

Legislative History for Connecticut Act

HB 5665 PA 82-399 1982

House - 1420-1421, 5369-5392

Senate - 3996-3997, 4010

Planning - 423-424, 444-448, 464-467

Judiciary - 1021, 1030, 1042-1043

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1982

VOL. 25  
PART 5  
1349-1776

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House of Representatives

Monday, April 12, 1982

DEPUTY SPEAKER FRANKEL:

The bill as amended passes.

CLERK:

Calendar No. 155, Substitute for House Bill NO. 5788, AN ACT CONCERNING SPECIAL MEETINGS AND REFERENDA OF SPECIAL DISTRICTS. Favorable Report of the Committee on Planning and Development.

REP. GROppo: (63rd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Groppo.

REP. GROppo: (63rd)

Mr. Speaker, may this item be passed retaining its place on the Calendar.

DEPUTY SPEAKER FRANKEL:

Is there objection? Hearing none, it is so ordered.

CLERK:

Calendar No. 156, Substitute for House Bill 5665, AN ACT CONCERNING A LANDLORD'S RESPONSIBILITY FOR ASSISTANCE FOR RELOCATION DUE TO CODE ENFORCEMENT. Favorable report of the Committee on Planning and Development.

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REP. GROppo: (63rd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Groppo.

REP. GROppo: (63rd)

May this item be referred to the Committee on  
Judiciary.

DEPUTY SPEAKER FRANKEL:

The motion is to refer this item to the  
Committee on Judiciary. Is there objection to the motion?  
Is there objection? Hearing none it is so ordered.

CLERK:

Calendar No. 157, Substutite for House Bill No.  
5649, AN ACT CONCERNING DEMAND LOANS TO INDIVIDUALS BY  
SAVINGS BANKS. Favorable Report of the Committee on  
Banks.

REP. GROppo: (63rd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Groppo.

REP. GROppo: (63rd)

Mr. Speaker, may this item be passed temporarily,  
please.

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VOL. 25

PART 16

5101-5440

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House of Representatives Wednesday, April 28, 1982

CLERK:

Calendar Page 3, Calendar No. 156, Substitute  
for House Bill No. 5665, AN ACT CONCERNING A LANDLORD'S  
RESPONSIBILITY FOR ASSISTANCE FOR RELOCATION DUE TO CODE  
ENFORCEMENT. Favorable Report of the Committee on  
Judiciary.

REP. GARAVEL: (110th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Paul Garavel.

REP. GARAVEL: (110th)

Mr. Speaker, I move acceptance of the Joint  
Committee's Favorable Report and passage of the bill.

SPEAKER ABATE:

The question is on acceptance of the Joint  
Committee's Favorable Report and passage of the bill.

Will you remark, sir?

REP. GARAVEL: (110th)

Yes, thank you, Mr. Speaker. Under Connecticut  
law, a municipality which condemns an occupied building  
as a result of a program of code enforcement is required  
to provide relocation assistance to any tenant whom it  
orders out of the building. It may not simply throw  
them out onto the streets. This bill would give munic-

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palities a means of partial reimbursements by permitting them to recoup their payments from the landlord if the landlord through failure to comply with the law, permitted the buildings to decline to a point of condemnation.

In addition to making the landlord liable under those circumstances, it would also give the municipality the power to place a priority lien on any real property owned by the landlord.

Mr. Speaker, I would urge passage of this bill.

SPEAKER ABATE:

Will you remark further on the bill?

REP. BRUNNOCK: (74th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Thomas Brunnock.

REP. BRUNNOCK: (74th)

A question for the proponent of the bill.

SPEAKER ABATE:

State your question, please.

REP. BRUNNOCK: (74th)

Through you, Mr. Speaker. Under the file copy as the bill now stands, if a tenant was the one who had caused the disrepair of the property to result in building

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code enforcement violations, would the landlord still be ultimately liable for the relocation costs if the relocation was necessitated by those building code violations?

SPEAKER ABATE:

Rep. Garavel, can you respond, sir.

REP. GARAVEL: (110th)

Through you, Mr. Speaker. I believe that is true.

SPEAKER ABATE:

Rep. Brunnock, you have the floor.

REP. BRUNNOCK: (74th)

Thank you, Mr. Speaker. Mr. Speaker, the Clerk has an amendment, LCO No. 3808, I'd ask the Clerk to call the amendment and that I be allowed to summarize.

SPEAKER ABATE:

The Clerk has in his possession an amendment. The LCO No. is 3808, designated House Amendment Schedule "A". Would the Clerk please call the amendment.

CLERK:

LCO No. 3808, designated House Amendment Schedule "A" offered by Rep. Brunnock of the 74th District.

SPEAKER ABATE:

The gentlemen has requested leave of the Chamber

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to summarize this amendment. Is there objection to summarization? Is there objection? Hearing none, you may proceed to do so, Rep. Brunnock.

REP. BRUNNOCK: (74th)

Thank you, Mr. Speaker. Ladies and gentlemen of the General Assembly, what this amendment essentially does, it becomes the bill itself. What this amendment would do would take out of our Uniform Relocation Assistance Act the requirement that cities and towns pay for relocation costs when those relocations are necessitated by building code enforcement activities, and that's the only change that it would make in the statute.

I would move its adoption, Mr. Speaker.

SPEAKER ABATE:

The question now is on adoption of House "A". Will you remark on its adoption?

REP. BRUNNOCK: (74th)

Yes, thank you Mr. Speaker. Mr. Speaker the cities have a responsibility to maintain their housing stock, however the law as it now stands requires the city to foot the bill for not only enforcing the housing codes but if they enforce those codes, they must pay

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for the consequences of their acts, i.e., all relocation costs.

The file copy would have placed the ultimate responsibility on the landlords. However, the cities and towns would have first have to have paid for the relocation costs and then seek reimbursement against the landlord: more often than not, an absentee landlord who already has a large amount of tax liens on his property placed on that property by the town or municipality, and in addition the absentee landlord probably has, and all too often the case, become judgment proof.

Consequently, the final result, the city still pays. I realize the one major argument is that the costs of relocation should not fall upon those who can least afford such costs. Ladies and gentlemen, I must admit that argument has some merit. However, the cities cannot afford to maintain their housing stock under the present law and will not be able to do so under the file copy. If the cities are to protect the very people who the opponents of this amendment say will be hurt, they, the cities must be released of the financial responsibility of relocation costs.

I would suggest that one alternative to the opponents

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of this amendment would have the state pay for the relocation costs. I think that the opponents of this amendment reflect the common attitude in the state capitals. They determine that the cities should have a moral obligation and duty to perform certain services for their residents, however, they leave the cities to their own devices in how to find the necessary funds.

We must begin to let the cities govern their own destinies. I would urge support of the amendment.

Thank you, Mr. Speaker.

REP. FARR: (19th)

Mr. Speaker.

SPEAKER ABATE:

Will you remark further on the adoption of House "A"? Rep. Robert Farr.

REP. FARR: (19th)

Yes, I'd like to speak in opposition to the amendment. I recognize the problem some of the inner cities have, and I think that the present law, in terms of benefits given to individuals who relocated because of code enforcement should be reexamined. My understanding is it was reexamined in the committee, there were proposals to restrict those benefits, and I would support restriction

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and lowering of those benefits, but as I understand the amendment, the amendment is to say that if a city decides for code purposes to displace people from housing they have no obligations whatsoever to aid in that relocation.

I think that goes to an extreme measure, an undesirable measure. I think the bill before us is an attempt to say in those cases where the, it was an attempt to say that the landlords who don't maintain those properties should have to pay. Rep. Brunnock properly pointed out in some cases the tenants may have caused it, and perhaps we need an amendment to exclude those cases, but I think that the amendment is an over-reaction. I think it denies any obligation on the part of the cities in those cases where relocation occurs, and I would urge rejection of the amendment.

REP. BROOKS: (95th)

Mr. Speaker.

SPEAKER ABATE:

Will you remark further, Rep. Walter Brooks?

REP. BROOKS: (95th)

Mr. Speaker, a question through you to the proponent of the amendment.

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SPEAKER ABATE:

State your question, please, sir.

REP. BROOKS: (95th)

Yes. In some cases where you have the city acting in cooperation with HUD or other federal agencies taking property to eminent domain or otherwise to provide for new development are required by HUD regulations to provide relocation assistance. Would the removal of the requirement under state statute also alleviate HUD from providing relocation assistance? Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Brunnock.

REP. BRUNNOCK: (74th)

Yes, Mr. Speaker, through you. Rep. Brooks, no, it would not. In a situation like that, the city or town would still have the responsibility. It was through a particular program, and through that particular program of paying those relocation costs.

This amendment only addresses itself to building code enforcement activities.

SPEAKER ABATE:

Rep. Brooks.

REP. BROOKS: (95th)

Yes, Mr. Speaker. A further question, through

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you, Mr. Speaker, to the proponent.

SPEAKER ABATE:

State your question please.

REP. BROOKS: (95th)

In a case where the city is enforcing the Housing Code, and they're enforcing the Housing Code in a very large area and there's going to be a large amount of displacement, it is your contention that the city should not have to suffer any of the relocation costs, just in a case where they're moving for conservation or rehabilitation efforts?

SPEAKER ABATE:

Rep. Brunnock.

REP. BRUNNOCK: (74th)

Through you, Mr. Speaker. No under that case, Rep. Brooks, the city or town would still be openly responsible. We're only talking here about building code enforcement. The type of an area that you're presenting would be more or less under urban renewal plan, or under some sort of community development grant program, or what have you and the city would still be responsible in that type of situation for the relocation costs. Maybe by way of illustration, recently in the

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City of Waterbury where there was a particular building with approximately 30 families living in it, there had been a number of interior fires in the building, smaller fires. After the Fire Marshall and the Building Inspector had inspected the building they determined that the building was not fit to live in, and they so notified the landlord, and as a result of the relocation the City of Waterbury was put to a cost of some \$12,000 for one building alone for relocation costs.

REP. BROOKS: (95th)

Thank you, Mr. Speaker. Commenting on the amendment. While there has been some assurance by the proponents that two of the concerns I have had have been are not at least captured in the intent here. I think there is a serious problem and I can give you a situation in my city where we're undertaking this problem right now.

And that is where a landlord just refused to fix up his building and the city was forced to take him to court and forced to have some of the building code violations undertaken. Consequently, they abandoned the property and the city had to move in and rightfully so to address that problem. I think there was 36 families

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involved. I think that if we were to pass this amendment what we would have is a municipality such as my city moving forward to correct a problem and then alleviating itself of its total responsibility of dealing with those 36 families who happened to get caught in an unfortunate situation where the landlord was not living up to his responsibility.

I think the amendment is basically flawed because it does not address, I think, a critical need that we do face in our urban centers, and that is a great deal of absentee landlords abandoning their properties and the cities having to come forward to enforce the building code and now also having to assume some of the responsibility of relocating the tenants.

To do otherwise, I think, would place many urban cities at a great deal of plight, not in terms of the money of the money that they spent but in terms of the cities, that they have a responsibility too.

I urge rejection of the amendment.

REP. SCULLY: (75th)

Mr. Speaker.

SPEAKER ABATE:

Rep. William Scully.

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REP. SCULLY: (75th)

Mr. Speaker, just a comment on some remarks made by Rep. Farr concerning cities' unwillingness to help people. Let it be understood that the City of Waterbury, which I'm very familiar with, goes out of its way to help people who need relocation assistance through the Waterbury Housing Authority and various other social agencies. The Salvation Army in Waterbury does a great deal of work helping relocate people. We're not here to abandon people underneath this bill, but you've got to understand when you're talking about \$12,000 for one building, and we're making a \$25,000 cut in the Reading is Fun Program which children need today, you've got to realize that we need this money for other social programs that are very worthy.

We think that when we take a large amount of money out of our Community Development Funds and put them towards these type of problems that we're not really addressing the original problems.

SPEAKER ABATE:

Will you remark further on the adoption of this amendment?

REP. GARAVEL: (110th)

Mr. Speaker.

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SPEAKER ABATE:

Rep. Garavel.

REP. GARAVEL: (110th)

Mr. Speaker, I would oppose this amendment. I think it's very simple what this amendment does, and very simple in what it says. It says one thing. It says that -- a municipality can enforce a building or housing code and throw people out onto the street and leave them there.

Mr. Speaker, I would urge rejection of this amendment.

SPEAKER ABATE:

Will you remark further on the adoption of House "A"?

REP. BRUNNOCK: (74th)

I will not drag out the debate. I know there's a lot of business on the Calendar, but I would just say that we're in a Catch 22 situation. Certainly the individuals who find themselves caught up in this type of situation in substandard housing are those that can least afford to move about, but certainly the cities find themselves in a paradoxical situation when they look at a building that's substandard and the first

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question that they have to ask themselves is can we afford to relocate the people.

And that's really a sad commentary because when you know that there's substandard housing and you can't afford to enforce your own building code and housing codes then that's really a sad commentary but it's an economic fact of life and I just wish that all these people, and I know their beliefs are sincere that I've heard talking about not wanting to throw people out would be more than willing to sponsor legislation in order to give to the cities and towns the necessary funds to enforce the building codes because if we see fit to put another mandate on the cities and towns that we should be also responsible enough to fund those mandates.

Thank you.

SPEAKER ABATE:

Thank you, sir.

REP. FARRICIELLI: (102nd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Farricielli.

REP. FARRICIELLI: (102nd)

Mr. Speaker, I'd like to speak in opposition to

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the amendment. I believe that the statements that Rep. Garavel made are correct, and although Waterbury may not be and many towns may not do this, the passage of this amendment would make this possible.

I think the circumstance that Rep. Brooks explained is absolutely correct. You know, we look at what we're doing, if we're going to have relocation assistance, and we do have it, then we have to face up to it. We can't give things away without them costing some money. And maybe this is a mandate on the municipalities, maybe the state should look into the possibility of creating a revolving fund to fund the relocation assistance until they collect it from the landlord. But at the present time I think we would do great harm to our relocation assistance program if we were to adopt this amendment.

Thank you.

SPEAKER ABATE:

Will you remark further on the adoption of House "A"? All those in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed nay.

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SPEAKER ABATE: I have a question for the gentleman.

The nays have it. The amendment fails. Will you remark further on this bill? Will you remark further on the bill?

REP. PATTON: (119th)

Mr. Speaker, if I'm wrong,

SPEAKER ABATE: I'm not sure of his intent.

Rep. Gerard Patton. I've a down

REP. PATTON: (119th) I'm sorry, I'm up to

I had hoped that the amendment would have passed because that would have brought a degree of equity and sanity, I think, into this statute that we have before us.

If I may, Mr. Speaker, I'd like to ask a few questions of the proponent of the bill.

SPEAKER ABATE: I'll be glad to.

State your first question, please.

REP. PATTON: (119th)

Would you please tell me what benefits a relocated tenant is eligible to receive, under this statute?

SPEAKER ABATE:

Rep. Garavel. I'll be glad to.

REP. GARAVEL: (110th)

Through you, Mr. Speaker. The three things that

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they're eligible to receive are found in lines 10-19 in the file copy.

SPEAKER ABATE:

Rep. Patton.

REP. PATTON: (119th)

If I'm not mistaken, and correct me if I'm wrong, then, he is eligible to receive the payment of his rent for up to 4 years. He's eligible to receive a down payment towards the purchase of another property up to \$4,000, and I'm not sure what the third one is but there seems to be that cap of \$4,000 which encompasses the payment of his rent for up to 4 years and the award of \$4,000 towards the purchase of a piece of property, should he choose to buy a piece of property. Is that correct?

REP. GARAVEL: (110th)

Through you, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Garavel.

REP. GARAVEL: (110th)

Yes, that is correct under present law

REP. PATTON: (119th)

Thank you, Mr. Speaker. If I may, I'll continue to ask a few questions. Are there any other benefits that

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are available to displaced businesses under this statute?

DEPUTY SPEAKER FRANKEL:

Rep. Garavel.

REP. GARAVEL: (110th)

Through you, Mr. Speaker, none that I'm aware of.

REP. PATTON: (119th)

Mr. Speaker, I'd just make reference to somewhere in the lines of property, line 12 or so where businesses have the same rights except that they are given some added benefits with regard to loss of tangible property, loss of income, loss of business income. In other words, other benefits in excess of just \$4,000 towards the purchase of a piece of property or the payment of rent for up to 4 years.

May I ask, Mr. Speaker, continuing again, what kind of violations of a code could precipitate an order to relocate? What kind of codes could be violated that would cause the city to be responsible for this \$4,000 payment of rent and purchasing of another property?

DEPUTY SPEAKER FRANKEL:

Rep. Garavel.

REP. GARAVEL: (110th)

Through you, Mr. Speaker, my understanding would

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be condemnation, would be one of those.

REP. PATTON: (119th)

Well, correct me if I'm wrong, but if by any chance a building is without heat for a certain period of time or without water for a certain period of time, or perhaps a defect in the sewage system, or the furnace breaks, and all of a sudden there's no heat for a short period of time. The tenants in that building are eligible to have the municipality buy them, give them a deposit towards the purchase of a piece of property, am I correct?

REP. GARAVEL: (110th)

Through you, Mr. Speaker, I don't believe that that is exactly correct.

What could happen is that the municipality would not force condemnation upon the building if it was for a short period of time if they felt that the landlord was making an attempt to make repairs.

REP. PATTON: (119th)

Mr. Speaker, I continue by saying that I think it's not necessary for the municipality to enter into condemnation at all, but just to give an order for relocation as a result of a defect in the tenant's existing place of residence.

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REP. GARAVEL: (110th)

Through you, Mr. Speaker.

That would be true, but it wouldn't be in the town's best interest to force themselves to pay relocation assistance.

REP. PATTON: (119th)

Continuing, Mr. Speaker, through you.

I'm not sure that it's in the town's best interest to do any of it, but if that's what the statute says, then if somebody chooses to avail themselves of the benefits of the statute, I'm not sure that the municipality has the authority not to provide those benefits, since they're spell out in the statute.

I would ask another question, if I may, through you, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Patton.

REP. PATTON: (119th)

Through you, Mr. Speaker. If you were a tenant in a building, Mr. Garavel, and you were not especially

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happy with the property you were renting and you saw an opportunity to cause the landlord, or in this case, the municipality, to pay your relocation expenses, to pay your rent perhaps up to four years, to give you a down payment to purchase a new home and you had an opportunity to trigger such benefits, would you be inclined to do so? Or do you think others might be inclined to do so?

REP. GARAVEL: (110th)

Through you, Mr. Speaker, absolutely not.

DEPUTY SPEAKER FRANKEL:

Rep. Patton.

REP. PATTON: (119th)

Through you, Mr. Speaker.

Mr. Speaker, I'm just looking at the real world as I think it is. And I think there are lots of people who, if they recognize that they have these potential benefits, would avail themselves of it.

I also recognize that the statute before us says that if a violation of the code, violation of code can take some relatively minor triggers. I have the code in front of me. It says the present of paint which does not conform to

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certain standards, cracked, chipped, blistered, flaking. All of these things are violations of code. I know that if an occurrence happened in a building, fire, earthquake, accident and all of a sudden the building was uninhabitable for a short period of time as a result of a natural disaster, these things all trigger.

The point of it all, Mr. Speaker, is that we have a statute that has put an absolutely intolerable burden upon the cities in our state. I think it is fortunate that our cities haven't been hit by the full power of this statute and that many tenants don't realize the power that lies within this statute.

But continuing with such a bill does make all of this available to them. And I think that we err when we put such a burden on the towns in our state. And I would urge that we reject this.

DEPUTY SPEAKER FRANKEL:

Will you remark further?

REP. GARAVE: (110th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Garavel.

REP. GARAVEL: (110th)

Mr. Speaker, I think it is important to note that

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many of the arguments Rep. Patton just made do not pertain to this bill at all because whether or not this bill passes or fails, relocation assistance is still part of the law.

What this bill does is it provides a mechanism for the landlord, for the municipality to recover some of the relocation costs. And Mr. Speaker, I would urge passage of the bill.

DEPUTY SPEAKER FRANKEL:

Will you remark further? If not, will staff and guests please come to the Well.

Will members please take their seats. The machine will be open.

The House of Representatives is now voting by roll. Will the members please return to the Chamber immediately. There is a roll call vote pending in the Hall of the House. Will the members return to the Chamber immediately.

Have all the members voted?

Have all the members voted?

If so, the machine will be locked. The Clerk will please take a tally. Will the Clerk please announce the tally.

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CLERK:

House Bill 5665.

Total number voting 140

Necessary for passage 71

Those voting yea 116

Those voting nay 24

Those absent and not voting 11

DEPUTY SPEAKER FRANKEL:

The bill is passed.

CLERK:

Page 4, Calendar No. 377, Substitute for House Bill 5781, AN ACT CONCERNING WORKSHOPS FOR SEVERELY HANDICAPPED INDIVIDUALS. Favorable report of the Committee on Education.

REP. ORCUTT: (98th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Geil Orcutt.

REP. ORCUTT: (98th)

Mr. Speaker, I move adoption of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER FRANKEL:

The question is on acceptance and passage. Will you remark?

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REP. ORCUTT: (98th)

Yes, Mr. Speaker. There is an amendment, LCO No. 3802 which I hope the Clerk will call and I would like to summarize.

DEPUTY SPEAKER FRANKEL:

The Clerk has LCO No. 3802, designated House "A". Would the Clerk please call the amendment.

CLERK:

LCO No. 3802, Scheduled House Amendment "A", offered by Rep. Goodwin of the 54th district.

DEPUTY SPEAKER FRANKEL:

The representative seeks permission to summarize. Is there objection? Hearing none, you may proceed.

REP. ORCUTT: (98th)

Thank you, Mr. Speaker. I would like to call attention to the members of the House that are interested that along with a copy of this amendment is a revised fiscal note which is appropriate to the revision of the bill.

This amendment makes several changes in our proposed bill. The major change is the removal of section 2, paragraph b which stated that the community workshop program would be available to all severely handicapped adults whose needs for services are authorized by the Department of Mental

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Retardation. Removal of this section eliminates the implication of service entitlement.

And clarifies that the program will be operated subject to the available appropriation. In addition, the proposed amendment revises provisions to the original bill, particularly pertaining to facilities' accreditation so that the continuance of the program will not be held up by the accreditation procedure.

I move adoption of the amendment.

DEPUTY SPEAKER FRANKEL:

The question is on adoption of House "A". Will you remark on its adoption? Will you remark on the adoption of House "A"?

REP. QUINN: (132nd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. John Quinn.

REP. QUINN: (132nd)

Mr. Speaker, under House rules, I would like to leave the Chamber on a possible conflict of interest.

DEPUTY SPEAKER FRANKEL:

Would the Clerk please note that Rep. Quinn has abstained for a possible conflict of interest. Will you

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remark further on the adoption of House "A"? If not,  
all those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed nay.

DEPUTY SPEAKER FRANKEL:

The ayes have it. House "A" is adopted and it is  
ruled technical.

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House Amendment Schedule "A".

In line 33, strike out the words "(a) There is  
established within"

In line 34, strike out the word "the" and substitute the  
word "The" in lieu thereof and, strike out the word "a"  
and substitute the words "shall continue the"

Strike out lines 44 to 50, inclusive, in their  
entirety

In line 54, strike out the word "individuals" and  
substitute the word "adults" in lieu thereof

In line 55, before the word "when" insert the  
following: "(1) whose need for services has been authorized  
by the department of mental retardation in accordance with  
section 4 of this act and (2) "and, strike out the word "it"  
and substitute the words "said department" in lieu thereof

In line 60, after the word "program" insert the  
following: ", provided such service plan shall be consistent  
with those services provided by the facility"

In line 75, after the period, insert the following:

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"For purposes of payment, all facilities that enter into contracts with the department of mental retardation shall be deemed eligible facilities until the department adopts regulations in accordance with the provisions of subsection (d) of section 1 of this act."

In line 77, after the period insert the following:

"Rates for such services shall be determined in accordance with the provisions of sections 17-313a to 17-313c, inclusive, of the general statutes."

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DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill as amended?

REP. ORCUTT: (98th)

Yes, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Orcutt.

REP. ORCUTT: (98th)

This bill provides the statutory basis for workshop programs that the Department of Mental Retardation has been administering for the past two years. This program is for severely handicapped adults. The bill requires the Commissioner of Mental Retardation to adopt regulations to implement the provision of the act.

Secondly, the bill creates a community sheltered workshop council within the Department of Mental Retardation

kdj

House of Representatives

Wednesday, April 28, 1982

and the council is to assess the needs and make recommendations concerning the severely handicapped.

It is the intention that these workshops shall serve the needs of persons with all kinds of handicapping conditions. And the council provides for the input from the agencies working with individuals with all kinds of handicapping conditions. I move passage of the bill.

DEPUTY SPEAKER FRANKEL:

Will you remark further? If not, will staff and guests please come to the Well. Will members please be seated. The machine will be open.

There is a roll call vote pending in the Hall of the House. Would the members return to the Chamber immediately. There is a roll call vote in progress in the Hall of the House. Would all the members please return to the Chamber.

Have all the members voted? Have all the members voted and is your vote properly cast? If so, the machine will be locked. The machine is still open. The machine will be locked. The Clerk will take a tally.

SPEAKER ABATE:

Will the Clerk please announce the tally?

CLERK:

House Bill 5781 as amended by House "A".

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Total number voting	141
Necessary for passage	71
Those voting yea	141
Those voting yea	0
Those absent and not voting	10

SPEAKER ABATE:

The bill as amended passes.

CLERK:

Page 14, Calendar No. 568, Substitute for House Bill 5986, AN ACT REDUCING TIME PERSONAL PROPERTY OWNED BY A NONRESIDENT MUST BE LOCATED IN A TOWN TO BE SUBJECT OF A PROPERTY TAX. Favorable report of the Committee on Finance, Revenue and Bonding.

REP. RYBAK: (66th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Michael Rybak.

REP. RYBAK: (66th)

Thank you, Mr. Speaker. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER ABATE:

The question is on acceptance and passage. Will you remark, sir?

S-200

CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1982

VOL. 25  
PART 12  
3797-4086

1982 GENERAL ASSEMBLY

3996

SENATE

REGULAR SESSION  
Monday, May 3, 1982

190.  
roc

against whom the order is issued failed to obey the order, the person to whom support is payable can apply to the court or to the judge for relief. It would also make technical changes by deleting repetitive references to the Department of Human Resources.

The bill would change DHR language, Sec. 17-31i of the General Statutes in order to reflect federal requirements on child support and unemployment compensation.

I would ask, if there is no objection, that this matter be placed on Consent.

THE PRESIDENT:

Hearing no objections, it is placed on the Consent Calendar.

THE CLERK:

Cal. 659, File 216,753. Substitute for House Bill 5665. AN ACT CONCERNING A LANDLORD'S RESPONSIBILITY FOR ASSISTANCE FOR RELOCATION DUE TO CODE ENFORCEMENT.  
Favorable report of the Committee on Judiciary.

SENATE

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THE PRESIDENT:

Senator Owens.

SENATOR OWENS: (22nd)

I move acceptance of the Joint Committee's favorable report and passage of this bill.

THE PRESIDENT:

Will you remark?

SENATOR OWENS:

Yes. Under current law, displaced persons are eligible to receive relocation assistance from state agencies. This bill would require that whenever any tenant in any dwelling unit is displaced as a result of the enforcement of municipal code or building code the landlord would be liable for any payment made and the town, city or borough would be permitted to place a lien on the real estate owned by the landlord to secure payment of same.

I would ask that if there is no objection that it be placed on Consent.

THE PRESIDENT:

Hearing no objections, it will be placed on Consent.

1982 GENERAL ASSEMBLY

4010

SENATE

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Cal. 612 and Cal. 622. Page five - Cal. 623, Cal. 624,  
Cal. 625, Cal. 626 and Cal. 627. Page six - Cal. 628,  
Cal. 629, Cal. 630. Page seven - Cal. 633, Cal. 634.  
Page eight - Cal. 638, Cal. 641 and Cal. 642. Page  
nine - Cal. 644, Cal. 646, Cal. 647. Page ten - Cal.  
648, Cal. 649, Cal. 650, Cal. 651 and Cal. 652. Page  
eleven - Cal. 653, Cal. 654, Cal. 655. Page twelve -  
Cal. 658, Cal. 659, Cal. 660 and Cal. 661. Page  
thirteen - Cal. 668. Page fourteen - Cal. 60. And  
that concludes the Consent Calendar thus far for today.

THE PRESIDENT:

Are there any omissions or corrections?

The machine is open. Please record your vote. The  
machine is closed. The Clerk please tally the vote.

Result of the Vote: 35 Yea. 0 Nay. THE

CONSENT CALENDAR IS ADOPTED.

HB 5241, HB 5747, HB 5110, HB 5919,  
HB 5077, HB 5560, HB 5082, HB 5274,

HB 5812, HB 5924, HB 5958, HB 5967, HB 5814, HB 5534, HB 5673, HB 5810, HB 5817,  
HB 5970, HB 5781, HB 5347, HB 5850, HB 5978, HB 5577, HB 5981, HB 5986, HB 5708,

THE CLERK: HB 5886, HB 5979, HB 5236, HB 5982, HB 5435, HB 5665, HB 5804,  
HB 5612, HB 5428, SB 319.

At this time the Clerk would like to call your  
attention to an item that was previously marked go for  
today, Cal. 99 at the top of page fifteen is now marked P.R.

JOINT  
STANDING  
COMMITTEE  
HEARING

PLANNING &  
DEVELOPMENT  
PART 2  
292-632

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MR. PODOLSKY: (continued)

The other bill that I want to say something about is bill no. 5665, An Act Concerning The Landlord's Responsibility For Assistance For Relocation Due To Code Enforcement. There's a history of this bill from last year that some of you may remember. Well, I guess there's at least one person who and they voted against that in the House. The bill died in the House and I think the way to clean it up a little bit is to make it more acceptable. The core of the bill is the notion that a town should be given some means of getting, well, I'm sorry, let me go back a step.

Under the existing law, if a town condemns a building and forces the tenants to move, that is to say someone has moved out because of municipal action through housing code enforcement, then the tenant is entitled to relocation assistance under the act. That's the existing law. In most cases in which you are dealing with condemned buildings, a building will have been allowed to reach that state of deterioration through a failure of maintenance at some period of time.

The town, however, has no recourse to get the money that it spends back from anybody. Last year a bill was initially put in that would say, the tenant has to get the money from the landlord. The committee correctly rejected that bill and the problem with that bill was that a landlord allows a building to deteriorate to the point of condemnation which means it is in severely bad shape will never in a million years pay a penny voluntarily to a tenant.

So it would be like sending somebody on a wild goose chase. And essentially it would mean that the town would never see the money. The bill was rewritten last year to say the town continues to pay the money, but the town can go after the landlord and get the money back. And that was the way the bill came out of committee. I think that's a very legitimate thing to do. It gives the town an incentive not to, it gives the town incentive to comply with the act because it can get its money back from whatever source of money the landlord has, not just the building.

It was defeated in the Floor of the House because a number of criticisms. It seems to be the one that can most easily

MR. PODOLSKY: (continued)

be addressed is true that in not every case in which a building is condemned is, in fact, the fault of the landlord. And the way you could solve that problem, I would propose, would be to add a sentence at the end of a bill to section 3. I would leave you copies of what I propose, but what the sentence would say is that in Section 3 says, that for the town to get the money it basically sues the landlord. Add the following sentence, in any such action it shall be an affirmative defense for the landlord that the displacement was not the result of the landlord's violation of Section 47A7 of the General Statutes. That is the section that says it is his obligation to maintain the building.

So that, for example, in an extreme case, where there's a fire and the building completely burned down, now the landlord had absolutely nothing to do with it, that that would not be a violation of 47A7. It would not be fair under those circumstances to make the landlord pay the relocation costs. That's really in the nature of a natural disaster.

On the other hand, if it was a lack of maintenance over a long period of time, then it seems to me it is reasonable that the owner should bear the responsibility, the ultimate responsibility. I think that if you add that sentence it would make the bill more palatable in the House. I think that it then might fly in the House and fly in the Senate and would have the substance of giving the towns recourse to the landlord where essentially the deterioration was the landlord's fault. And I think the bill would go through this year if you make that change. So, I would recommend that change to you in the bill.

REP. GARAVEL: Thank you. Are there any questions? Senator Smith.

SEN. SMITH: I have one. I want to go back to, despite the fact that I came in late, I do understand somewhat the background on the waiting period for demolition and it's been my position and probably many of the legal people that we've, with whom we've spoken concerning this, that it's totally unnecessary. The reason why many people have

HB 5594

CHARLES KELLNER: Senator Smith, my name is Charles Kellner. I'm the Assistant City Manager of Norwich. I'm here this morning - this afternoon to testify to two bills which are very important to us in the city of Norwich.

Bill number 5665 would amend the uniform relocation assistance act, Chapter 135 of the Connecticut General Statutes, so that the landlord would be liable for the cost of code enforcement related/relocations. By way of history, the Uniform Relocation Assistance Act was adopted to enable Connecticut to comply with federal Uniform Relocation Assistance of Real Property Policies Act of 1970. The Connecticut act, however, is far more ambiguous and a little more broad than the federal act and thus exposed us in Norwich and every other municipality to unlimited liability of relocation benefits associated with the performance of our normal code enforcement functions.

I believe that the state Relocation Act did not intend to require the towns to pay for relocation expense arising from individual, isolated code enforcement activities, but rather to cause the towns to pay for such relocations when they are associated with a program of acquisition and demolition of a specified area for the purposes of redevelopment. If the latter were the case, we'd have no objections. That's proper.

However, the law as written is unreasonable. The City of Norwich has paid over \$10,000 so far to persons who have relocated due to the city's necessary code enforcement activity. In addition, there are 12 claims that I know about which will probably amount to - I'm guess - \$30,000. There are probably more claims which I haven't yet received. In light of this expense and the limited exposure, the city has called a moratorium on condemning any structure. Although our inspectors continue to fight violations and order the remedial action that's necessary, it's known that they will not condemn a building except in the most dire emergency - the landlords have become increasingly uncooperative in terms of taking the necessary corrective actions.

Quite simply, we cannot afford to have our code enforcement people do their jobs properly. This is not to our benefit, nor is it to the benefit of the tenants of sub-standard housing. The Uniform Relocation Assistance Act is solely

MR. KELLNER: (continued)  
6 responsible for this action by the city, as well as the  
resultant continuation of decay of the housing stock.  
Cass. 6 There are three parties who conceivably could be held  
responsible for the cost of relocations resulting from  
code enforcements. The town, the tenants, and the landlord.

It's most important to consider which party is responsible  
for the necessity of the condemnation and thus the  
relocation. The municipality is the only one of these  
three parties which is never responsible. If the landlord  
is responsible for the upkeep of his building, the landlord  
is the logical party to be made liable for the cost of  
relocation arising from his failure to perform this  
upkeep.

Parenthetically, earlier there was testimony given and  
somebody mentioned the fact that occasionally the con-  
demnation is not the fault of the landlord, the tenants  
or the town, but it's a natural disaster, for example,  
a fire. That's true. And maybe the landlord shouldn't  
be held liable in that instance, but certainly the town  
didn't set the fire. The town didn't cause the fire to  
start. Therefore, the town, in my opinion, shouldn't be  
forced to pay each person who's living in that building  
roughly \$4,000 to move, and that's about what it's  
costing us.

The Uniform Relocation Assistance Act must be amended ...

SEN. SMITH: Excuse me. Your town pays \$4,000 for a ...

MR. KELLNER: That's a reasonable ...

SEN. SMITH: Excuse me. If there's a fire  
and people are relocated in an emergency, your town has  
to pay \$4,000 then to relocate them into decent housing?

MR. KELLNER: If there's a fire ...

SEN. SMITH: If there's a fire by accident in the town - and  
the families have to be moved out, your town pays each  
family \$4,000?

MR. KELLNER: When, and only when -- however, when they are ...

SEN. SMITH: No, no, no, no. Answer my question, please.  
Not when they're evicted. If there's a fire, which causes  
the building to be condemned -

MR. KELLNER: If that fire causes condemnation, yes.

SEN. SMITH: To be condemned.

MR. KELLNER: The people while the building - before the building  
was being condemned and are thus forced to vacate that  
structure ...

SEN. SMITH: Because of the fire.

MR. KELLNER: Because of the fire ...

SEN. SMITH: You have to pay them \$4,000?

MR. KELLNER: That's a rough number, yes. O.K., varying  
depending upon the number of people, the number of rooms  
in each apartment, but yes, as a general ...

SEN. SMITH: But I thought you said it cost \$4,000 for each  
family? Now you're saying it varies.

MR. KELLNER: Yes. It's \$4,000 up to - for rental assistance.  
It's up to - a three room apartment you get \$170 to move.  
A four room apartment - \$200. On top of that there's a  
dislocation allowance. So \$4,000 is a rough number. I  
have a claim which we're about to settle which will be  
for about \$4,400.

SEN. SMITH: That might be one claim. You said there were  
a number - 14 or so. What was that number you just used?

MR. KELLNER: A dozen, sir.

SEN. SMITH: A dozen. And they're averaging \$4,000?

MR. KELLNER: That's correct.

SEN. SMITH: Do you have that in your written testimony?

MR. KELLNER: The written testimony says we have paid over  
\$10,000. There are twelve claims which will approximate  
\$40,000.

SEN. SMITH: And those stem from fires or code enforcements ...

MR. KELLNER: Code enforcements, yes sir.

SEN. SMITH: Do you have a breakdown on what they are?

MR. KELLNER: I can get it for you. I don't have it with me.

SEN. SMITH: O.K. Would you submit that additional information to the Committee, send it to my attention, we'll add it to your testimony?

MR. KELLNER: I'd be happy to.

SEN. SMITH: All of the information that you've told us, explaining those figures. How many of those persons were relocated because of fire, accidental fire. How many of them were relocated and how much the city paid because it necessitated it stemming from code enforcement.

MR. KELLNER: I'd be happy to do so.

SEN. SMITH: O.K.

MR. KELLNER: O.K., the basis of my testimony, I guess is the Uniform Relocation Assistance Act must be amended so that the financial responsibility for the relocation falls to the culpable party when there is one. O.K.?

SEN. SMITH: Doesn't that already exist in the law?

MR. KELLNER: I ...

SEN. SMITH: For example, if you were a tenant of mine, and I could prove that you damaged my property, could I not take you to court and sue you steadily?

MR. KELLNER: I would think so. I'm not an attorney.

SEN. SMITH: Alright. If you were a tenant of mine and I could prove that you created a condition in my apartment which violated a code, doesn't that the House and Housing Code Law say that any person found guilty of violating the code can be arrested and punished in a court of law?

MR. KELLNER: I'm not aware of that.

SEN. SMITH: Well, the fact of the matter is - it does.

MR. KELLNER: And it also says that if a person willfully created the violation of the code - the tenants of yours in Connecticut - he doesn't get relocation. But if you can't so prove that, if you can't so prove it, whether it happened or it didn't happen, the town pays.

SEN. SMITH: Well, which landlord has told you and what evidence do you have that landlords said they can't prove all this vandalism you all reporting up here that tenants commit? What landlord has told the city that they cannot prove that their tenants have been vandalizing their property?

MR. KELLNER: The landlord doesn't care. As far as the relocation ...

SEN. SMITH: We're not talking about whether the landlord cares or not. You're testifying that this bill is a bad one because landlords - you can't control vandalism. You're saying that the fact that we have on the books this law which is broader than the federal requirements, is directly attributable to your city spending a lot of money to relocate people because of health and housing code enforcement. And condemnation.

MR. KELLNER: That's correct.

SEN. SMITH: Alright. And then you're also testifying that a lot of it is caused by vandalism of tenants or ...

MR. KELLNER: I think I didn't use the word vandalism. I didn't mean to if I did.

SEN. SMITH: Let me see your written testimony there. We don't have to worry about other Committee members getting impatient about my question because they're not here.

MR. KELLNER: Do you want me to sit down?

SEN. SMITH: Sure. Go right ahead. You can go on with your testimony. Are you finished?

MR. KELLNER: That's the end of it as far as this bill is concerned.

MR. SINGERMAN: Yes.

SEN. SMITH: Here you go.

MR. SINGERMAN: I'm going to testify on two bills.

SEN. SMITH: All above board.

MR. SINGERMAN: 5865, which refers to the responsibility of landlords to provide relocation systems and 5479, An Act Concerning Community Residences for the Mentally Ill. Let me speak to 5565 first.

This is a CCM priority bill. There are very few bills that the Connecticut Conference on Municipalities which represents over 70% of the state's population and 60 communities including Windsor and I'm glad to say recently Hartford once again have identified as a priority in its legislative program for 1982. It was, I would add, a priority in our program last year. This, the issue of paying for relocation costs that are a result of municipal action in enforcing the housing code is a tremendous and growing problem for many municipalities and is extending to other municipalities. It's not just a problem for the larger cities in the state, such as New Haven, Hartford, Waterbury and New Britain, but as well in smaller communities such as Norwich as the City Manager testified before.

Currently, municipalities are responsible for relocation payments when the relocation is caused by municipal action enforcing the housing code. This bill would make the landlords ultimately liable but would still hold the municipalities responsible. This bill is, we consider this bill to be an improvement over the existing situation. And the current situation, as you know, if the municipality is forced to relocate tenants regardless of cause of the relocation, the municipality has to pay the relocation benefits without and has no one to go against to recover the costs. I would add that this is a form of an unfunded state mandate since the municipalities are required to enforce the housing code, it is required by state law. And there is provision in the law which prescribes or speaks to state funding for such benefits, although such funding has never been provided.

Through passage of this bill, municipalities will have

MR. SINGERMAN: (continued)

an opportunity to recover costs from the landlords and they will be encouraged not to be put in the very difficult situation which I think you correctly pointed out that the City of Norwich has put itself in and which I suspect other municipalities have put themselves in but have not been so direct in stating it. That is, they have lessened their housing code enforcement to try to avoid these enormous costs that have been imposed upon them by tenants and through the actions of the Legal Aid associations.

I would add that there should be, I would suggest certain amendments to the bill which would improve it. One which was suggested last year and I will supply the Committee in correspondence at a later time with more precise language allows the city and towns to place a lien on any real property owned by such landlords to secure the repayment to the city of such relocation payments. There are, of course, further amendments that could place the bill either on the landlord entirely, make the landlord responsible for the payments or upon the state. Either making the state responsible for the payments or making the state enforce the provisions of the law.

Although that would be a neat solution to what is a state mandate, we think that this bill would be, the improvements that I have suggested, that is, allowing the city to place a lien on the landlords' property would go far to solving some of the problems that exist. If you would like to ask questions, I will hold my testimony.

SEN. SMITH: That last one, now. About the lien on the landlord's property. Your position.

MR. SINGERMAN: We would propose amending the bill --

SEN. SMITH: To allow the City to do that.

MR. SINGERMAN: To place a lien on any property owned by the landlord.

SEN. SMITH: You said that. That's unnecessary. The cities already have the right to do that under the law. They have the right to do it, they won't do it. Depending upon who the landlord is.

MR. SINGERMAN: I listened to your comments when the representative from Norwich spoke and it's my understanding, now I am not as familiar with the law as you are, that although criminal procedures are available as a warrant can be

SEN. SMITH: So are civil. Civil and criminal. The city has the right to attach any landlord's property, anybody that owes them money as long as they have enforced the codes and they have the evidence and they have sought warrants and they go to court and the judge finds them guilty. The judge can fine them criminally for \$10 or rap them on the hands or something. The city can attach their property regardless of where he is located as long as it is in the State of Connecticut.

MR. SINGERMAN: After the criminal proceedings.

SEN. SMITH: Not necessarily. They can take them to court civilly and sue them civilly. It's up to the judge or jury to determine whether or not they are guilty. You don't need a law to allow them to do what they can already do. They just won't do it.

MR. SINGERMAN: Well --

SEN. SMITH: See, if we amend this bill and to try to get the law changed and it is defeated in the legislature or in Committee, the same people are saying that proves the legislature doesn't want us to do that.

MR. SINGERMAN: The bill was defeated last year.

SEN. SMITH: Not to let them place a lien on property.

MR. SINGERMAN: I think that one of the amendments that, there were a variety of bills last year and one of the bills had that as, I recall, I may be mistaken -- one of the bills had that as an amendment.

SEN. SMITH: One of the major reasons why it was defeated was that a lot of the attorneys in the legislature agree. They already have the right to do it. They just won't do it.

MR. SINGERMAN: Certainly the city officials that have spoken to us in Norwich and New Haven come to my mind recently

MR. SINGERMAN: (continued)

feel that they don't have the authority to do it and there is plenty of incentive for them to do it. New Haven is facing hundreds of thousands of dollars.

SEN. SMITH: I'll have to tell you the same thing, sir. Why don't they issue an opinion. A legal, written opinion. See, what you continue to do with us is that you come up and say, well they said. No one wants to say who said it, no one wants to say who asked them for the legal opinion. And so if you can submit to us in testimony a written opinion from some city's corporation counsel citing the reasons why they claim the city can't do it. I'll be frank with you. The reason why they won't do it is because it would make them the laughing stock of the legal profession. They won't put it in writing because they are wrong and they know it.

MR. SINGERMAN: I will attempt to obtain such a --

SEN. SMITH: Yes, because we told them to do it last year and they didn't get it. And you are not going to be able to get it because these people continue to tell you that they can't do this or they can't do that, but no one is willing to put it all on record in writing. And I challenge any corporation counsel from New Haven or Bridgeport or Norwich or Greenwich that will put that in writing.

MR. SINGERMAN: If we are able to obtain such a ruling, will you support the bill?

SEN. SMITH: Yes, I will. But at the same token, if the Attorney General will then ask the President Pro Tem to get the Attorney General's Office to render an opinion on their opinion. Then I'll support it. If the Attorney General's office says that they don't have to write to do it, then we will support the bill.

MR. SINGERMAN: Thank you, Senator.

SEN. SMITH: Let the record show that Representative Farricielli has returned to the hearing.

MR. SINGERMAN: I'd like to testify on 5479, An Act Concerning Community Residences for Mentally Ill Persons. This is

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MR. PODOLSKY: (continued)

to make on this bill. What the bill does, it basically provides that if a city condemns a building through building or other code enforcements and throws the tenants out of the building as a result, essentially by placarding the building, it does not have to pay relocation assistance any more.

It seems to me what that attempts to do is to essentially vest the problems of the cities to the victims, who through direct municipal action are essentially being thrown out into the streets.

The second thing you should know, is there's already a bill that deals in what I think is a more constructive way with the same subject, that is House Bill 5665, which has already been JFd by the Planning and Development Committee.

SEN. OWENS: What is it?

MR. PODOLSKY: 5665. It has been JFd to the floor. Quite frankly, it's not entirely clear to me why 5801 and 5807 are in this committee. I would urge you to take a good look at the bills yourself. It's certainly not evident on their face that they're judicial department bills. The relocation assistance act is administered by the Department of Housing.

And finally, and the last comment I'd like to make, I wish Rep. Tulisano were here, but I'll say this to him in his absence. He and I had some discussions a couple of weeks ago about the fact that he did not like the idea of people bringing bills to the Judiciary Committee for the purpose of trying to litigate pending cases to see if they could win their case in the legislature, even though they might lose the case in court.

I would point out to you there are several cases now pending that are to interpret the precise meaning of the relocation assistance act. The effect of this bill is precisely to rewrite the act for the benefit of one of those parties to the litigation, so if there's any feeling that you should not interfere in pending legislation, and I don't say that I necessarily agree with that in principle, but certainly in light of what your co-chairman has said to me, this is certainly a case for abstention. Thank you very much.

MR. MAINE: (continued)

What this demonstrates though is their own failure at code enforcement. For years in the City of Hartford, the housing code was only minimally enforced. Even now the city could do more than it is doing. Civil enforcement of the code has not been effectively used and when it has the fines have been small that it's cheaper for the landlord to pay the fines than to make the repairs. Also, the State of Connecticut has allocated money for a receivership program which has gone largely unused by these municipalities. Effective use of receivership is certainly a better alternative than condemnation.

Legislators must realize that the tenants in these buildings are almost always low income. In such a tight rental market, it is essential they be given some assistance for moving costs and to offset increased rents.

I would also like to point out that most, I would guess, most of these families would also be on some sort of state aid and if they're unable to find alternative housing, they may be put into motels which the state will then have to pay for to add more costs to the state.

The point at which a building is condemned is the last step in a long process of neglect. If the landlord does not keep his property in good condition, the municipality through its code enforcement should make sure that it's done. The condemnation is only the last step after failures by the landlord and the municipality.

It seems that a viable alternative to this problem is HB 5665 which has been raised by the planning and development committee. This bill allows for a municipality to put a lien on the landlord's property to recoup the amount of money paid for relocation assistance. Thank you very much.

SEN. OWENS: Thank you. Frank Raccio, to be followed by Ray Shea, to be followed by Brenda Marcellino.

MR. FRANK J. RACCIO: Thank you Mr. Chairman, members of the committee. My name is Frank J. Raccio. I am the Executive Director of the Connecticut Council of Police Unions, AFSME, AFL-CIO which is an employee organization, pardon me, that represents approximately 3,000 police officers in the State of Connecticut in about 45 municipalities.

MR. PELS: (continued)

And therefore ask that both bills 5801 and 5807 be rejected.

SEN. OWENS: Thank you. Sister Virginia McCrossan. Good afternoon, sister.

SISTER VIRGINIA MC CROSSAN: Good afternoon. My name is Sister Virginia McCrossan, and I'm from Waterbury, Connecticut, and I'm here today to speak against Bill 5807, and 5801. And I'm here to recommend strongly that you look favorably on 5665.

I speak of these bills from my own personal experience in downtown Waterbury. I work in an ecumenical center in the First Congregational Church in Waterbury and I have been hired by the downtown churches to work with the people that are having problems in the city.

I have been personally involved with people in Waterbury who have lived in condemned buildings. David Pels who spoke before me, mentioned people who are in the AFDC program who frequently end up in condemned buildings. My experience in Waterbury has also been that people who are on the town welfare are ones that are frequently in Waterbury trapped in this kind of a situation. In Waterbury we have something like 1600 people on the town.

It is a little bit more difficult, even in Waterbury, to do something about people who are on the town. It's harder to get them placed. This summer, we were fortunate enough to force the city to come up with security deposits, so that the people who were in the condemned building, worked with our local agencies and we tried, with the security deposit to get rents for people, which turned out to be a very positive experience because when you're dealing with people that really don't have 2 nickels to rub together, to just put them out in the street and say in 10 days, you've had it and you're out, it's impossible to get rents.

I was put in this kind of position, and I got nowhere until finally the city did allow security deposits, so I would like to say that I think this bill is not going to require a lot of money. We're not looking for huge sums in the thousands to relocate people. We're just looking for enough money to

SISTER MC CROSSAN: (continued)  
get them into some kind of housing so they will not have to live in the streets.

So I strongly recommend that you look with favor on House Bill 5665. Thank you.

SEN. OWENS: Thank you. Meotti. To be followed by Rev. James Tuggle.

MR. MICHAEL MEOTTI: Thank you, Mr. Chairman. For the record, my name is Mike Meotti. I'm representing the Insurance Association of Connecticut.

And I'd just like to state that on Raised Committee Bill 5820, An Act Concerning the Statute of Limitations of Uninsured Motorist Actions, the bill would amend the section of the statute dealing with time limitations on bringing of cases involving fidelity and surety bonds. We're not sure that uninsured motorists changes belongs in this area. We would also be proposing an amendment to the bill which would clear up the language about the starting of the limitation period which now reads, when the loss insured against occurs, we have some language we'd suggest to tighten up that language in the area of construction performance and payment bonds which we'll offer to the committee.

SEN. OWENS: Thanks, Mike, I appreciate it. Rev. Tuggle. Trina Walker. I want you to know that I did get, there were some people who wanted to speak, but we couldn't take them out of turn on this, we have to go right down the line. But I realize it's an inconvenience when you come up from Bridgeport.

MS. TRINA WALKER: We have been here since 1:00.

SEN. OWENS: Well, a lot of people until 6:00 and 7:00. I'm sorry about that, you know, that you came that far.

MS. WALKER: Well, thank you. My name is Trina Walker. I work in the Bridgeport area. I have worked in P. T. Barnum, that's the west side of Bridgeport for the last 13 years now. I am in support of Bill 518. By the way, I work for ABC, the Action for Bridgeport Community Development. I will hope that you will convey to the members absent at this time our support, our people here today represent thousands