



General Assembly

February Session, 2022

Raised Bill No. 297

LCO No. 2436



Referred to Committee on HOUSING

Introduced by:
(HSG)

***AN ACT CONCERNING REIMBURSEMENTS TO LANDLORDS FOR
THE DISPOSITION OF TENANT PROPERTY.***

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

1 Section 1. Section 47a-42 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) Whenever a judgment is entered against a defendant pursuant to
4 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of
5 possession or occupancy of residential property, such defendant and
6 any other occupant bound by the judgment by subsection (a) of section
7 47a-26h shall forthwith remove himself or herself, such defendant's or
8 occupant's possessions and all personal effects unless execution has
9 been stayed pursuant to sections 47a-35 to 47a-41, inclusive. If execution
10 has been stayed, such defendant or occupant shall forthwith remove
11 himself or herself, such defendant's or occupant's possessions and all
12 personal effects upon the expiration of any stay of execution. If the
13 defendant or occupant has not so removed himself or herself upon entry
14 of a judgment pursuant to section 47a-26, 47a-26a, 47a-26b or 47a-26d,
15 and upon expiration of any stay of execution, the plaintiff may obtain

16 an execution upon such summary process judgment, and the defendant
17 or other occupant bound by the judgment by subsection (a) of section
18 47a-26h and the possessions and personal effects of such defendant or
19 other occupant may be removed by a state marshal, pursuant to such
20 execution, and delivered to the place of storage designated by the chief
21 executive officer for such purposes.

22 (b) Before any such removal under subsection (a) of this section, the
23 state marshal charged with executing upon any such judgment of
24 eviction shall give the chief executive officer of the town twenty-four
25 [hours] hours' notice of the eviction, stating the date, time and location
26 of such eviction as well as a general description, if known, of the types
27 and amount of property to be removed from the premises and delivered
28 to the designated place of storage. Before giving such notice to the chief
29 executive officer of the town, the state marshal shall use reasonable
30 efforts to locate and notify the defendant of the date and time such
31 eviction is to take place and of the possibility of a sale pursuant to
32 subsection (c) of this section. Such notice shall include service upon each
33 defendant and upon any other person in occupancy, either personally
34 or at the premises, of a true copy of the summary process execution.
35 Such execution shall be on a form prescribed by the Judicial
36 Department, shall be in clear and simple language and in readable
37 format, and shall contain, in addition to other notices given to the
38 defendant in the execution, a conspicuous notice, in large boldface type,
39 that a person who claims to have a right to continue to occupy the
40 premises should immediately contact an attorney, and clear instructions
41 as to how and where the defendant may reclaim any possessions and
42 personal effects removed and stored pursuant to this section, including
43 a telephone number that may be called to arrange release of such
44 possessions and personal effects.

45 (c) Whenever the possessions and personal effects of a defendant are
46 removed by a state marshal under this section, such possessions and
47 effects shall be delivered by such marshal to the designated place of
48 storage. Such removal, delivery and storage shall be at the expense of
49 the defendant. If such possessions and effects are not reclaimed by the

50 defendant and the expense of such storage is not paid to the chief
51 executive officer within fifteen days after such eviction, the chief
52 executive officer shall sell the same at public auction, after using
53 reasonable efforts to locate and notify the defendant of such sale and
54 after posting notice of such sale for one week on the public signpost
55 nearest to the place where the eviction was made, if any, or at some
56 exterior place near the office of the town clerk. The chief executive
57 officer shall deliver to the defendant the net proceeds of such sale, if any,
58 after deducting a reasonable charge for storage of such possessions and
59 effects. If the defendant does not demand the net proceeds within thirty
60 days after such sale, the chief executive officer shall turn over the net
61 proceeds of the sale to the town treasury. If any costs of the removal and
62 delivery under this section, including fees charged by a marshal
63 pursuant to subsection (b) of section 52-261, have been paid by the
64 landlord on the tenant's behalf and have not been reimbursed to the
65 landlord by the tenant within thirty days of such eviction, the landlord
66 may file a motion with the court that rendered the judgment described
67 in subsection (a) of this section seeking an order for payment of such
68 costs by the defendant.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2022	47a-42
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Statement of Purpose:

To enable landlords to seek an order for payment after eviction when the landlord has incurred unpaid costs related to the disposition of an evicted tenant's property.

[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.]