo Associates, Inc.

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February 18, 2016

The Hon. Catherine A. Osten, Co-Chair;  
The Hon. Philip J. Miller, Co-Chair;  
The Hon. Steve Cassano, Vice-Chair;  
The Hon. Michael D'Agostino, Vice-Chair;  
The Hon William Aman, Ranking Member;  
The Hon. Art Linares, Ranking Member  
and the members of the Planning and Development Committee

State House of Representatives  
Legislative Office Building  
Hartford, Connecticut 06106-1591

Via e-mail: [pdtestimony@cga.ct.gov](mailto:pdtestimony@cga.ct.gov)

re: OPPOSITION to House Bill 5183: An Act Concerning Attorney Fee Agreements in Municipal Tax Appeals

Dear Representatives:

I live and work in Stamford, and have an ownership interest in multiple parcels of commercial real estate in Stamford that would be impacted by the proposed House Bill 5183. I am vehemently opposed to the Bill, and I encourage the Committee to vote it down.

Most of our properties are above the \$1,500,000 threshold of House Bill 5183, and house retail, restaurant and office uses – uses that are vital to the economic fabric of Connecticut. They cast a broad net by employing Connecticut residents with different levels of education and skill, making our City attractive to visitors and giving our Stamford downtown a 24-hour-a-day vitality that should serve as a model for other Connecticut cities.

House Bill 5183, however well-intentioned, harms Connecticut's commercial property owners. It will, by definition, increase our costs during a fragile economic recovery. We are invested in our community and willing to pay our fair share of taxes. However, when an assessment is excessive, we should not be forced to pay attorneys by the hour and bear all the risk in a process where the outcome is never certain.

The Bill is inviting a lawsuit on constitutional grounds. It would seem that the principle of equal protection is violated in more than one way, including targeting commercial properties (as opposed to single family residential) and targeting the use of a billing practice in the context of one type of lawsuit (but not touching any other types of lawsuits - e.g. personal injury).

I believe that commercial property owners have already been aggrieved by General Statutes Section 12-117a as it stands – giving the local Board of Assessment Appeals the ability to deny our "rights" to a hearing by the Board, simply because of the amount of the assessment, which, in some cases, is simply excessive. House Bill 5183 adds insult to injury.

I encourage this Committee to reject this legislation now. If it were ever to become law, I expect that it would be overturned on constitutional grounds, justifiably striking a blow against this rigging of what should be an equitable process.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Gregory Lodato". The signature is written in black ink and is positioned above the typed name.

Gregory Lodato,  
President