

Juduser

From: [REDACTED]
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Kimberly Rice
JUD Public Hearing-Claims
Judiciary Committee
Claim # 24631
March 11, 2022

Good morning, thank you for allowing me the opportunity to testify against the commissioner's decision to deny my claim. I'm sorry I am not better prepared. I was just notified yesterday regarding today's hearing.

Today, March 11th is just weeks before my oldest brother's birthday, March 26, 1968. He passed away on May 24th, 2020 due to a severe asthma attack. His asthma was exacerbated by the moldy wet conditions in my basement caused by the state owned tree located in the front of my house, which is also the cause of my sewage backups. Please note he was working with the organization Putting on AIRS. He complained to them about my basement too. In addition to the loss of life, this tree root issue has caused me great financial, personal property loss and threatens my health. Since we last met I have had six sewage back-ups in my basement, I lost my homeowners insurance, I was blacklisted by the insurance marketplace. No one would allow me to purchase homeowners insurance. As a result I now have insurance via the Ct Fair Plan. The Fair plan does not cover my basement. Therefore, in Oct 2017 and August 2021 when I had the fourth and fifth back-up due to the continuing tree issue, it led to additional financial hardships. As a result, I cleaned the basement myself. Despite purchasing a new washing machine in 2015, I've been unable to use it and since had to throw it away. It was contaminated with mold and sewage. Unable to wash my clothes at home, I still have to go to the laundromat, putting me at an increased risk for COVID19. This also creates an additional financial hardship. Having been hospitalized with COVID19 and still recovering from it is not only financial but a physical hardship.

The only way to resolve this issue is to replace the pipe on the State Highway. The pipes from my house to the street are fairly new but the pipe in the state highway that runs in front of my house is what needs to be replaced. The tree that is encroaching on my pipes belongs to the state, where the rocks and roots from the tree still remain in my pipes today. I have no authority over the tree causing the damage or the road where the issue lies because neither belong to me, they both belong to the state. The cost to fix the problem is more than \$23,000 a quote given in 2015. Current costs may have increased due to COVID19 Pandemic. My neighbor also complained about the tree branches on her roof but that was resolved after several calls and locating the responsible party, state of CT DOT.

Pictures of the tree show utility wires running through the top middle of the tree. After much work I too located the correct responsible party, which is the state of Ct DOT. Sadly, they informed me this would somehow be my responsibility. Despite the state of Ct's Right Tree, Right Place Policy, the high cost to repair it is in part due to all of the state regulations, and the fact this was not an act of God but of neglect by the DOT. Branches growing are also considered an act of God but St of Ct DOT still came and cut them from my neighbors roof. DOT conceded during the hearing with the Commissioner they don't really maintain the tree. Although the state took responsibility for the branches and removed the overgrowth from my neighbors roof- I am somehow responsible for the tree's roots? My neighbor signed a notarized statement saying she has lived in her home for more than 34 years, she has never changed her pipes and has never had issues with roots in her line. Please note that her house is older than my house. So clearly the age of the pipes doesn't cause roots in the line. The tree being in the wrong place does.

In addition to my brother's loss of life I was recently hospitalized for three weeks with Covid. Upon my release from the hospital I was told my recovery was incredibly dependent upon reducing stress. On Dec 31, 2021 I had my sixth sewage backup. It was severe and was deemed a category 4 back-up. The backup caused my boiler to freeze and crack. The loss

of heat caused my pipes to freeze and break. I had no heat and I was forced to leave my home. According to the DOT I am responsible for all of this damage. Due to my health issues I am currently not working and had to pay more than \$20,000 to fix the problem. To date I am still dealing with issues. Instead of me focusing on my health and recovery I have to deal with this undue hardship forced on me by the state. I pay my taxes annually. The worst part is I could have another backup at any time.

My brother's life was shortened tragically, not by Covid but by asthma, which was exacerbated by the conditions caused by a state owned tree. I am a taxpayer, who pays diligently to a system that failed me. I could have never seen this great of a loss coming. I need to resolve this issue as soon as possible. My health and my life depends on it. My lungs are still very weak. I am afraid of what the mold will do to my health. If I have another backup I don't have the means to fix the problem. I'm asking for your help to resolve this issue. My claim was heard in 2018 and was denied in 2021. What seemed like such a simple decision has changed my life forever. Remember, and understand that these claims are about people's lives and the decision not to address them is harmful and the consequences literally destroys lives. Safety is my greatest concern. Please help me to save my home and fix this issue. Thank you for the opportunity to speak and share my concerns with you.