



General Assembly

February Session, 2016

Raised Bill No. 5480

LCO No. 2059



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING THE APPLICATION OF LIENS RESULTING FROM UNPAID BLIGHT FINES, THE ESTABLISHMENT OF A LOAN FUND TO REMEDIATE BLIGHTED PROPERTIES, THE ESTABLISHMENT OF A TASK FORCE TO STUDY HOARDING AND THE MAINTENANCE OF PROPERTIES IN FORECLOSURE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-148aa of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 (a) Any unpaid penalty imposed by a municipality pursuant to the
4 provisions of an ordinance regulating blight, adopted pursuant to
5 subparagraph (H)(xv) of subdivision (7) of subsection (c) of section 7-
6 148, shall constitute a lien upon the real estate against which the
7 penalty was imposed from the date of such penalty. Each such lien
8 may be continued, recorded and released in the manner provided by
9 the general statutes for continuing, recording and releasing property
10 tax liens. Each such lien shall take precedence over all other liens filed
11 after July 1, 1997, and encumbrances except taxes and may be enforced
12 in the same manner as property tax liens.

13 (b) Any unpaid penalty described in subsection (a) of this section
14 may be secured by a lien placed upon any real estate in the state
15 owned by the same person that owns the real estate on which such lien
16 is placed.

17 Sec. 2. (NEW) (*Effective July 1, 2016*) (a) For the fiscal years ending
18 June 30, 2017, June 30, 2018, and June 30, 2019, the Secretary of the
19 Office of Policy and Management shall establish a housing
20 revitalization program in distressed municipalities, as defined in
21 section 32-9p of the general statutes, and in municipalities eligible to
22 receive a community development block grant pursuant to the
23 provisions of 42 USC 5301 et seq. The purpose of the program shall be
24 to provide to persons who own residential property within such
25 municipalities loans for the purpose of making home repairs,
26 including, but not limited to, installing siding or other exterior finishes,
27 replacing windows and replacing or repairing furnaces and roofs. Any
28 available funds for the program shall be divided equally among the
29 eligible municipalities.

30 (b) The chief executive officer of each eligible municipality that
31 participates in the housing revitalization program shall designate a
32 municipal officer or employee to administer the program. Such
33 administrator shall make such loans available to persons who own
34 residential property in census tracts (1) in which twenty-five per cent
35 or more of individuals or families have income below the poverty
36 level, as determined by the most recent United States census, as
37 officially updated by the appropriate state agency or institution, and
38 (2) identified by the municipality as suitable for the program. Any
39 such loan shall be repaid by means of a special assessment placed on
40 the residential property.

41 (c) To receive a loan pursuant to the housing revitalization program,
42 applicants shall submit an application to the administrator on a form
43 approved by the secretary together with any documentation required
44 by the administrator demonstrating that the applicant meets the

45 eligibility criteria set forth in subsection (a) of this section.

46 Sec. 3. (*Effective from passage*) (a) There is established a task force to
47 study issues concerning hoarding. The task force shall (1) review
48 current methods used by various public agencies to address hoarding,
49 (2) identify barriers faced by public agencies to intervene and assist
50 persons who compulsively hoard, and (3) create a framework to
51 coordinate the efforts among state and local public agencies to address
52 the public safety and health issues associated with hoarding.

53 (b) The task force shall consist of the following members:

54 (1) Two appointed by the speaker of the House of Representatives,
55 one of whom shall be a member of the Connecticut Fire Marshals
56 Association and one of whom shall be an attorney with experience
57 representing municipalities;

58 (2) Two appointed by the president pro tempore of the Senate, one
59 of whom shall be a member of the Connecticut Police Chiefs
60 Association and one of whom shall represent the Connecticut
61 Conference of Municipalities;

62 (3) One appointed by the majority leader of the House of
63 Representatives, who shall be a representative of the legal aid
64 assistance programs in the state;

65 (4) One appointed by the majority leader of the Senate, who shall be
66 a representative of a mental health advocacy center;

67 (5) One appointed by the minority leader of the House of
68 Representatives, who shall be a local building inspector;

69 (6) One appointed by the minority leader of the Senate, who shall be
70 a local animal control officer;

71 (7) Three appointed by the Governor, one of whom shall be a
72 physician with experience in treating persons with compulsive

73 disorders, one of whom shall be a representative of a municipal human
74 services department and one of whom shall be a local health director;

75 (8) The Commissioner of Emergency Services and Public Protection,
76 or the commissioner's designee;

77 (9) The Commissioner on Aging, or the commissioner's designee;

78 (10) The Commissioner of Public Health, or the commissioner's
79 designee;

80 (11) The Commissioner of Mental Health and Addiction Services, or
81 the commissioner's designee;

82 (12) The Commissioner of Social Services, or the commissioner's
83 designee;

84 (13) The Chief's State Attorney, or his or her designee;

85 (14) The State Building Inspector, or his or her designee;

86 (15) The State Fire Marshal, or his or her designee;

87 (16) The Chief Animal Control Officer, or his or her designee; and

88 (17) The executive director of the Commission on Aging, or the
89 executive director's designee.

90 (c) Any member of the task force appointed under subdivision (1),
91 (2), (3), (4), (5), (6) or (7) of subsection (b) of this section may be a
92 member of the General Assembly.

93 (d) All appointments to the task force shall be made not later than
94 thirty days after the effective date of this section. Any vacancy shall be
95 filled by the appointing authority.

96 (e) The speaker of the House of Representatives and the president
97 pro tempore of the Senate shall select the chairpersons of the task force

98 from among the members of the task force. Such chairpersons shall
99 schedule the first meeting of the task force, which shall be held not
100 later than sixty days after the effective date of this section.

101 (f) The administrative staff of the joint standing committee of the
102 General Assembly having cognizance of matters relating to public
103 safety and security shall serve as administrative staff of the task force.

104 (g) Not later than January 1, 2018, the task force shall submit a
105 report on its findings and recommendations to the joint standing
106 committee of the General Assembly having cognizance of matters
107 relating to public safety and security, in accordance with the
108 provisions of section 11-4a of the general statutes. The task force shall
109 terminate on the date that it submits such report or January 1, 2018,
110 whichever is later.

111 Sec. 4. Section 7-148ii of the general statutes is repealed and the
112 following is substituted in lieu thereof (*Effective from passage*):

113 (a) Any person who, on or after October 1, 2011, commences an
114 action to foreclose a mortgage on residential property shall register
115 such property with the town clerk of the municipality in which the
116 property is located at the time and place of the recording of the notice
117 of lis pendens as to the residential property being foreclosed in
118 accordance with section 52-325. Such registration shall be maintained
119 by the municipality separate and apart from the land records.

120 (b) Registration made pursuant to subsection (a) of this section shall
121 contain (1) the name, address, telephone number and electronic mail
122 address of the plaintiff in the foreclosure action and, if such plaintiff is
123 an entity or an individual who resides out-of-state, the name, address,
124 telephone number and electronic mail address of a direct contact in the
125 state, provided such a direct contact is available; (2) the name, address,
126 telephone number and electronic mail address of the person, local
127 property maintenance company or other entity serving as such
128 plaintiff's contact with the municipality for any matters concerning the

129 residential property; and (3) the following heading in at least ten-point
130 boldface capital letters: NOTICE TO MUNICIPALITY:
131 REGISTRATION OF PROPERTY BEING FORECLOSED. The plaintiff
132 in the foreclosure action shall indicate on such registration whether it
133 prefers to be contacted by first class mail or electronic mail and the
134 preferred addresses for such communications. Such plaintiff shall
135 report to the town clerk of the municipality in which the property is
136 located, by mail or other form of delivery, any change in the
137 information provided on the registration not later than thirty days
138 following the date of the change of information. At the time of
139 registration, such plaintiff shall pay a land record filing fee to the
140 municipality as specified in section 7-34a.

141 (c) Any person in whom title to a residential property has vested on
142 or after October 1, 2011, through a foreclosure action pursuant to
143 sections 49-16 to 49-21, inclusive, or 49-26, shall register such property,
144 in accordance with subsection (d) of this section, with the municipality
145 in which such property is located not later than fifteen days after
146 absolute title vests in such person. If such person is the plaintiff in the
147 foreclosure action, such person shall, prior to the expiration of such
148 fifteen-day period, update the registration with any change in
149 registration information for purposes of complying with said
150 subsection (d). The updated registration shall include the following
151 heading in at least ten-point boldface capital letters: NOTICE TO
152 MUNICIPALITY: UPDATED REGISTRATION FOR PROPERTY
153 ACQUIRED THROUGH FORECLOSURE.

154 (d) Registration made pursuant to subsection (c) of this section shall
155 be mailed or delivered to the town clerk of the municipality in which
156 the residential property is located and include (1) the name, address,
157 telephone number and electronic mail address of the registrant and, if
158 the registrant is an entity or an individual who resides out-of-state, the
159 name, address, telephone number and electronic mail address of a
160 direct contact in the state, provided such a direct contact is available;
161 (2) the date on which absolute title vested in the registrant; (3) the

162 name, address, telephone number and electronic mail address of the
163 person, local property maintenance company or other entity
164 responsible for the security and maintenance of the residential
165 property; and (4) the following heading in at least ten-point boldface
166 capital letters: NOTICE TO MUNICIPALITY: REGISTRATION OF
167 PROPERTY ACQUIRED THROUGH FORECLOSURE. The
168 registration, or updated registration, shall be accompanied by a land
169 record filing fee payable to the municipality as specified in section 7-
170 34a. The registrant shall report to the town clerk by mail or other form
171 of delivery any change in the information provided on the registration
172 not later than thirty days from the date of the change in information.

173 (e) If a registrant required to register pursuant to subsection (c) of
174 this section fails to comply with any provision of the general statutes
175 or of any municipal ordinance concerning the repair or maintenance of
176 real estate, including, without limitation, an ordinance relating to the
177 prevention of housing blight pursuant to subparagraph (H)(xv) of
178 subdivision (7) of subsection (c) of section 7-148, the maintenance of
179 safe and sanitary housing as provided in subparagraph (A) of
180 subdivision (7) of subsection (c) of section 7-148, or the abatement of
181 nuisances as provided in subparagraph (E) of subdivision (7) of
182 subsection (c) of section 7-148, the municipality may issue a notice to
183 the registrant citing the conditions on such property that violate such
184 provisions. Such notice shall be sent by either first class or electronic
185 mail, or both, and shall be sent to the address or addresses of the
186 registrant identified on the registration. A copy of such notice shall be
187 sent by first class mail or electronic mail to the person, property
188 maintenance company or other entity responsible for the security and
189 maintenance of the residential property designated on the registration.
190 Such notice shall comply with section 7-148gg.

191 (f) The notice described in subsection (e) of this section shall provide
192 a date, reasonable under the circumstances, by which the registrant
193 shall remedy the condition or conditions on such registrant's property.
194 If the registrant, registrant's contact or registrant's agent does not

195 remedy the condition or conditions on such registrant's property
196 before the date following the date specified in such notice, the
197 municipality may enforce its rights under the relevant provisions of
198 the general statutes or of any municipal ordinance.

199 (g) A municipality shall only impose registration requirements upon
200 registrants and plaintiffs in foreclosure actions in accordance with this
201 section, except that any municipal registration requirements effective
202 on or before October 1, 2009, shall remain effective.

203 (h) Any plaintiff in a foreclosure action who fails to register in
204 accordance with this section shall be subject to a civil penalty of one
205 hundred dollars for each violation, up to a maximum of five thousand
206 dollars. Each property for which there has been a failure to register
207 shall constitute a separate violation.

208 (i) Any person in whom title to a residential property has vested on
209 or after October 1, 2011, through a foreclosure action pursuant to
210 sections 49-16 to 49-21, inclusive, or 49-26, and who has not registered
211 in accordance with subsection (c) of this section within thirty days of
212 absolute title vesting in such owner shall be subject to a civil penalty of
213 two hundred fifty dollars for each violation, up to a maximum of
214 twenty-five thousand dollars. Each property for which there has been a
215 failure to register shall constitute a separate violation.

216 (j) An authorized official of the municipality may file a civil action
217 in Superior Court to collect the penalties imposed pursuant to
218 subsections (h) and (i) of this section, which penalties shall be payable
219 to the treasurer of such municipality. Such penalties shall not create or
220 constitute a lien against the residential property.

221 [(k) Neither the registration by a foreclosing party nor the failure to
222 register in accordance with subsection (a) of this section shall imply or
223 create any legal obligations on the part of the foreclosing party to
224 repair, maintain or secure the residential property for which a
225 registration is required prior to the time that title passes to the

226 foreclosing party.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	7-148aa
Sec. 2	<i>July 1, 2016</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	7-148ii

Statement of Purpose:

To assist municipalities fighting blight.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]