

Housing Committee JOINT FAVORABLE REPORT

Bill No.: HB-6338

AN ACT PERMITTING REMOVAL OF AN UNAUTHORIZED INDIVIDUAL FROM

Title: REAL PROPERTY.

Vote Date: 3/6/2025

Vote Action: Joint Favorable

PH Date: 2/13/2025

File No.: 227

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SPONSORS OF BILL:

Housing Committee

REASONS FOR BILL:

Representative Gonzalez introduced this bill due to previous experience she had as a landlord and based on input from her constituents. Some residents have come to her complaining of a drawn-out legal process to see 'squatters' removed from their properties, and this bill would seek to simplify the removal of 'unlawful' tenants from privately owned property. In addition, members of her community and elsewhere believe there has been an increase in these inhabitants either in their buildings or nearby and are concerned about the potential threat to community safety they may pose.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

[Jim Heckman, General Counsel, CT Realtors](#) – Jim Heckman supported this bill because squatting on properties has become more of an issue. Heckman shared that CTR drafted their own legislation related to this issue which would allow, "property owners to request the assistance of a State Marshal in the removal of unauthorized persons from the property", as opposed to police officers since Marshals have experience with tenants. Heckman concluded with the note that CTR would like to collaborate with the proponents of the bill to craft the legislation.

[Lauren Tagliatela, GRC Co-Chair, CTAA](#) – Lauren Tagliatela supported this bill because unlawful occupancy can result in lost rental income, property damage, and safety issues for residents; this bill would help property owners recover losses and continue managing properties effectively while preventing further damage. Tagliatela added that CTAA would like to collaborate with the drafters of this bill to make improvements.

[John Souza, President, CT Coalition Of Property Owners](#): John Souza supported this bill as a more efficient measure to deal with, "persons who have no right to occupy a property". Souza argued that currently, the eviction process can allow for an unauthorized tenant to remain on the property for long periods at significant cost to the property owner.

[Brandon Rush, Property Owner, Housing Provider](#): Brandon Rush supported this bill to address unauthorized tenants also referred to as 'squatters'. Rush argued that property owners already have difficulty evicting lawful tenants, and the burden in court falls to the property owner who is unlikely to recuperate their legal fees and loss of rent. In conclusion, Rush urged the committee to uphold the rights of property owners by providing a more efficient way to remove unauthorized occupants.

The following testimonies expressed general support of the bill:

[Dondre Roberts, CTAA](#)

[Bob DeCosmo, The CT Property Owners Alliance](#)

[Frank DeFelice, Chairperson, RiverCOG RPC / Durham PZC & IWWA](#)

[Paul Januszewski, Housing Provider](#)

[Richard Sadlon, Owner, Sadlon Properties, LLC](#)

[Gabrielle Peters](#)

[Samuel Eddinger](#)

[Jim Perras, CEO, HBRA of CT](#)

[John Doe](#)

[Hannah Linnell](#)

[Jaimie Andrews, Realtor, Bottom Line Realty](#)

[Linda Dalessio](#)

[Mary Jean Agostini](#)

[Adam Bonoff](#)

[Anonymous](#)

[Anonymous](#)

NATURE AND SOURCES OF OPPOSITION:

[Sarah White, Attorney, Connecticut Fair Housing Center](#) – Sarah White opposed this bill since Connecticut has required landlords to obtain a court order to regain possession of rental properties held by a tenant and any other occupant since the 1720s to ensure that both sides have due process and a chance to be heard. White stated this bill would likely be unconstitutional because, "tenants could be violently evicted without advanced notice, an opportunity to be heard, a court order, or any judicial oversight", and added that the broad wording of this bill means that nearly all tenants would be vulnerable. White shared their experience with working in another state that tolerated eviction outside of the court process.

[Amy Peltier, Coalition and Advocacy Director, Partnership 4 Strong Communities](#) – Amy Peltier opposed this bill because its lack of specificity could lead to lawsuits and financial penalties for tenants and landlords, as police may rely solely on an owner's word when removing an individual. Peltier added that engaging in self-help evictions is illegal, can permanently damage a landowner or their reputation, and occupants may have grounds for wrongful eviction or harassment cases against landlords for removal without formal process.

[Chelsea Connery, Staff Attorney, CT Fair Housing Center](#) – Chelsea Connery opposed this bill and stated it is, "grounded in misconceptions of landlord-tenant terminology and law", including the title which they believe is broad in its reference to "unauthorized" individuals. They noted that only tenants have, "'exclusive possession' of the rental unit. It is the tenant, not the landlord, who has the power to decide who can be admitted". Connery feared this bill would encourage the use of illegal lockouts, resulting in high-conflict situations for landlords, tenants, and police officers. Connery concluded, "current eviction system provides an orderly mechanism for removing tenants who no longer have a right to occupy - including those who the tenant admitted but the landlord did not admit."

[Eli Sabin, Legislative Coordinator, CT Voices for Children](#) – Eli Sabin opposed this bill and warned it would roll back vital tenant protections at a time of steep rental increases and limited housing stock, adding that this bill, "unnecessarily involve[s] police in landlord-tenant disputes that should be handled through the eviction process." Sabin spoke on the, "inherent power imbalance", between landlords and tenants; in the aftermath of evictions, "an individual is 300 times more likely to stay in an emergency shelter, costing the state an estimated \$41,725 per year or about \$114 a day". Sabin added that housing insecurity disproportionately impacts people of color, who are more likely to experience, "post-eviction homelessness and housing instability," and concluded that involving police in this process is likely to have a disparate impact on these populations, further exacerbating tensions between these communities and law enforcement.

[Sarah Mervine, Director, YNHH MLP, Center for Children](#) – Sarah Mervine opposed this bill as it could immediately remove families and children from their homes without due process, and forcing police to resolve civil, not criminal, matters. Mervine shared examples from their work where the law prevented children from being lock out of their homes. Mervine stated that anyone who is "unlawfully occupying" a property can already be removed by the police under current Criminal Trespass statutes, so another is not needed.

[Erin Boggs, Executive Director, Open Communities Alliance](#) – Erin Boggs opposed this bill and shared their concern that it could have unintended consequences, including police being required to remove and arrest occupants, not unauthorized trespassers who can be removed under current law. Boggs stated that this could lead to illegal lockouts.

[Raphael Podolsky, Attorney, Policy Advocate, Connecticut Legal Services-Inc.](#) – Raphael Podolsky opposed this bill because evictions are a civil matter, and criminal law should only be involved, "in the most unusual and extreme situations." Podolsky stated this bill will likely generate high levels of conflict and unnecessary police intervention, and listed other likely outcomes of this bill including empowering landlords to circumvent the eviction process, utilizing it as intimidation, misusing the term 'unlawful' to expel rightful occupants, and ignoring the tenant's rights.

[Brian Mezick, President, State Marshal Association of CT](#) – Brian Mezick opposed this bill and listed their concerns regarding its practical application. Their concerns included: negative due process implications, unclear mechanisms for removal, liability risks for state marshals, an overbroad definition of 'unauthorized person', conflicts with foreclosure laws, oral leases and disputed tenancies, and fees for state marshals. Mezick stated this bill would, "create more confusion, legal risk, and enforcement challenges than solutions", and instead provided two suggestions; first, narrow the broad nature of the bill to exclude oral leases, guests of tenants (lease violations), and foreclosed homeowners and other occupants (adult children and other family), second, "retain judicial review of all housing matters", and third, if truly needed, create an accurate definition of a 'true trespasser' as a non-tenant who never had a right or privilege to occupy.

[Darrell Fennell, Commissioner, Middletown Fair Rent Commission](#) – Darrell Fennell opposed this bill as it creates risk for all involved parties: tenants, landlords, officers, and the municipalities. Fennell questioned what would happen if a landlord wrongly instructs a policeman to evict: would be the policeman, municipality, or the landlord who is liable for depriving the tenant of their rights.

[Cyd Oppenheimer, Staff Attorney, CT Veterans Legal Center](#) – Cyd Oppenheimer opposed this bill and believed it will risk their clients being improperly removed from their homes while depriving them of their entitled due process. Oppenheimer added that existing summary process statutes are already designed to address all possible scenarios, so this bill is unnecessary, and will create, "the specter of authorized occupants being removed from their homes without the due process protections to which they are entitled." They stated this will likely impact low-income, under-educated, and disabled individuals who are already at a disadvantage when it comes to landlords and knowing their rights, and that the bill blurs the line between civil and criminal offenses and their appropriate remedies.

[Patrick Griffin, Chief States Attorney, Division of Criminal Justice](#) – Patrick Griffin opposed this bill and stated that it would likely cause confusion for law enforcement and put police in a difficult decision when determining if someone is "unlawfully occupying" property. Griffin added that existing criminal law already exists for the situation this bill is addressing.

The following testimonies expressed general opposition to the bill:

[Olivia Rinkes](#)

[Carmen Clarkin, Research and Policy Associate, Connecticut Voices for Children](#)

[Anonymous](#)

**Reported by: Arianna Tsikitas, Clerk
Jasmine Jones, Assistant Clerk**

Date: 3/18/2025